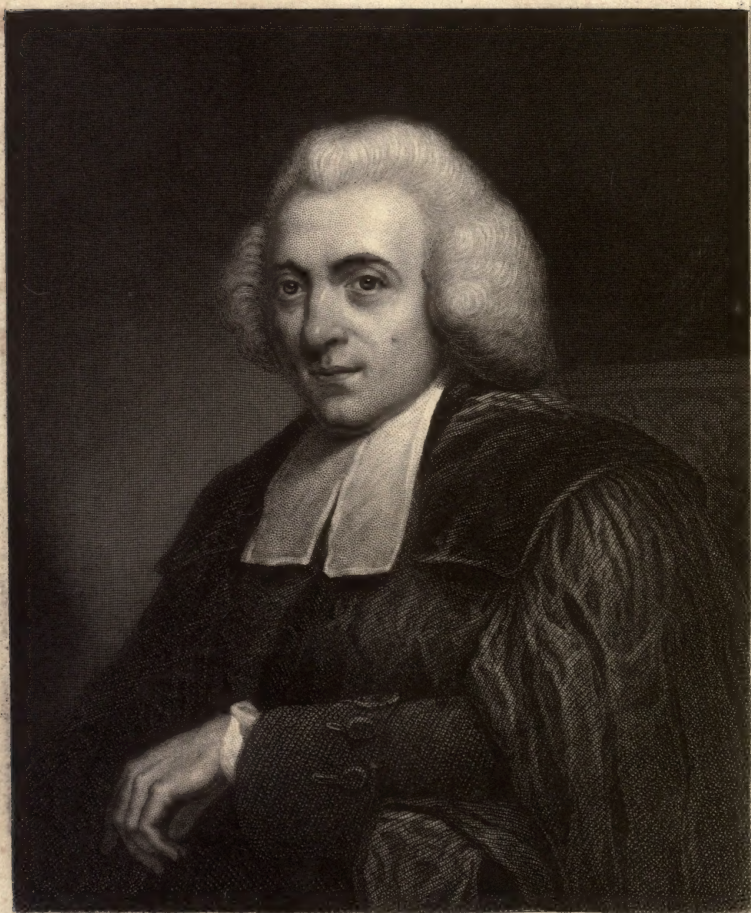


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ROBERTSON'S
HISTORY OF AMERICA
Continued to
THE PRESENT TIME.



THE ASCENT TO THE CAPITOL WASHINGTON.

LONDON.
GEORGE VINIST AD IVY LANE



A HISTORY

OF

NORTH AND SOUTH AMERICA:

INCLUDING THE CELEBRATED WORK,

BY DR. ROBERTSON.

CONTINUED BY

A COMPLETE HISTORY OF THE UNITED STATES

TO THE PRESENT TIME.

LONDON: GEORGE VIRTUE.

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P R E F A C E.

IN conformity with the plan of the NATIONAL LIBRARY, the present HISTORY OF THE UNITED STATES is a careful Compilation from the Standard Authors on the subject; and it will be sufficient to say, that it contains all that is valuable in the following Works, corrected by reference to later documents:—

Hutchinson's History of Massachusetts's Bay—Belknap's History of New Hampshire—Smith's Histories of New York and of New Jersey—Trumbull's Civil and Ecclesiastical History of Connecticut—Proud's History of Pennsylvania—Franklin's Historical Review of Pennsylvania—Jefferson's Virginia—Hewett's History of Carolina and Georgia—Ramsay's Revolutions of South Carolina—The Universal History—Winterbotham's Account of the United States—Warden's Ditto—Willard's History of the Same—Botta's War of the Independence—Pitkin's History of the States—Holmes's Annals—Marshall's Life of Washington—The Encyclopædias—Rich's View of the United States—Stewart's Travels.

The account of the first colonizing of New England and of Virginia is not repeated in this Volume, as Robertson's fragments on the subject will be found appended to his History of (Spanish) America. This latter Work having been considered as the first part of the present (in relation to the whole of America), the pageing has been carried on, it having been intended to bind up the whole together. In consequence, however, of a very general request on the part of those Persons who already possess Robertson, this portion of the History of the United States is given separately; thus affording to Purchasers the option of taking either or both Works.

In the compilation, the Editor has been careful to select authentic matter; but has otherwise presumed to do little more than occasionally retrench redundancies, and correct matters of fact by reference to later productions. The materials were ample, but have never before been collected; and the Volume may claim attention as comprising the main body of Works which all who desire information relative to this great and rising country, must possess, and which yet cannot be had without the outlay of many pounds. He hopes it will therefore be acceptable to Readers on both sides of the Atlantic; especially as it is the only existing Work which fully and connectedly develops the rise, progress, and completion of a government which may be termed a phenomenon in political history.

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THE

HISTORY OF AMERICA.

P R E F A C E.

IN fulfilling the engagement which I had come under to the public with respect to the History of America, it was my intention not to have published any part of the work until the whole was completed. The present state of the British colonies has induced me to alter that resolution. While they are engaged in civil war with Great Britain, inquiries and speculations concerning their ancient forms of policy and laws, which exist no longer, cannot be interesting. The attention and expectation of mankind are now turned towards their future condition. In whatever manner this unhappy contest may terminate, a new order of things must arise in North America, and its affairs will assume another aspect. I wait with the solicitude of a good citizen, until the ferment subside, and regular government be re-established, and then I shall return to this part of my work, in which I had made some progress. That, together with the history of Portuguese America, and of the settlements made by the several nations of Europe in the West India Islands, will complete my plan.

The three volumes which I now publish contain an account of the discovery of the New World, and of the progress of the Spanish arms and colonies there. This is not only the most splendid portion of the American story, but so much detached, as, by itself, to form a perfect whole, remarkable for the unity of the subject. As the principles and maxims of the Spaniards in planting colonies, which have been adopted in some measure by every nation, are unfolded in this part of my work, it will serve as a proper introduction to the history of all the European establishments in America, and convey such information concerning this important article of policy, as may be deemed no less interesting than curious.

In describing the achievements and institutions of the Spaniards in the New World, I have departed, in many instances, from the accounts of preceding historians, and have often related facts which seem to have been unknown to them. It is a duty I owe the public to mention the sources from which I have derived such intelligence as justifies me either in placing transactions in a new light, or in forming any new opinion with respect to their causes and effects. This duty I perform with greater satisfaction, as it will afford an opportunity of expressing my gratitude to those benefactors who have honoured me with their countenance and aid in my researches.

As it was from Spain that I had to expect the most important information with regard to this part of my work, I considered it as a very fortunate circumstance for me, when Lord Grantham, to whom I had the honour of being personally known, and with whose liberality of sentiment and disposition to oblige I was well acquainted, was appointed

ambassador to the court of Madrid. Upon applying to him, I met with such a reception as satisfied me that his endeavours would be employed in the most proper manner, in order to obtain the gratification of my wishes; and I am perfectly sensible, that what progress I have made in my inquiries among the Spaniards, ought to be ascribed chiefly to their knowing how much his lordship interested himself in my success.

But did I owe nothing more to lord Grantham, than the advantages which I have derived from his attention in engaging Mr. Waddilove, the chaplain of his embassy, to take the conduct of my literary inquiries in Spain, the obligations I lie under to him would be very great. During five years that gentleman has carried on researches for my behoof, with such activity, perseverance, and knowledge of the subject to which his attention was turned, as have filled me with no less astonishment than satisfaction. He procured for me the greater part of the Spanish books which I have consulted; and as many of them were printed early in the sixteenth century, and are become extremely rare, the collecting of these was such an occupation as alone required much time and assiduity. To his friendly attention I am indebted for copies of several valuable manuscripts, containing facts and details which I might have searched for in vain in works that have been made public. Encouraged by the inviting good-will with which Mr. Waddilove conferred his favours, I transmitted to him a set of queries, with respect both to the customs and policy of the native Americans, and the nature of several institutions in the Spanish settlements, framed in such a manner, that a Spaniard might answer them, without disclosing any thing that was improper to be communicated to a foreigner. He translated these into Spanish, and obtained from various persons who had resided in most of the Spanish colonies, such replies as have afforded me much instruction.

Notwithstanding these peculiar advantages with which my inquiries were carried on in Spain, it is with regret I am obliged to add, that their success must be ascribed to the beneficence of individuals, not to any communication by public authority. By a singular arrangement of Philip II. the records of the Spanish monarchy are deposited in the Archivo of Simancas, near Valladolid, at a distance of a hundred and twenty miles from the seat of government, and the supreme courts of justice. The papers relative to America, and chiefly to that early period of its history towards which my attention was directed, are so numerous, that they alone, according to one account, fill the largest apartment in the Archivo; and, according to another, they compose eight hun-

dred and seventy-three large bundles. Conscious of possessing, in some degree, the industry which belongs to an historian, the prospect of such a treasure excited my most ardent curiosity. But the prospect of it is all that I have enjoyed. Spain, with an excess of caution, has uniformly thrown a veil over her transactions in America. From strangers they are concealed with peculiar solicitude. Even to her own subjects the Archivo of Simancas is not opened without a particular order from the crown; and after obtaining that, papers cannot be copied, without paying fees of office so exorbitant, that the expense exceeds what it would be proper to bestow, when the gratification of literary curiosity is the only object. It is to be hoped, that the Spaniards will at last discover this system of concealment to be no less impolitic than illiberal. From what I have experienced in the course of my inquiries, I am satisfied, that upon a more minute scrutiny into their early operations in the New World, however reprehensible the actions of individuals may appear, the conduct of the nation will be placed in a more favourable light.

In other parts of Europe very different sentiments prevail. Having searched, without success, in Spain, for a letter of Cortes to Charles V. written soon after he landed in the Mexican empire, which has not hitherto been published, it occurred to me, that as the emperor was setting out for Germany at the time when the messengers from Cortes arrived in Europe, the letter with which they were entrusted might possibly be preserved in the imperial library of Vienna. I communicated this idea to Sir Robert Murray Keith, with whom I have long had the honour to live in friendship, and I had soon the pleasure to learn, that upon his application, her imperial majesty had been graciously pleased to issue an order, that not only a copy of that letter, (if it were found), but of any other papers in the library, which could throw light upon the History of America, should be transmitted to me. The letter from Cortes is not in the imperial library, but an authentic copy, attested by a notary, of a letter written by the magistrates of the colony planted by him at Vera Cruz, which I have mentioned, Book V. having been found, it was transcribed and sent to me. As this letter is no less curious, and as little known, as that which was the object of my inquiries, I have given some account, in its proper place, of what is most worthy of notice in it. Together with it, I received a copy of a letter from Cortes, containing a long account of his expedition to Honduras, with respect to which I did not think it necessary to enter into any particular detail; and likewise those curious Mexican paintings, which I have described, Vol. iii. p. 23.

My inquiries at St. Petersburg were carried on with equal facility and success. In examining into the nearest communication between our continent and that of America, it became of consequence to obtain authentic information concerning the discoveries of the Russians in their navigation from Kamschatka towards the coast of America. Accurate relations of their first voyage, in 1741, have been published by Muller and Gmelin. Several foreign authors have entertained an opinion, that the court of Russia studiously conceals the progress which has been made by more recent navigators, and suffers the public to be amused with false accounts of their route. Such conduct appeared to me unsuitable to those liberal sentiments, and that patronage of science, for which the present sovereign of Russia is eminent; nor could I discern any political reason, that might render it improper to apply for informa-

tion concerning the late attempts of the Russians to open a communication between Asia and America. My ingenious countryman, Dr. Rogerson, first physician to the empress, presented my request to her imperial majesty, who not only disclaimed any idea of concealment, but instantly ordered the journal of Captain Krenitzin, who conducted the only voyage of discovery made by public authority since the year 1741, to be translated, and his original chart to be copied for my use. By consulting them, I have been enabled to give a more accurate view of the progress and extent of the Russian discoveries, than has hitherto been communicated to the public.

From other quarters I have received information of great utility and importance. M. le Chevalier de Pinto, the minister from Portugal to the court of Great Britain, who commanded for several years at Matagrosso, a settlement of the Portuguese in the interior part of Brazil, where the Indians are numerous, and their original manners little altered by intercourse with Europeans, was pleased to send me very full answers to some queries concerning the character and institutions of the natives of America, which his polite reception of an application made to him in my name, encouraged me to propose. These satisfied me, that he had contemplated with a discerning attention the curious objects which his situation presented to his view, and I have often followed him as one of my best instructed guides.

M. Suard, to whose elegant translation of the History of the Reign of Charles V. I owe the favourable reception of that work on the continent, procured me answers to the same queries from M. de Bougainville, who had opportunities of observing the Indians both of North and South America, and from M. Godin le Jeune, who resided fifteen years among the Indians in Quito, and twenty years in Cayenne. The latter are more valuable from having been examined by M. de la Condamine, who, a few weeks before his death, made some short additions to them, which may be considered as the last effort of that attention to science which occupied a long life.

My inquiries were not confined to one region in America. Governor Hutchinson took the trouble of recommending the consideration of my queries to Mr. Hawley and Mr. Brainerd, two protestant missionaries employed among the Indians of the Five Nations, who favoured me with answers which discover a considerable knowledge of the people whose customs they describe. From William Smith, Esq. the ingenious historian of New York, I received some useful information. When I enter upon the History of our Colonies in North America, I shall have occasion to acknowledge how much I have been indebted to many other gentlemen of that country.

From the valuable collection of voyages made by Alexander Dalrymple, Esq. with whose attention to the history of navigation and discovery the public is well acquainted, I have received some very rare books, particularly two large volumes of memorials, partly manuscript, and partly in print, which were presented to the Court of Spain during the reigns of Philip III. and Philip IV. From these I have learned many curious particulars with respect to the interior state of the Spanish colonies, and the various schemes formed for their improvement. As this collection of memorials formerly belonged to the Colbert Library, I have quoted them by that title.

All those books and manuscripts I have consulted

with that attention which the respect due from an author to the public requires; and by minute references to them, I have endeavoured to authenticate whatever I relate. The longer I reflect on the nature of historical composition, the more I am convinced that this scrupulous accuracy is necessary. The historian who records the events of his own time, is credited in proportion to the opinion which the public entertains with respect to his means of information and his veracity. He who delineates the transactions of a remote period, has no title to claim assent, unless he produces evidence in proof of his assertions. Without this, he may write an amusing tale, but cannot be said to have composed an authentic history. In these sentiments I have been confirmed by the opinion of an author, whom his industry, erudition, and discernment, have deservedly placed in a high rank among the most eminent historians of the age. Imboldened by a hint from him, I have published a catalogue of the Spanish books which I have consulted. This practice was frequent in the last century, and was considered as an evidence of laudable industry in an author; in the present, it may, perhaps, be deemed the effect of ostentation; but, as many of these books are unknown in Great Britain, I could not otherwise have referred to them as authorities, without encumbering the page with an insertion of their full titles. To any person who may choose to follow me in this path of inquiry, the catalogue must be very useful.

My readers will observe, that in mentioning sums of money, I have uniformly followed the Spanish method of computing by *pesos*. In America, the *peso fuerte*, or *duro* is the only one known; and that is always meant when any sum imported from America is mentioned. The *peso fuerte*, as well as other coins, has varied in its numerary value; but I have been advised, without attending to such minute variations, to consider it as equal to four shillings and sixpence of our money. It is to be remembered, however, that in the sixteenth century

the effective value of a peso, i. e. the quantity of labour which it represented, or of goods which it would purchase, was five or six times as much as at present.

POSTSCRIPT.

Since this edition was put into the press, a History of Mexico, in two volumes in quarto, translated from the Italian of the Abbé D. Francesco Saverio Clavigero, has been published. From a person who is a native of New Spain, who has resided forty years in that country, and who is acquainted with the Mexican language, it was natural to expect much new information. Upon perusing his work, however, I find that it contains hardly any addition to the ancient History of the Mexican Empire, as related by Acosta and Herrera, but what is derived from the improbable narratives and fanciful conjectures of Torquemada and Boturini. Having copied their splendid descriptions of the high state of civilization in the Mexican Empire, M. Clavigero, in the abundance of his zeal for the honour of his native country, charges me with having mistaken some points, and with having misrepresented others, in the history of it. When an author is conscious of having exerted industry in research, and impartiality in decision, he may, without presumption, claim what praise is due to these qualities, and he cannot be insensible to any accusation that tends to weaken the force of his claim. A feeling of this kind has induced me to examine such strictures of M. Clavigero on my History of America as merited any attention, especially as these are made by one who seemed to possess the means of obtaining accurate information; and to show that the greater part of them is destitute of any just foundation. This I have in notes upon the passages in my History which gave rise to his criticisms.

COLLEGE OF EDINBURGH,
March 1, 1788.

THE

HISTORY OF AMERICA.

BOOK I.

THE progress of men in discovering and peopling the various parts of the earth, has been extremely slow. Several ages elapsed before they removed far from those mild and fertile regions in which they were originally placed by their Creator. The occasion of their first general dispersion is known; but we are unacquainted with the course of their migrations, or the time when they took possession of the different countries which they now inhabit. Neither history nor tradition furnish such information concerning those remote events, as enables us to trace, with any certainty, the operations of the human race in the infancy of society.

We may conclude, however, that all the early migrations of mankind were made by land. The ocean, which surrounds the habitable earth, as well as the various arms of the sea which separate one region from another, though destined to facilitate the communication between distant countries, seem, at first view, to be formed to check the progress of man, and to mark the bounds of that portion of the globe to which nature had confined him. It was long, we may believe, before men attempted to pass these formidable barriers, and became so skilful an adventurous as to trust themselves to the mercy of the winds and waves, or to quit their native shores in quest of remote and unknown regions.

Navigation and ship-building are arts so nice and complicated, that they require the ingenuity, as well

as experience, of many successive ages to bring them to any degree of perfection. From the raft or canoe, which first served to carry a savage over the river that obstructed him in the chase, to the construction of a vessel capable of conveying a numerous crew with safety to a distant coast, the progress in improvement is immense. Many efforts would be made, many experiments would be tried, and much labour as well as invention would be employed, before men could accomplish this arduous and important undertaking. The rude and imperfect state in which navigation is still found among all nations which are not considerably civilized, corresponds with this account of its progress, and demonstrates that, in early times, the art was not so far improved as to enable men to undertake distant voyages, or to attempt remote discoveries.

As soon, however, as the art of navigation became known, a new species of correspondence among men took place. It is from this era that we must date the commencement of such an intercourse between nations as deserves the appellation of commerce. Men are, indeed, far advanced in improvement before commerce becomes an object of great importance to them. They must even have made some considerable progress towards civilization, before they acquire the idea of property, and ascertain it so perfectly as to be acquainted with the most simple of all contracts, that of exchanging by barter one rude commodity for another. But as soon as this important right is established, and every individual feels that he has an exclusive title to possess or to alienate whatever he has acquired by his own labour and dexterity, the wants and ingenuity of his nature suggest to him a new method of increasing his acquisitions and enjoyments, by disposing of what is superfluous in his own stores, in order to procure what is necessary or desirable in those of other men. Thus a commercial intercourse begins, and is carried on among the members of the same community. By degrees, they discover that the neighbouring tribes possess what they themselves want, and enjoy comforts of which they wish to partake. In the same mode, and upon the same principles, that domestic traffic is carried on within the society, an external commerce is established with other tribes or nations. Their mutual interest and mutual wants render this intercourse desirable, and imperceptibly introduce the maxims and laws which facilitate its progress and render it secure. But no very extensive commerce can take place between contiguous provinces, whose soil and climate being nearly the same, yield similar productions. Remote countries cannot convey their commodities by land to those places where, on account of their rarity, they are desired, and become valuable. It is to navigation that men are indebted for the power of transporting the superfluous stock of one part of the earth to supply the wants of another. The luxuries and blessings of a particular climate are no longer confined to itself alone, but the enjoyment of them is communicated to the most distant regions.

In proportion as the knowledge of the advantages derived from navigation and commerce continued to spread, the intercourse among nations extended. The ambition of conquest, or the necessity of procuring new settlements, were no longer the sole motives of visiting distant lands. The desire of gain became a new incentive to activity, roused adventurers, and sent them forth upon long voyages, in search of countries, whose products or wants might increase that circulation which nourishes and gives

vigour to commerce. Trade proved a great source of discovery it opened unknown seas, it penetrated into new regions, and contributed more than any other cause to bring men acquainted with the situation, the nature, and commodities of the different parts of the globe. But even after a regular commerce was established in the world, after nations were considerably civilized, and the sciences and arts were cultivated with ardour and success, navigation continued to be so imperfect, that it can hardly be said to have advanced beyond the infancy of its improvement in the ancient world.

Among all the nations of antiquity, the structure of their vessels was extremely rude, and their method of working them very defective. They were unacquainted with several principles and operations in navigation, which are now considered as the first elements on which that science is founded. Though that property of the magnet, by which it attracts iron, was well known to the ancients, its more important and amazing virtue of pointing to the poles had entirely escaped their observation. Destitute of this faithful guide, which now conducts the pilot with so much certainty in the unbounded ocean, during the darkness of night, or when the heavens are covered with clouds, the ancients had no other method of regulating their course than by observing the sun and stars. Their navigation was of consequence uncertain and timid. They durst seldom quit sight of land, but crept along the coast, exposed to all the dangers, and retarded by all the obstructions, unavoidable in holding such an awkward course. An incredible length of time was requisite for performing voyages, which are now finished in a short space. Even in the mildest climates, and in seas the least tempestuous, it was only during the summer months that the ancients ventured out of their harbours. The remainder of the year was lost in inactivity. It would have been deemed most inconsiderate rashness to have braved the fury of the winds and waves during winter.

While both the science and practice of navigation continued to be so defective, it was an undertaking of no small difficulty and danger to visit any remote region of the earth. Under every disadvantage, however, the active spirit of commerce exerted itself. The Egyptians, soon after the establishment of their monarchy, are said to have opened a trade between the Arabian gulf or Red sea, and the western coast of the great Indian continent. The commodities which they imported from the East, were carried by land from the Arabian gulf to the banks of the Nile, and conveyed down that river to the Mediterranean. But if the Egyptians in earlier times applied themselves to commerce, their attention to it was of short duration. The fertile soil and mild climate of Egypt produced the necessities and comforts of life with such profusion, as rendered its inhabitants so independent of other countries, that it became an established maxim among that people, whose ideas and institutions differed in almost every point from those of other nations, to renounce all intercourse with foreigners. In consequence of this, they never went out of their own country; they held all seafaring persons in detestation, as impious and profane; and fortifying their own harbours, they denied strangers admittance into them. It was in the decline of their power, and when their veneration for ancient maxims had greatly abated, that they again opened their ports, and resumed any communication with foreigners.

The character and situation of the Phenicians

were as favourable to the spirit of commerce and discovery as those of the Egyptians were adverse to it. They had no distinguishing peculiarity in their manners and institutions; they were not addicted to any singular and unsocial form of superstition; they could mingle with other nations without scruple or reluctance. The territory which they possessed was neither large nor fertile. Commerce was the only source from which they could derive opulence or power. Accordingly the trade carried on by the Phenicians of Sidon and Tyre was more extensive and enterprising than that of any state in the ancient world. The genius of the Phenicians, as well as the object of their policy and the spirit of their laws, were entirely commercial. They were a people of merchants, who aimed at the empire of the sea, and actually possessed it. Their ships not only frequented all the ports in the Mediterranean, but they were the first who ventured beyond the ancient boundaries of navigation, and, passing the Straits of Gades, visited the western coasts of Spain and Africa. In many of the places to which they resorted, they planted colonies, and communicated to the rude inhabitants some knowledge of their arts and improvements. While they extended their discoveries towards the north and west, they did not neglect to penetrate into the more opulent and fertile regions of the south and east. Having rendered themselves masters of several commodious harbours towards the bottom of the Arabian gulf, they, after the example of the Egyptians, established a regular intercourse with Arabia and the continent of India on the one hand, and with the eastern coast of Africa on the other. From these countries they imported many valuable commodities unknown to the rest of the world, and, during a long period, engrossed that lucrative branch of commerce without a rival (See Note 1).

The vast wealth which the Phenicians acquired by monopolizing the trade carried on in the Red sea, incited their neighbours the Jews, under the prosperous reigns of David and Solomon, to aim at being admitted to some share of it. This they obtained, partly by their conquest of Idumea, which stretches along the Red sea, and partly by their alliance with Hiram, king of Tyre. Solomon fitted out fleets, which, under the direction of Phenician pilots, sailed from the Red sea to Tarshish and Ophir. These, it is probable, were ports in India and Africa, which their conductors were accustomed to frequent, and from them the Jewish ships returned with such valuable cargoes as suddenly diffused wealth and splendour through the kingdom of Israel. But the singular institutions of the Jews, the observance of which was enjoined by their divine Legislator, with an intention of preserving them a separate people, uninfected by idolatry, formed a national character, incapable of that open and liberal intercourse with strangers which commerce requires. Accordingly, this unsocial genius of the people, together with the disasters which befell the kingdom of Israel, prevented the commercial spirit, which their monarchs laboured to introduce and to cherish, from spreading among them. The Jews cannot be numbered among the nations which contributed to improve navigation, or to extend discovery.

But though the instructions and example of the Phenicians were unable to mould the manners and temper of the Jews, in opposition to the tendency of their laws, they transmitted the commercial spirit with facility, and in full vigour, to their own descendants the Carthaginians. The commonwealth of

Carthage applied to trade and to naval affairs, with no less ardour, ingenuity, and success, than its parent state. Carthage early rivalled and soon surpassed Tyre in opulence and power, but seems not to have aimed at obtaining any share in the commerce with India. The Phenicians had engrossed this, and had such a command of the Red sea as secured to them the exclusive possession of that lucrative branch of trade. The commercial activity of the Carthaginians was exerted in another direction. Without contending for the trade of the East with their mother-country, they extended their navigation chiefly towards the west and north. Following the course which the Phenicians had opened, they passed the Straits of Gades, and pushing their discoveries far beyond those of the parent state, visited not only all the coasts of Spain, but those of Gaul, and penetrated at last into Britain. At the same time that they acquired knowledge of new countries in this part of the globe, they gradually carried their researches towards the south. They made considerable progress, by land, into the interior provinces of Africa, traded with some of them, and subjected others to their empire. They sailed along the western coast of that great continent, almost to the tropic of Cancer, and planted several colonies, in order to civilize the natives, and accustom them to commerce. They discovered the Fortunate Islands, now known by the name of the Canaries, the utmost boundary of ancient navigation in the western ocean.

Nor was the progress of the Phenicians and Carthaginians in their knowledge of the globe owing entirely to the desire of extending their trade from one country to another. Commerce was followed by its usual effects among both these people. It awakened curiosity, enlarged the ideas and desires of men, and incited them to bold enterprises. Voyages were undertaken, the sole object of which was to discover new countries, and to explore unknown seas. Such, during the prosperous age of the Carthaginian republic, were the famous navigations of Hanno and Himilco. Both their fleets were equipped by authority of the senate, and at public expense. Hanno was directed to steer towards the south, along the coast of Africa, and he seems to have advanced much nearer the equinoctial line than any former navigator. Himilco had it in charge to proceed towards the north, and to examine the western coasts of the European continent. Of the same nature was the extraordinary navigation of the Phenicians round Africa. A Phenician fleet, we are told, fitted out by Necho, king of Egypt, took its departure about six hundred and four years before the Christian era, from a port in the Red sea, doubled the southern promontory of Africa, and, after a voyage of three years, returned by the Straits of Gades to the mouth of the Nile. Eudoxus of Cyzicus is said to have held the same course, and to have accomplished the same arduous undertaking.

These voyages, if performed in the manner which I have related, may justly be reckoned the greatest effort of navigation in the ancient world; and if we attend to the imperfect state of the art at that time, it is difficult to determine, whether we should most admire the courage and sagacity with which the design was formed, or the conduct and good fortune with which it was executed. But unfortunately all the authentic and original accounts of the Phenician and Carthaginian voyages, whether undertaken by public authority, or in prosecution of their private trade, have perished. The information which we receive concerning them from the Greek and Roman

authors, is not only obscure and inaccurate, but, if we except a short narrative of Hanno's expedition, is of suspicious authority (2). Whatever acquaintance with the remote regions of the earth the Phenicians and Carthaginians may have acquired, was concealed from the rest of mankind with a mercantile jealousy. Every thing relative to the course of their navigation was not only a mystery of trade, but a secret of state. Extraordinary facts are related concerning their solicitude to prevent other nations from penetrating into what they wished should remain undivulged. Many of their discoveries seem, accordingly, to have been scarcely known beyond the precincts of their own states. The navigation round Africa, in particular, is recorded by the Greek and Roman writers, rather as a strange amusing tale, which they did not comprehend, or did believe, than as a real transaction, which enlarged their knowledge and influenced their opinions. As neither the progress of the Phenician or Carthaginian discoveries, nor the extent of their navigation, were communicated to the rest of mankind, all memorials of their extraordinary skill in naval affairs seem, in a great measure, to have perished, when the maritime power of the former was annihilated by Alexander's conquest of Tyre, and the empire of the latter was overturned by the Roman arms.

Leaving, then, the obscure and pompous accounts of the Phenician and Carthaginian voyages to the curiosity and conjectures of antiquaries, history must rest satisfied with relating the progress of navigation and discovery among the Greeks and Romans, which, though less splendid, is better ascertained. It is evident that the Phenicians, who instructed the Greeks in many other useful sciences and arts, did not communicate to them that extensive knowledge of navigation which they themselves possessed; nor did the Romans imbibe that commercial spirit and ardour for discovery which distinguished their rivals the Carthaginians. Though Greece be almost encompassed by the sea, which formed many spacious bays and commodious harbours; though it be surrounded by a great number of fertile islands, yet, notwithstanding such a favourable situation, which seemed to invite that ingenious people to apply themselves to navigation, it was long before this art attained any degree of perfection among them. Their early voyages, the object of which was piracy rather than commerce, were so inconsiderable, that the expedition of the Argonauts from the coast of Thessaly to the Euxine sea, appeared such an amazing effort of skill and courage, as entitled the conductors of it to be ranked among the demigods, and exalted the vessel in which they sailed to a place among the heavenly constellations. Even at a later period, when the Greeks engaged in their famous enterprise against Troy, their knowledge in naval affairs seems not to have been much improved. According to the account of Homer, the only poet to whom history ventures to appeal, and who, by his scrupulous accuracy in describing the manners and arts of early ages, merits this distinction, the science of navigation, at that time, had hardly advanced beyond its rudest state. The Greeks in the heroic age seem to have been unacquainted with the use of iron, the most serviceable of all the metals, without which no considerable progress was ever made in the mechanical arts. Their vessels were of inconsiderable burden, and mostly without decks. They had only one mast, which was erected or taken down at pleasure. They were strangers to the use of anchors. All their operations in sailing were clumsy and unskilful.

They turned their observation towards stars, which were improper for regulating their course, and their mode of observing them was inaccurate and fallacious. When they had finished a voyage they drew their paltry barks ashore, as savages do their canoes, and these remained on dry land until the season of returning to sea approached. It is not then in the early or heroic ages of Greece that we can expect to observe the science of navigation, and the spirit of discovery, making any considerable progress. During that period of disorder and ignorance, a thousand causes concurred in restraining curiosity and enterprise within very narrow bounds.

But the Greeks advanced with rapidity to a state of greater civilization and refinement. Government, in its most liberal and perfect form, began to be established in their different communities; equal laws and regular police were gradually introduced; the sciences and arts which are useful or ornamental in life were carried to a high pitch of improvement, and several of the Grecian commonwealths applied to commerce with such ardour and success, that they were considered, in the ancient world, as maritime powers of the first rank. Even then, however, the naval victories of the Greeks must be ascribed rather to the native spirit of the people, and to that courage which the enjoyment of liberty inspires, than to any extraordinary progress in the science of navigation. In the Persian war, those exploits which the genius of the Greek historians has rendered so famous, were performed by fleets, composed chiefly of small vessels without decks; the crews of which rushed forward with impetuous valour, but little art, to board those of the enemy. In the war of Peloponnesus, their ships seem still to have been of inconsiderable burden and force. The extent of their trade, how highly soever it may have been estimated in ancient times, was in proportion to this low condition of their marine. The maritime states of Greece hardly carried on any commerce beyond the limits of the Mediterranean sea. Their chief intercourse was with the colonies of their countrymen, planted in the Lesser Asia, in Italy and Sicily. They sometimes visited the ports of Egypt, of the southern provinces of Gaul, and of Thrace, or, passing through the Hellespont, they traded with the countries situated around the Euxine sea. Amazing instances occur of their ignorance even of those countries which lay within the narrow precincts to which their navigation was confined. When the Greeks had assembled their combined fleet against Xerxes at Egina, they thought it unadvisable to sail to Samos, because they believed the distance between that island and Egina to be as great as the distance between Egina and the pillars of Hercules. They were either utterly unacquainted with all the parts of the globe beyond the Mediterranean sea, or what knowledge they had of them was founded on conjecture, or derived from the information of a few persons, whom curiosity and the love of science had prompted to travel by land into the Upper Asia, or by sea into Egypt, the ancient seats of wisdom and arts. After all that the Greeks learned from them, they appear to have been ignorant of the most important facts, on which an accurate and scientific knowledge of the globe is founded.

The expedition of Alexander the Great into the East, considerably enlarged the sphere of navigation and geographical knowledge among the Greeks. That extraordinary man, notwithstanding the violent passions which incited him, at some times, to the wildest actions, and the most extravagant enter-

prizes, possessed talents which fitted him not only to conquer but to govern the world. He was capable of framing those bold and original schemes of policy, which gave a new form to human affairs. The revolution in commerce, brought about by the force of his genius, is hardly inferior to that revolution in empire, occasioned by the success of his arms. It is probable, that the opposition and efforts of the republic of Tyre, which checked him so long in the career of his victories, gave Alexander an opportunity of observing the vast resources of a maritime power, and conveyed to him some idea of the immense wealth which the Tyrians derived from their commerce, especially that with the East Indies. As soon as he had accomplished the destruction of Tyre, and reduced Egypt to subjection, he formed the plan of rendering the empire which he proposed to establish, the centre of commerce as well as the seat of dominion. With this view he founded a great city, which he honoured with his own name, near one of the mouths of the river Nile, that by the Mediterranean sea, and the neighbourhood of the Arabian gulf, it might command the trade both of the East and West. This situation was chosen with such discernment, that Alexandria soon became the chief commercial city in the world. Not only during the subsistence of the Grecian empire in Egypt and in the East, but amidst all the successive revolutions in those countries from the time of the Ptolemies to the discovery of the navigation by the Cape of Good Hope, commerce, particularly that of the East Indies, continued to flow in the channel which the sagacity and foresight of Alexander had marked out for it.

His ambition was not satisfied with having opened to the Greeks a communication with India by sea; he aspired to the sovereignty of those regions which furnished the rest of mankind with so many precious commodities, and conducted his army thither by land. Enterprising, however, as he was, he may be said rather to have viewed than to have conquered that country. He did not, in his progress toward the East, advance beyond the banks of the rivers that fall into the Indus, which is now the western boundary of the vast continent of India. Amidst the wild exploits which distinguish this part of his history, he pursued measures that mark the superiority of his genius as well as the extent of his views. He had penetrated as far into India as to confirm his opinion of its commercial importance, and to perceive that immense wealth might be derived from intercourse with a country, where the arts of elegance, having been more early cultivated, were arrived at greater perfection than in any other part of the earth. Full of this idea, he resolved to examine the course of navigation from the mouth of the Indus to the bottom of the Persian gulf; and, if it should be found practicable, to establish a regular communication between them. In order to effect this, he proposed to remove the cataracts, with which the jealousy of the Persians, and their aversion to correspondence with foreigners, had obstructed the entrance into the Euphrates; to carry the commodities of the East up that river and the Tigris, which unites with it, into the interior parts of his Asiatic dominions; while, by the way of the Arabian gulf, and the river Nile, they might be conveyed to Alexandria, and distributed to the rest of the world. Nearchus, an officer of eminent abilities, was intrusted with the command of the fleet fitted out for this expedition. He performed this voyage, which was deemed an enterprise so arduous and important, that Alexander reckoned it one of the most extraordinary events which distinguished his reign. Inconsiderable as it

may now appear, it was, at that time, an undertaking of no little merit and difficulty. In the prosecution of it, striking instances occur of the small progress which the Greeks had made in naval knowledge (4). Having never sailed beyond the bounds of the Mediterranean, where the ebb and flow of the sea are hardly perceptible, when they first observed this phenomenon at the mouth of the Indus, it appeared to them a prodigy, by which the gods testified the displeasure of heaven against their enterprise (5). During their whole course, they seem never to have lost sight of land, but followed the bearings of the coast so servilely, that they could not much avail themselves of those periodical winds which facilitate navigation in the Indian ocean. Accordingly, they spent no less than ten months in performing this voyage, which, from the mouth of the Indus to that of the Persian gulf, does not exceed twenty degrees. It is probable, that, amidst the violent convulsions and frequent revolutions in the East, occasioned by the contests among the successors of Alexander, the navigation to India by the course which Nearchus had opened was discontinued. The Indian trade carried on at Alexandria, not only subsisted, but was so much extended under the Grecian monarchs of Egypt, that it proved a great source of the wealth which distinguished their kingdom.

The progress which the Romans made in navigation and discovery, was still more inconsiderable than that of the Greeks. The genius of the Roman people, their military education, and the spirit of their laws, concurred in estranging them from commerce and naval affairs. It was the necessity of opposing a formidable rival, not the desire of extending trade, which first prompted them to aim at maritime power. Though they soon perceived that in order to acquire the universal dominion after which they aspired, it was necessary to render themselves masters of the sea, they still considered the naval service as a subordinate station, and reserved for it such citizens as were not of a rank to be admitted into the legions. In the history of the Roman Republic, hardly one event occurs that marks attention to navigation any further than as it was instrumental towards conquest. When the Roman valour and discipline had subdued all the maritime states known in the ancient world; when Carthage, Greece, and Egypt, had submitted to their power, the Romans did not imbibe the commercial spirit of the conquered nations. Among that people of soldiers, to have applied to trade would have been deemed a degradation of a Roman citizen. They abandoned the mechanical arts, commerce, and navigation, to slaves, to freed-men, to provincials, and to citizens of the lowest class. Even after the subversion of liberty, when the severity and haughtiness of ancient manners began to abate, commerce did not rise into high estimation among the Romans. The trade of Greece, Egypt, and the other conquered countries, continued to be carried on in its usual channels, after they were reduced into the form of Roman provinces. As Rome was the capital of the world, and the seat of government, all the wealth and valuable productions of the provinces flowed naturally thither. The Romans, satisfied with this, seem to have suffered commerce to remain almost entirely in the hands of the natives of the respective countries. The extent, however, of the Roman power, which reached over the greatest part of the known world, the vigilant inspection of the Roman magistrates, and the spirit of the Roman government, no less intelligent than active, gave such

additional security to commerce, as animated it with new vigour. The union among nations was never so entire, nor the intercourse so perfect, as within the bounds of this vast empire. Commerce, under the Roman dominion, was not obstructed by the jealousy of rival states, interrupted by frequent hostilities, or limited by partial restrictions. One superintending power moved and regulated the industry of mankind, and enjoyed the fruits of their joint efforts.

Navigation felt this influence, and improved under it. As soon as the Romans acquired a taste for the luxuries of the East, the trade with India through Egypt was pushed with new vigour, and carried on to greater extent. By frequenting the Indian continent, navigators became acquainted with the periodical course of the winds, which, in the ocean that separates Africa from India, blow with little variation during one half of the year from the east, and during the other half blow with equal steadiness from the west. Encouraged by observing this, the pilots who sailed from Egypt to India, abandoned their ancient slow and dangerous course along the coast, and as soon as the western monsoon set in, took their departure from Ocelis, at the mouth of the Arabian Gulf, and stretched boldly across the ocean. The uniform direction of the wind supplying the place of the compass, and rendering the guidance of the stars less necessary, conducted them to the port of Musiris, on the western shore of the Indian continent. There they took on board their cargo, and returning with the eastern monsoon, finished their voyage to the Arabian Gulf within the year. This part of India, now known by the name of the Malabar coast, seems to have been the utmost limit of ancient navigation in that quarter of the globe. What imperfect knowledge the ancients had of the immense countries which stretch beyond this towards the east, they received from a few adventurers, who had visited them by land. Such excursions were neither frequent nor extensive, and it is probable, that while the Roman intercourse with India subsisted, no traveller ever penetrated further than to the banks of the Ganges (6). The fleets from Egypt which traded at Musiris were loaded, it is true, with the spices and other rich commodities of the continent and islands of the further India; but these were brought to that port, which became the staple of the commerce between the East and West, by the Indians themselves, in canoes hollowed out of one tree. The Egyptian and Roman merchants, satisfied with acquiring those commodities in this manner, did not think it necessary to explore unknown seas, and venture upon a dangerous navigation, in quest of the countries which produced them. But though the discoveries of the Romans in India were so limited, their commerce there was such as will appear considerable, even to the present age, in which the Indian trade has been extended far beyond the practice or conception of any preceding period. We are informed by one author of credit, that the commerce with India drained the Roman empire every year of more than four hundred thousand pounds; and by another, that one hundred and twenty ships sailed annually from the Arabian gulf to that country.

The discovery of this new method of sailing to India, is the most considerable improvement in navigation made during the continuance of the Roman power. But in ancient times, the knowledge of remote countries was acquired more frequently by land than by sea (7); and the Romans, from their

peculiar disinclination to naval affairs, may be said to have neglected totally the latter, though a more easy and expeditious method of discovery. The progress, however, of their victorious armies through a considerable portion of Europe, Asia, and Africa, contributed greatly to extend discovery by land, and gradually opened the navigation of new and unknown seas. Previous to the Roman conquests, the civilized nations of antiquity had little communication with those countries in Europe, which now form its most opulent and powerful kingdoms. The interior parts of Spain and Gaul were imperfectly known. Britain, separated from the rest of the world, had never been visited, except by its neighbours the Gauls, and by a few Carthaginian merchants. The name of Germany had scarcely been heard of. Into all these countries the arms of the Romans penetrated. They entirely subdued Spain and Gaul; they conquered the greatest and most fertile part of Britain; they advanced into Germany, as far as the banks of the river Elbe. In Africa, they acquired a considerable knowledge of the provinces, which stretch along the Mediterranean sea, from Egypt westward to the Straits of Gades. In Asia, they not only subjected to their power most of the provinces which composed the Persian and the Macedonian empires, but, after their victories over Mithridates and Tygranes, they seem to have made a more accurate survey of the countries contiguous to the Euxine and Caspian seas, and to have carried on a more extensive trade than that of the Greeks with the opulent and commercial nations then seated round the Euxine sea.

From this succinct survey of the discovery and navigation, which I have traced from the earliest dawn of historical knowledge to the full establishment of the Roman dominion, the progress of both appears to have been wonderfully slow. It seems neither adequate to what we might have expected from the activity and enterprise of the human mind, nor to what might have been performed by the power of the great empires which successively governed the world. If we reject accounts that are fabulous and obscure; if we adhere steadily to the light and information of authentic history, without substituting in its place the conjectures of fancy, or the dreams of etymologists, we must conclude, that the knowledge which the ancients had acquired of the habitable globe was extremely confined. In Europe, the extensive provinces in the eastern part of Germany were little known to them. They were almost totally unacquainted with the vast countries which are now subject to the kings of Denmark, Sweden, Prussia, Poland, and the Russian empire. The more barren regions, that stretch within the arctic circle, were quite unexplored. In Africa, their researches did not extend far beyond the provinces which border on the Mediterranean, and those situated on the western shore of the Arabian gulf. In Asia, they were unacquainted, as I formerly observed, with all the fertile and opulent countries beyond the Ganges, which furnish the most valuable commodities that, in modern times, have been the great object of the European commerce with India; nor do they seem to have ever penetrated into those immense regions occupied by the wandering tribes, which they called by the general name of Sarmatians or Scythians, and which are now possessed by Tartars of various denominations, and by the Asiatic subjects of Russia.

But there is one opinion that universally prevailed among the ancients, which conveys a more striking idea of the small progress they had made in the knowledge of the habitable globe, than can be derived

from any detail of their discoveries. They supposed the earth to be divided into five regions, which they distinguished by the name of Zones. Two of these, which were nearest the poles, they termed Frigid Zones, and believed that the extreme cold which reigned perpetually there, rendered them uninhabitable. Another, seated under the line, and extending on either side towards the tropics, they called the Torrid Zone, and imagined it to be so burnt up with unrelenting heat, as to be equally destitute of inhabitants. On the two other zones, which occupied the remainder of the earth, they bestowed the appellation of Temperate, and taught that these, being the only regions in which life could subsist, were allotted to man for his habitation. This wild opinion was not a conceit of the uninformed vulgar, or a fanciful fiction of the poets, but a system adopted by the most enlightened philosophers, the most accurate historians and geographers in Greece and Rome. According to this theory, a vast portion of the habitable earth was pronounced to be unfit for sustaining the human species. Those fertile and populous regions within the torrid zone, which are now known not only to yield their own inhabitants the necessities and comforts of life with most luxuriant profusion, but to communicate their superfluous stores to the rest of the world, were supposed to be the mansion of perpetual sterility and desolation. As all the parts of the globe with which the ancients were acquainted lay within the northern temperate zone, their opinion that the other temperate zone was filled with inhabitants, was founded on reasoning and conjecture, not on discovery. They even believed, that by the intolerable heat of the torrid zone, such an insuperable barrier was placed between the two temperate regions of the earth, as would prevent for ever any intercourse between their respective inhabitants. Thus this extravagant theory not only proves that the ancients were unacquainted with the true state of the globe, but it tended to render their ignorance perpetual, by representing all attempts towards opening a communication with the remote regions of the earth as utterly impracticable (8).

But, however imperfect or inaccurate the geographical knowledge which the Greeks and Romans had acquired may appear, in respect of the present improved state of that science, their progress in discovery will seem considerable, and the extent to which they carried navigation and commerce must be reckoned great, when compared with the ignorance of early times. As long as the Roman empire retained such vigour as to preserve its authority over the conquered nations, and to keep them united, it was an object of public policy, as well as of private curiosity, to examine and describe the countries which composed this great body. Even when the other sciences began to decline, geography, enriched with new observations, and receiving some accession from the experience of every age, and the reports of every traveller, continued to improve. It attained to the highest point of perfection and accuracy to which it ever arrived in the ancient world, by the industry and genius of Ptolemy the philosopher. He flourished in the second century of the christian era, and published a description of the terrestrial globe, more ample and exact than that of any of his predecessors.

But, soon after, violent convulsions began to shake the Roman state; the fatal ambition or caprice of Constantine, by changing the seat of government, divided and weakened its force: the barbarous nations, which Providence prepared as instruments to overturn the mighty fabric of the Roman power, began

to assemble and to muster their armies on its frontier: the empire tottered to its fall. During this decline and old age of the Roman state, it was impossible that the sciences should go on improving. The efforts of genius were, at that period, as languid and feeble as those of government. From the time of Ptolemy, no considerable addition seems to have been made to geographical knowledge, nor did any important revolution happen to trade, excepting that Constantinople, by its advantageous situation, became a commercial city of the first note.

At length, the clouds which had been so long gathering round the Roman empire, burst into a storm. Barbarous nations rushed in from several quarters with irresistible impetuosity, and, in the general wreck, occasioned by the inundation which overwhelmed Europe, the arts, sciences, inventions, and discoveries of the Romans, perished in a great measure, and disappeared. All the various tribes, which settled in the different provinces of the Roman empire, were uncivilized, strangers to letters, destitute of arts, unacquainted with regular government, subordination, or laws. The manners and institutions of some of them were so rude, as to be hardly compatible with a state of social union. Europe, when occupied by such inhabitants, may be said to have returned to a second infancy, and had to begin anew its career in improvement, science, and civility. The first effect of the settlement of those barbarous invaders was to dissolve the union by which the Roman power had cemented mankind together. They parcelled out Europe into many small and independent states, differing from each other in language and customs. No intercourse subsisted between the members of those divided and hostile communities. Accustomed to a simple mode of life, and averse to industry, they had few wants to supply, and few superfluities to dispose of. The names of *stranger* and *enemy* became once more words of the same import. Customs every where prevailed, and even laws were established, which rendered it disagreeable and dangerous to visit any foreign country. Cities, in which alone an extensive commerce can be carried on, were few, inconsiderable, and destitute of those immunities which produce security or excite enterprise. The sciences, on which geography and navigation are founded, were little cultivated. The accounts of ancient improvements and discoveries, contained in the Greek and Roman authors, were neglected or misunderstood. The knowledge of remote regions was lost; their situation, their commodities, and almost their names, were unknown.

One circumstance prevented commercial intercourse with distant nations from ceasing altogether. Constantinople, though often threatened by the fierce invaders who spread desolation over the rest of Europe, was so fortunate as to escape their destructive rage. In that city, the knowledge of ancient arts and discoveries was preserved; a taste for splendour and elegance subsisted; the productions and luxuries of foreign countries were in request; and commerce continued to flourish there when it was almost extinct in every other part of Europe. The citizens of Constantinople did not confine their trade to the islands of the Archipelago, or to the adjacent coasts of Asia; they took a wider range, and following the course which the ancients had marked out, imported the commodities of the East Indies from Alexandria. When Egypt was torn from the Roman empire by the Arabians, the industry of the Greeks discovered a new channel, by which the productions of India might be conveyed

to Constantinople. They were carried up the Indus, as far as that great river is navigable; thence they were transported by land to the banks of the river Oxus, and proceeded down its stream to the Caspian sea. There they entered the Volga, and sailing up it, were carried by land to the Tanais, which conducted them into the Euxine sea, where vessels from Constantinople waited their arrival. This extraordinary and tedious mode of conveyance merits attention, not only as a proof of the violent passion which the inhabitants of Constantinople had conceived for the luxuries of the East, and as a specimen of the ardour and ingenuity with which they carried on commerce; but because it demonstrates, that during the ignorance which reigned in the rest of Europe, an extensive knowledge of remote countries was still preserved in the capital of the Greek empire.

At the same time, a gleam of light and knowledge broke in upon the East. The Arabians, having contracted some relish for the sciences of the people whose empire they had contributed to overturn, translated the books of several of the Greek philosophers into their own language. One of the first was that valuable work of Ptolemy, which I have already mentioned. The study of geography became, of consequence, an early object of attention to the Arabians. But that acute and ingenious people cultivated chiefly the speculative and scientific parts of geography. In order to ascertain the figure and dimensions of the terrestrial globe, they applied the principles of geometry, they had recourse to astronomical observations, they employed experiments and operations, which Europe, in more enlightened times, has been proud to adopt and to imitate. At that period, however, the fame of the improvements made by the Arabians did not reach Europe. The knowledge of their discoveries was reserved for ages capable of comprehending and of perfecting them.

By degrees, the calamities and desolation brought upon the western provinces of the Roman empire by its barbarous conquerors, were forgotten, and in some measure repaired. The rude tribes which settled there acquiring insensibly some idea of regular government, and some relish for the functions and comforts of civil life, Europe began to awake from its torpid and inactive state. The first symptoms of revival were discerned in Italy. The northern tribes which took possession of this country, made progress in improvement with greater rapidity than the people settled in other parts of Europe. Various causes, which it is not the object of this work to enumerate or explain, concurred in restoring liberty and independence to the cities of Italy. The acquisition of these roused industry, and gave motion and vigour to all the active powers of the human mind. Foreign commerce revived, navigation was attended to and improved. Constantinople became the chief mart to which the Italians resorted. There they not only met with a favourable reception, but obtained such mercantile privileges as enabled them to carry on trade with great advantage. They were supplied both with the precious commodities of the East, and with many curious manufactures, the product of ancient arts and ingenuity which still subsisted among the Greeks. As the labour and expense of conveying the productions of India to Constantinople by that long and indirect course which I have described, rendered them extremely rare, and of an exorbitant price, the Italians discovered other methods of procuring them in greater abundance, and at an easier rate. They sometimes purchased them in Aleppo, Tripoli, and other ports on the coast of Syria, to which they were

brought by a route not unknown to the ancients. They were conveyed from India by sea, up the Persian gulf, and ascending the Euphrates and Tigris, as far as Bagdad, were carried by land across the desert of Palmyra, and from thence to the towns on the Mediterranean. But, from the length of the journey, and the dangers to which the caravans were exposed, this proved always a tedious, and often a precarious, mode of conveyance. At length the soldans of Egypt, having revived the commerce with India in its ancient channel, by the Arabian gulf, the Italian merchants, notwithstanding the violent antipathy to each other with which Christians and the followers of Mahomet were then possessed, repaired to Alexandria, and enduring, from the love of gain, the insolence and exactions of the Mahometans, established a lucrative trade in that port. From that period, the commercial spirit of Italy became active and enterprising. Venice, Genoa, Pisa rose, from inconsiderable towns, to be populous and wealthy cities. Their naval power increased; their vessels frequented not only all the ports in the Mediterranean, but, venturing sometimes beyond the Straits, visited the maritime towns of Spain, France, the Low Countries, and England; and, by distributing their commodities over Europe, began to communicate to its various nations some taste for the valuable productions of the East, as well as some ideas of manufactures and arts, which were then unknown beyond the precincts of Italy.

While the cities of Italy were thus advancing in their career of improvement, an event happened, the most extraordinary, perhaps, in the history of mankind, which, instead of retarding the commercial progress of the Italians, rendered it more rapid. The martial spirit of the Europeans, heightened and inflamed by religious zeal, prompted them to attempt the deliverance of the Holy Land from the dominion of infidels. Vast armies, composed of all the nations in Europe, marched towards Asia, upon this wild enterprise. The Genoese, the Pisans, and Venetians furnished the transports which carried them thither. They supplied them with provisions and military stores. Besides the immense sums which they received on this account, they obtained commercial privileges and establishments, of great consequence in the settlements which the crusaders made in Palestine, and in other provinces of Asia. From those sources, prodigious wealth flowed into the cities which I have mentioned. This was accompanied with a proportionate increase of power; and, by the end of the Holy War, Venice, in particular, became a great maritime state, possessing an extensive commerce, and ample territories. Italy was not the only country in which the Crusades contributed to revive and diffuse such a spirit as prepared Europe for future discoveries. By their expeditions into Asia, the other European nations became well acquainted with remote regions, which formerly they knew only by name, or by the reports of ignorant and credulous pilgrims. They had an opportunity of observing the manners, the arts, and the accommodations of people more polished than themselves. This intercourse between the East and West subsisted almost two centuries. The adventurers who returned from Asia communicated to their countrymen the ideas which they had acquired, and the habits of life they had contracted by visiting more refined nations. The Europeans began to be sensible of wants, with which they were formerly unacquainted: new desires were excited; and such a taste for the commodities and arts of other countries gradually spread among them, that they not only encouraged the resort of foreigners

to their harbours, but began to perceive the advantage and necessity of applying to commerce themselves.

This communication, which was opened between Europe and the western provinces of Asia, encouraged several persons to advance far beyond the countries in which the crusaders carried on their operations, and to travel by land into the more remote and opulent regions of the East. The wild fanaticism which seems, at that period, to have mingled in all the schemes of individuals, no less than in all the counsels of nations, first incited men to enter upon those long and dangerous peregrinations. They were afterwards undertaken from prospects of commercial advantage, or from motives of mere curiosity. Benjamin, a Jew of Tudela, in the kingdom of Navarre, possessed with a superstitious veneration for the law of Moses, and solicitous to visit his countrymen in the East, whom he hoped to find in such a state of power and opulence as might redound to the honour of his sect, set out from Spain in the year 1160, and travelling by land to Constantinople, proceeded through the countries to the north of the Euxine and Caspian seas, as far as Chinese Tartary: from thence he took his route towards the south, and after traversing various provinces of the further India, he embarked on the Indian ocean, visited several of its islands, and returned at the end of thirteen years by the way of Egypt, to Europe, with much information concerning a large district of the globe altogether unknown at that time to the western world. The zeal of the head of the Christian church co-operated with the superstition of Benjamin the Jew, in discovering the interior and remote provinces of Asia [A. D. 1246]. All Christendom having been alarmed with accounts of the rapid progress of the Tartar arms under Zengis Khan, Innocent IV., who entertained most exalted ideas concerning the plenitude of his own power, and the submission due to his injunctions, sent Father John de Plano Carpini, at the head of a mission of Franciscan monks, and Father Ascolino, at the head of another of Dominicans, to enjoin Kayuk Khan, the grandson of Zengis, who was then at the head of the Tartar empire, to embrace the Christian faith, and to desist from desolating the earth by his arms. The haughty descendant of the greatest conqueror Asia had ever beheld, astonished at this strange mandate from an Italian priest, whose name and jurisdiction were alike unknown to him, received it with the contempt which it merited, though he dismissed the mendicants who delivered it with impunity. But, as they had penetrated into the country by different routes, and followed for some time the Tartar camps, which were always in motion, they had opportunity of visiting a great part of Asia. Carpini, who proceeded by the way of Poland and Russia, travelled through its northern provinces as far as the extremities of Thibet. Ascolino, who seems to have landed somewhere in Syria, advanced through its southern provinces, into the interior parts of Persia.

[A. D. 1253.] Not long after St. Louis of France contributed further towards extending the knowledge which the Europeans had begun to acquire of those distant regions. Some designing impostor, who took advantage of the slender acquaintance of Christendom with the state and character of the Asiatic nations, having informed him that a powerful khan of the Tartars had embraced the Christian faith, the monarch listened to the tale with pious credulity, and instantly resolved to send ambassadors to this illustrious convert, with a view of enticing him to attack their common enemy the Saracens in one quarter, while he fell upon them in another. As monks were the only persons in that

age who possessed such a degree of knowledge as qualified them for a service of this kind, he employed in it Father Andrew, a Jacobine, who was followed by Father William de Rubruquis, a Franciscan. With respect to the progress of the former, there is no memorial extant. The journal of the latter has been published. He was admitted into the presence of Mangu, the third khan in succession from Zengis, and made a circuit through the interior parts of Asia, more extensive than that of any European who had hitherto explored them.

To those travellers, whom religious zeal sent forth to visit Asia, succeeded others who ventured into remote countries, from the prospect of commercial advantage, or from motives of mere curiosity, the first and most eminent of these was Marco Polo, [A. D. 1265], a Venetian of a noble family. Having engaged early in trade, according to the custom of his country, his aspiring mind wished for a sphere of activity more extensive than was afforded to it by the established traffic carried on in those ports of Europe and Asia, which the Venetians frequented. This prompted him to travel into unknown countries, in expectation of opening a commercial intercourse with them, more suited to the sanguine ideas and hopes of a young adventurer.

As his father had already carried some European commodities to the court of the Great Khan of the Tartars, and had disposed of them to advantage, he resorted thither. Under the protection of Kublay Khan, the most powerful of all the successors of Zengis, he continued his mercantile peregrinations in Asia upwards of twenty-six years; and, during that time, advanced towards the east, far beyond the utmost boundaries to which any European traveller had ever proceeded. Instead of following the course of Carpini and Rubruquis, along the vast unpeopled plains of Tartary, he passed through the chief trading cities in the more cultivated parts of Asia, and penetrated to Cambalu, or Pekin, the capital of the great kingdom of Cathay, or China, subject at that time to the successors of Zengis. He made more than one voyage on the Indian ocean; he traded in many of the islands, from which Europe had long received spices and other commodities, which it held in high estimation, though unacquainted with the particular countries to which it was indebted for those precious productions; and he obtained information concerning several countries which he did not visit in person, particularly the island Zipangri, probably the same now known by the name of Japan. On his return, he astonished his contemporaries with his description of vast regions, whose names had never been heard of in Europe, and with such pompous accounts of their fertility, their populousness, their opulence, the variety of their manufactures, and the extent of their trade, as rose far above the conception of an uninformed age.

[A. D. 1322.] About half a century after Marco Polo, Sir John Mandeville, an Englishman, encouraged by his example, visited most of the countries in the East which he had described, and like him, published an account of them. The narrations of those early travellers abounded with many wild incoherent tales, concerning giants, enchanters, and monsters. But they were not, from that circumstance, less acceptable to an ignorant age, which delighted in what was marvellous. The wonders which they told, mostly on hearsay, filled the multitude with admiration. The facts which they related from their own observation attracted the attention of the more discerning. The former, which may be considered as the popular

traditions and fables of the countries through which they had passed, were gradually disregarded as Europe advanced in knowledge. The latter, however incredible some of them may have appeared in their own time, have been confirmed by the observations of modern travellers. By means of both, however, the curiosity of mankind was excited with respect to the remote parts of the earth; their ideas were enlarged, and they were not only insensibly disposed to attempt new discoveries, but received such information as directed to that particular course in which these were afterwards carried on.

While this spirit was gradually forming in Europe, a fortunate discovery was made, which contributed more than all the efforts and ingenuity of preceding ages, to improve and to extend navigation. That wonderful property of the magnet, by which it communicates such virtue to a needle or slender rod of iron, as to point towards the poles of the earth, was observed. The use which might be made of this in directing navigation was immediately perceived. That valuable but now familiar instrument, the Mariner's Compass, was constructed. When, by means of it, navigators found that, at all seasons, and in every place, they could discover the north and south with so much ease and accuracy, it became no longer necessary to depend merely on the light of the stars and the observation of the sea coast. They gradually abandoned their ancient timid and lingering course along the shore, ventured boldly into the ocean, and, relying on this new guide, could steer in the darkest night, and under the most cloudy sky, with a security and precision hitherto unknown. The compass may be said to have opened to man the dominion of the sea, and to have put him in full possession of the earth, by enabling him to visit every part of it. Flavio Gioia, a citizen of Amalfi, a town of considerable trade in the kingdom of Naples, was the author of this great discovery, about the year one thousand three hundred and two. It hath been often the fate of those illustrious benefactors of mankind, who have enriched science and improved the arts by their inventions, to derive more reputation than benefit from the happy efforts of their genius. But the lot of Gioia has been still more cruel: through the inattention or ignorance of contemporary historians, he has been defrauded even of the fame to which he had such a just title. We receive from them no information with respect to his profession, his character, the precise time when he made this important discovery, or the accidents and inquiries which led to it. The knowledge of this event, though productive of greater effects than any recorded in the annals of the human race, is transmitted to us without any of those circumstances which can gratify the curiosity that it naturally awakens. But though the use of the compass might enable the Italians to perform the short voyages to which they were accustomed, with greater security and expedition, its influence was not so sudden or extensive, as immediately to render navigation adventurous, and to excite a spirit of discovery. Many causes combined in preventing this beneficial invention from producing its full effect instantaneously. Men relinquish ancient habits slowly, and with reluctance. They are averse to new experiments, and venture upon them with timidity. The commercial jealousy of the Italians, it is probable, laboured to conceal the happy discovery of their countryman from other nations. The art of steering by the compass with such skill and accuracy as to inspire a full confidence in its direction, was acquired gradually. Sailors, unaccustomed to quit sight of

land, durst not launch out at once and commit themselves to unknown seas. Accordingly, near half a century elapsed from the time of Gioia's discovery, before navigators ventured into any seas which they had not been accustomed to frequent.

The first appearance of a bolder spirit may be dated from the voyages of the Spaniards to the Canary or Fortunate Islands. By what accident they were led to the discovery of those small isles, which lie near five hundred miles from the Spanish coast, and above a hundred and fifty miles from the coast of Africa, contemporary writers have not explained. But, about the middle of the fourteenth century, the people of all the different kingdoms into which Spain was then divided, were accustomed to make piratical excursions thither, in order to plunder the inhabitants, or to carry them off as slaves. Clement VI. in virtue of the right claimed by the holy see, to dispose of all countries possessed by infidels, erected those isles into a kingdom, in the year one thousand three hundred and forty-four, and conferred it on Lewis de la Cerda, descended from the royal family of Castile. But that unfortunate prince, destitute of power to assert his nominal title, having never visited the Canaries, John de Bethencourt, a Norman baron, obtained a grant of them from Henry III. of Castile. Bethencourt, with the valour and good fortune which distinguished the adventurers of his country, attempted and effected the conquest; and the possession of the Canaries remained for some time in his family, as a fief held of the crown of Castile. Previous to this expedition of Bethencourt, his countrymen settled in Normandy are said to have visited the coast of Africa [A. D. 1365], and to have proceeded far to the south of the Canary Islands. But their voyages thither seem not to have been undertaken in consequence of any public or regular plan for extending navigation and attempting new discoveries. They were either excursions suggested by that roving piratical spirit, which descended to the Normans from their ancestors, or the commercial enterprises of private merchants, which attracted so little notice, that hardly any memorial of them is to be found in contemporary authors. In a general survey of the progress of discovery, it is sufficient to have mentioned this event; and leaving it among those of dubious existence, or of small importance, we may conclude, that though much additional information concerning the remote regions of the East had been received by travellers who visited them by land, navigation, at the beginning of the fifteenth century, had not advanced beyond the state to which it had attained before the downfall of the Roman empire.

At length the period arrived, when Providence decreed that men were to pass the limits within which they had been so long confined, and open to themselves a more ample field wherein to display their talents, their enterprise, and courage. The first considerable efforts towards this were not made by any of the more powerful states of Europe, or by those who had applied to navigation with the greatest assiduity and success. The glory of leading the way in this new career, was reserved for Portugal, one of the smallest and least powerful of the European kingdoms. As the attempts of the Portuguese to acquire the knowledge of those parts of the globe with which mankind were then unacquainted, not only improved and extended the art of navigation, but roused such a spirit of curiosity and enterprise, as led to the discovery of the New World, of which I propose to write the history, it is necessary to take a full view of the rise, the progress, and success of

their various naval operations. It was in this school that the discoverer of America was trained; and unless we trace the steps by which his instructors and guides advanced, it will be impossible to comprehend the circumstances which suggested the idea or facilitated the execution of his great design.

Various circumstances prompted the Portuguese to exert their activity in this new direction, and enabled them to accomplish undertakings apparently superior to the natural force of their monarchy. The kings of Portugal, having driven the Moors out of their dominions, had acquired power, as well as glory, by the success of their arms against the infidels. By their victories over them, they had extended the royal authority beyond the narrow limits within which it was originally circumscribed in Portugal, as well as in other feudal kingdoms. They had the command of the national force, could rouse it to act with united vigour, and, after the expulsion of the Moors, could employ it without dread of interruption from any domestic enemy. By the perpetual hostilities carried on for several centuries against the Mahometans, the martial and adventurous spirit which distinguished all the European nations during the middle ages, was improved and heightened among the Portuguese. A fierce civil war towards the close of the fourteenth century, occasioned by a disputed succession, augmented the military ardour of the nation, and formed or called forth men of such active and daring genius, as are fit for bold undertakings. The situation of the kingdom, bounded on every side by the dominions of a more powerful neighbour, did not afford free scope to the activity of the Portuguese by land, as the strength of their monarchy was no match for that of Castile. But Portugal was a maritime state, in which there were many commodious harbours; the people had begun to make some progress in the knowledge and practice of navigation; and the sea was open to them, presenting the only field of enterprise in which they could distinguish themselves.

Such was the state of Portugal, and such the disposition of the people, when John I., surnamed the Bastard, obtained secure possession of the crown by the peace concluded with Castile, in the year one thousand four hundred and eleven. He was a prince of great merit, who, by superior courage and abilities, had opened his way to a throne, which of right did not belong to him. He instantly perceived that it would be impossible to preserve public order, or domestic tranquillity, without finding some employment for the restless spirit of his subjects. With this view he assembled a numerous fleet at Lisbon, composed of all the ships which he could fit out in his own kingdom [A. D. 1412], and of many hired from foreigners. This great armament was destined to attack the Moors settled on the coast of Barbary. While it was equipping, a few vessels were appointed to sail along the western shore of Africa bounded by the Atlantic ocean, and to discover the unknown countries situated there. From this inconsiderable attempt, we may date the commencement of that spirit of discovery, which opened the barriers that had so long shut out mankind from the knowledge of one half of the terrestrial globe.

At the time when John sent forth these ships on this new voyage, the art of navigation was still very imperfect. Though Africa lay so near to Portugal, and the fertility of the countries already known on that continent invited men to explore it more fully, the Portuguese had never ventured to sail beyond Cape Non. That promontory, as its name imports, was hitherto considered as a boundary which could

not be passed. But the nations of Europe had now acquired as much knowledge as emboldened them to disregard the prejudices and to correct the errors of their ancestors. The long reign of ignorance, the constant enemy of every curious inquiry, and of every new undertaking, was approaching to its period. The light of science began to dawn. The works of the ancient Greeks and Romans began to be read with admiration and profit. The sciences cultivated by the Arabians were introduced into Europe by the Moors settled in Spain and Portugal, and by the Jews, who were very numerous in both these kingdoms. Geometry, astronomy, and geography, the sciences on which the art of navigation is founded, became objects of studious attention. The memory of the discoveries made by the ancients was revived, and the progress of their navigation and commerce began to be traced. Some of the causes which have obstructed the cultivation of science in Portugal, during this century and the last, did not exist, or did not operate in the same manner, in the fifteenth century (4); and the Portuguese, at that period, seem to have kept pace with other nations on this side of the Alps in literary pursuits.

As the genius of the age favoured the execution of that new undertaking, to which the peculiar state of the country invited the Portuguese, it proved successful. The vessels sent on the discovery doubled that formidable Cape, which had terminated the progress of former navigators, and proceeded a hundred and sixty miles beyond it, to Cape Bojador. As its rocky cliffs, which stretched a considerable way into the Atlantic, appeared more dreadful than the promontory which they had passed, the Portuguese commanders durst not attempt to sail round it, but returned to Lisbon, more satisfied with having advanced so far, than ashamed of having ventured no further.

Inconsiderable as this voyage was [A. D. 1417], it increased the passion for discovery, which began to arise in Portugal. The fortunate issue of the king's expedition against the Moors of Barbary, added strength to that spirit in the nation, and pushed it on to new undertakings. In order to render these successful, it was necessary that they should be conducted by a person who possessed abilities capable of discerning what was attainable, who enjoyed leisure to form a regular system for prosecuting discovery, and who was animated with ardour that would persevere in spite of obstacles and repulses. Happily for Portugal she found all those qualities in Henry Duke of Viseo, the fourth son of king John by Philippa of Lancaster, sister of Henry IV. king of England. That prince, in his early youth, having accompanied his father in his expedition to Barbary, distinguished himself by many deeds of valour. To the martial spirit, which was the characteristic of every man of noble birth at that time, he added all the accomplishments of a more enlightened and polished age. He cultivated the arts and sciences, which were then unknown and despised by persons of his rank. He applied with peculiar fondness to the study of geography; and by the instruction of able masters, as well as by the accounts of travellers, he early acquired such knowledge of the habitable globe, as discovered the great probability of finding new and opulent countries, by sailing along the coast of Africa. Such an object was formed to awaken the enthusiasm and ardour of a youthful mind, and he espoused with the utmost zeal the patronage of a design which might prove as beneficial, as it appeared to be splendid and honourable. In order that he might pursue this

great scheme without interruption, he retired from court immediately after his return from Africa, and fixed his residence at Sagres, near Cape St. Vincent, where the prospect of the Atlantic ocean invited his thoughts continually towards his favourite project, and encouraged him to execute it. In this retreat he was attended by some of the most learned men in his country, who aided him in his researches. He applied for information to the Moors of Barbary, who were accustomed to travel by land into the interior provinces of Africa, in quest of ivory, gold-dust, and other rich commodities. He consulted the Jews settled in Portugal. By promises, rewards, and marks of respect, he allured into his service several persons, foreigners as well as Portuguese, who were eminent for their skill in navigation. In taking those preparatory steps, the great abilities of the prince were seconded by his private virtues. His integrity, his affability, his respect for religion, his zeal for the honour of his country, engaged persons of all ranks to applaud his design, and to favour the execution of it. His schemes were allowed, by the greater part of his countrymen, to proceed neither from ambition nor the desire of wealth, but to flow from the warm benevolence of a heart eager to promote the happiness of mankind, and which justly entitled him to assume a motto for his device, that described the quality by which he wished to be distinguished, *the talent of doing good*.

His first effort [A. D. 1418], as is usual at the commencement of any new undertaking, was extremely inconsiderable. He fitted out a single ship, and giving the command of it to John Gonzalez Zarco and Tristan Vaz, two gentlemen of his household, who voluntarily offered to conduct the enterprise, he instructed them to use their utmost efforts to double Cape Bojador, and thence to steer towards the south. They, according to the mode of navigation which still prevailed, held their course along the shore; and by following that direction, they must have encountered almost insuperable difficulties in attempting to pass Cape Bojador. But fortune came in aid to their want of skill, and prevented the voyage from being altogether fruitless. A sudden squall of wind arose, drove them out to sea, and when they expected every moment to perish, landed them on an unknown island, which from their happy escape they named *Porto Santo*. In the infancy of navigation, the discovery of this small island appeared a matter of such moment, that they instantly returned to Portugal with the good tidings, and were received by Henry with the applause and honour due to fortunate adventurers. This faint dawn of success filled a mind ardent in the pursuit of a favourite object with such sanguine hopes as were sufficient incitements to proceed. Next year [A. D. 1419] Henry sent out three ships under the same commanders, to whom he joined Bartholomew Pezestrelo, in order to take possession of the island which they had discovered. When they began to settle in Porto Santo, they observed towards the south a fixed spot in the horizon like a small black cloud. By degrees they were led to conjecture that it might be land, and steering towards it, they arrived at a considerable island, uninhabited and covered with wood, which on that account they called *Mazeira*. As it was Henry's chief object to render his discoveries useful to his country, he immediately equipped a fleet to carry a colony of Portuguese to these islands. By his provident care, they were furnished not only with the seeds, plants, and domestic animals common in Europe; but as he foresaw

that the warmth of the climate and fertility of the soil would prove favourable to the rearing of other productions, he procured slips of the vine from the island of Cyprus, the rich vines of which were then in great request, and plants of the sugar-cane from Sicily, into which it had been lately introduced. These thrived so prosperously in this new country, that the benefit of cultivating them was immediately perceived, and the sugar and wine of Madeira quickly became articles of some consequence in the commerce of Portugal.

As soon as the advantages derived from this first settlement to the west of the European continent began to be felt, the spirit of discovery appeared less chimerical, and became more adventurous. By their voyages to Madeira, the Portuguese were gradually accustomed to a bolder navigation, and, instead of creeping servilely along the coast, ventured into the open sea. In consequence of taking this course, Gilianez, who commanded one of Prince Henry's ships, doubled Cape Bojador [A. D. 1423], the boundary of the Portuguese navigation upwards of twenty years, and which had hitherto been deemed impassable. This successful voyage, which the ignorance of the age placed on a level with the most famous exploits recorded in history, opened a new sphere to navigation, as it discovered the vast continent of Africa, still washed by the Atlantic ocean, and stretching towards the south. Part of this was soon explored; the Portuguese advanced within the tropics, and in the space of a few years they discovered the river Senegal, and all the coast extending from Cape Blanco to Cape de Verd.

Hitherto the Portuguese had been guided in their discoveries, or encouraged to attempt them, by the light and information which they received from the works of the ancient mathematicians and geographers. But when they began to enter the torrid zone, the notion which prevailed among the ancients, that the heat, which reigned perpetually there, was so excessive as to render it uninhabitable, deterred them, for some time, from proceeding. Their own observations, when they first ventured into this unknown and formidable region, tended to confirm the opinion of antiquity concerning the violent operation of the direct rays of the sun. As far as the river Senegal, the Portuguese had found the coast of Africa inhabited by people nearly resembling the Moors of Barbary. When they advanced to the south of that river, the human form seemed to put on a new appearance. They beheld men with skins black as ebony, with short curled hair, flat noses, thick lips, and all the peculiar features which are now known to distinguish the race of negroes. This surprising alteration they naturally attributed to the influence of heat, and if they should advance nearer to the line, they began to dread that its effects would be still more violent. The dangers were exaggerated; and many other objections against attempting further discoveries were proposed by some of the grandees, who, from ignorance, from envy, or from that cold timid prudence, which rejects whatever has the air of novelty or enterprise, had hitherto condemned all Prince Henry's schemes. They represented, that it was altogether chimerical to expect any advantage from countries situated in that region which the wisdom and experience of antiquity had pronounced to be unfit for the habitation of men; that their forefathers, satisfied with cultivating the territory which Providence had allotted them, did not waste the strength of the kingdom by fruitless projects, in quest of new settlements; that Portugal was already

exhausted by the expense of attempts to discover lands, which either did not exist, or which nature destined to remain unknown; and was drained of men, who might have been employed in undertakings attended with more certain success, and productive of greater benefit. But neither their appeal to the authority of the ancients, nor their reasonings concerning the interests of Portugal, made any impression upon the determined philosophic mind of Prince Henry. The discoveries which he had already made convinced him that the ancients had little more than a conjectural knowledge of the torrid zone. He was no less satisfied that the political arguments of his opponents, with respect to the interest of Portugal, were malevolent and ill founded. In those sentiments he was strenuously supported by his brother Pedro, who governed the kingdom as guardian of their nephew Alphonso V., who had succeeded to the throne during his minority [A. D. 1438]; and, instead of slackening his efforts, Henry continued to pursue his discoveries with fresh ardour.

But, in order to silence all the murmurs of opposition, he endeavoured to obtain the sanction of the highest authority in favour of his operations. With this view he applied to the pope, and represented, in pompous terms, the pious and unwearied zeal with which he had exerted himself during twenty years, in discovering unknown countries, the wretched inhabitants of which were utter strangers to true religion, wandering in heathen darkness, or led astray by the delusions of Mahomet. He besought the holy father, to whom, as the vicar of Christ, all the kingdoms of the earth were subject, to confer on the crown of Portugal a right to all the countries possessed by infidels, which should be discovered by the industry of its subjects, and subdued by the force of its arms. He entreated him to enjoin all christian powers, under the highest penalties, not to molest Portugal while engaged in this laudable enterprise, and to prohibit them from settling in any of the countries which the Portuguese should discover. He promised that, in all their expeditions, it should be the chief object of his countrymen to spread the knowledge of the christian religion, to establish the authority of the holy see, and to increase the flock of the universal pastor. As it was by improving with dexterity every favourable conjuncture for acquiring new powers, that the court of Rome had gradually extended its usurpations, Eugene IV. the pontiff to whom this application was made, eagerly seized the opportunity which now presented itself. He instantly perceived, that, by complying with Prince Henry's request, he might exercise a prerogative no less flattering in its own nature, than likely to prove beneficial in its consequences. A bull was accordingly issued, in which, after applauding in the strongest terms the past efforts of the Portuguese, and exhorting them to proceed in that laudable career on which they had entered, he granted them an exclusive right to all the countries which they should discover, from Cape Non to the continent of India.

Extravagant as this donation, comprehending such a large portion of the habitable globe, would now appear, even in catholic countries, no person in the fifteenth century doubted that the Pope, in the plenitude of his apostolic power, had a right to confer it. Prince Henry was soon sensible of the advantages which he derived from this transaction. His schemes were authorized and sanctified by the bull approving of them. The spirit of discovery was connected with zeal for religion, which, in that age,

was a principle of such activity and vigour, as to influence the conduct of nations. All christian princes were deterred from intruding into those countries which the Portuguese had discovered, or from interrupting the progress of their navigation and conquests (10).

The fame of the Portuguese voyages soon spread over Europe. Men long accustomed to circumscribe the activity and knowledge of the human mind within the limits to which they had hitherto been confined, were astonished to behold the sphere of navigation so suddenly enlarged, and a prospect opened of visiting regions of the globe, the existence of which was unknown in former times. The learned and speculative reasoned and formed theories concerning those unexpected discoveries. The vulgar inquired and wondered; while enterprising adventurers crowded from every part of Europe, soliciting Prince Henry to employ them in this honourable service. Many Venetians and Genoese, in particular, who were, at that time, superior to all other nations in the science of naval affairs, entered aboard the Portuguese ships, and acquired a most perfect and extensive knowledge of their profession in that new school of navigation. In emulation of these foreigners, the Portuguese exerted their own talents. The nation seconded the designs of the prince. [A. D. 1446]. Private merchants formed companies, with a view to search for unknown countries. The Cape de Verd Islands, which lie off the promontory of that name, were discovered [A. D. 1449], and soon after the isles called Azores. As the former of these are above three hundred miles from the African coast, and the latter nine hundred miles from any continent, it is evident, by their venturing so boldly into the open seas, that the Portuguese had, by this time, improved greatly in the art of navigation.

While the passion for engaging in new undertakings was thus warm and active, it received an unfortunate check by the death of Prince Henry [A. D. 1463], whose superior knowledge had hitherto directed all the operations of the discoverers, and whose patronage had encouraged and protected them. But, notwithstanding all the advantages which they derived from these, the Portuguese, during his life, did not advance, in their utmost progress towards the south, within five degrees of the equinoctial line; and after their continued exertions for half a century [A. D. 1412—1463], hardly fifteen hundred miles of the coast of Africa were discovered. To an age acquainted with the efforts of navigation in its state of maturity and improvement, those essays of its early years must necessarily appear feeble and unskilful. But inconsiderable as they may be deemed, they were sufficient to turn the curiosity of the European nations into a new channel, to excite an enterprising spirit, and to point the way to future discoveries.

Alphonso, who possessed the throne of Portugal at the time of Prince Henry's death, was so much engaged in supporting his own pretensions to the throne of Castile, or in carrying on his expeditions against the Moors in Barbary, that the force of his kingdom being exerted in other operations, he could not prosecute the discoveries of Africa with ardour. He committed the conduct of them to Fernando Gomez, a merchant in Lisbon, to whom he granted an exclusive right of commerce with all the countries of which Prince Henry had taken possession. Under the restraint and oppression of a monopoly, the spirit of discovery languished. It ceased to be a national object, and became the concern of a private

man, more attentive to his own gain, than to the glory of his country. Some progress, however, was made. The Portuguese ventured at length to cross the line, [A. D. 1471] and, to their astonishment, found that region of the torrid zone, which was supposed to be scorched with intolerable heat, to be not only habitable, but populous and fertile.

[A. D. 1481]. John II. who succeeded his father Alphonso, possessed talents capable both of forming and executing great designs. As part of his revenues, while prince, had arisen from duties on the trade with the newly-discovered countries, this naturally turned his attention towards them, and satisfied him with respect to their utility and importance. In proportion as his knowledge of these countries extended, the possession of them appeared to be of greater consequence. While the Portuguese proceeded along the coast of Africa, from Cape Non to the river of Senegal, they found all that extensive tract to be sandy, barren, and thinly inhabited by a wretched people, professing the Mahometan religion, and subject to the vast empire of Morocco. But to the south of that river, the power and religion of the Mahometans were unknown. The country was divided into small independent principalities, the population was considerable, the soil fertile, and the Portuguese soon discovered that it produced ivory, rich gums, gold, and other valuable commodities. By the acquisition of these, commerce was enlarged, and became more adventurous. Men, animated and rendered active by the certain prospect of gain, pursued discovery with great eagerness, than when they were excited only by curiosity and hope.

This spirit derived no small reinforcement of vigour from the countenance of such a monarch as John. Declaring himself the patron of every attempt towards discovery, he promoted it with all the ardour of his grand-uncle prince Henry, and with superior power. The effects of this were immediately felt. A powerful fleet was fitted out [A. D. 1484], which, after discovering the kingdoms of Benin and Congo, advanced above fifteen hundred miles beyond the line, and the Portuguese, for the first time, beheld a new heaven, and observed the stars of another hemisphere. John was not only solicitous to discover, but attentive to secure, the possession of those countries. He built forts on the coast of Guinea; he sent out colonies to settle there; he established a commercial intercourse with the more powerful kingdoms; he endeavoured to render such as were feeble or divided, tributary to the crown of Portugal. Some of the petty princes voluntarily acknowledged themselves his vassals. Others were compelled to do so by force of arms. A regular and well-digested system was formed with respect to this new object of policy, and by firmly adhering to it, the Portuguese power and commerce in Africa were established upon a solid foundation.

By their continued intercourse with the people of Africa, the Portuguese gradually acquired some knowledge of those parts of that country which they had not visited. The information which they received from the natives, added to what they had observed in their own voyages, began to open prospects more extensive, and to suggest the idea of schemes more important, than those which had hitherto allured and occupied them. They had detected the error of the ancients concerning the nature of the torrid zone. They found, as they proceeded southwards, that the continent of Africa, instead of extending in breadth, according to the doctrine of Ptolemy, at that time the oracle and guide of the learned in the science of

geography, appeared sensibly to contract itself, and to bend toward the east. This induced them to give credit to the accounts of the ancient Phœnician voyages round Africa, which had long been deemed fabulous, and led them to conceive hopes, that, by following the same route, they might arrive at the East Indies, and engross that commerce which has been the source of wealth and power to every nation possessed of it. The comprehensive genius of prince Henry, as we may conjecture from the words of the pope's bull, had early formed some idea of this navigation. But though his countrymen, at that period, were incapable of conceiving the extent of his views and schemes, all the Portuguese mathematicians and pilots now concurred in representing them as well founded and practicable. The king entered with warmth into their sentiments, and began to concert measures for this arduous and important voyage.

Before his preparations for this expedition were finished, accounts were transmitted from Africa that various nations along the coast had mentioned a mighty kingdom situated on their continent, at a great distance towards the East, the king of which, according to their description, professed the christian religion. The Portuguese monarch immediately concluded, that this must be the emperor of Abyssinia, to whom the Europeans, seduced by a mistake of Rubruquis, Marco Polo, and other travellers to the East, absurdly gave the name of Prester or Presbyter John; and, as he hoped to receive information and assistance from a christian prince, in prosecuting a scheme that tended to propagate their common faith, he resolved to open, if possible, some intercourse with his court. With this view, he made choice of Pedro de Covillam and Alphonso de Payva, who were perfect masters of the Arabic language, and sent them into the East to search for the residence of this unknown potentate, and to make him proffers of friendship. They had in charge likewise to procure whatever intelligence the nations which they visited could supply, with respect to the trade of India, and the course of navigation to that continent.

While John made this new attempt by land to obtain some knowledge of the country which he wished so ardently to discover, he did not neglect the prosecution of this great design by sea. [A. D. 1488]. The conduct of a voyage for this purpose, the most arduous and important which the Portuguese had ever projected, was committed to Bartholomew Diaz, an officer whose sagacity, experience, and fortitude rendered him equal to the undertaking. He stretched boldly towards the south, and, proceeding beyond the utmost limits to which his countrymen had hitherto advanced, discovered near a thousand miles of new country. Neither the danger to which he was exposed by a succession of violent tempests in unknown seas, and by the frequent mutinies of his crew, nor the calamities of famine which he suffered from losing his store-ship, could deter him from prosecuting his enterprise. In recompence of his labour and perseverance, he at last desecrated that lofty promontory which bounds Africa to the south. But to desecry it was all that he had in his power to accomplish. The violence of the winds, the shattered condition of his ships, and the turbulent spirit of the sailors, compelled him to return after a voyage of sixteen months, in which he discovered a far greater extent of country than any former navigator. Diaz had called the promontory which terminated his voyage, *Cabo Tormentoso*, or the Stormy Cape; but the king, his master, as he now entertained no doubt of having found the long-desired route to India, gave it a name more inviting, *The Cape of Good Hope*.

Those sanguine expectations of success were confirmed by the intelligence which John received over land, in consequence of his embassy to Abyssinia. Covillam and Payva, in obedience to their master's instructions, had repaired to Grand Cairo. From that city they travelled along with a caravan of Egyptian merchants, and, embarking on the Red sea, arrived at Aden in Arabia. There they separated; Payva sailed directly towards Abyssinia; Covillam embarked for the East Indies, and, having visited Calecut, Goa, and other cities on the Malabar coast, returned to Sofala, on the east side of Africa, and thence to Grand Cairo, which Payva and he had fixed upon as their place of rendezvous. Unfortunately the former was cruelly murdered in Abyssinia, but Covillam found at Cairo two Portuguese Jews, whom John, whose provident sagacity attended to every circumstance that could facilitate the execution of his schemes, had despatched after them, in order to receive a detail of their proceedings, and to communicate to them new instructions. By one of these Jews, Covillam transmitted to Portugal a journal of his travels by sea and land, his remarks upon the trade of India, together with exact maps of the coasts on which he had touched; and from what he himself had observed, as well as from the information of skilful seamen in different countries, he concluded, that, by sailing round Africa, a passage might be found to the East Indies.

The happy coincidence of Covillam's opinion and report, with the discoveries which Diaz had lately made, left hardly any shadow of doubt with respect to the possibility of sailing from Europe to India. But the vast length of the voyage, and the furious storms which Diaz had encountered near the Cape of Good Hope, alarmed and intimidated the Portuguese to such a degree, although by long experience they were now become adventurous and skilful mariners, that some time was requisite to prepare their minds for this dangerous and extraordinary voyage. The courage however and authority of the monarch gradually dispelled the vain fears of his subjects, or made it necessary to conceal them. As John thought himself now upon the eve of accomplishing that great design, which had been the principal object of his reign, his earnestness in prosecuting it became so vehement, that it occupied his thoughts by day, and bereaved him of sleep through the night. While he was taking every precaution that his wisdom and experience could suggest, in order to insure the success of the expedition, which was to decide concerning the fate of his favourite project, the fame of the vast discoveries which the Portuguese had already made, the reports concerning the extraordinary intelligence which they had received from the East, and the prospect of the voyage which they now meditated, drew the attention of all the European nations, and held them in suspense and expectation. By some, the maritime skill and navigations of the Portuguese were compared with those of the Phenicians and Carthaginians, and exalted above them. Others formed conjectures concerning the revolutions which the success of the Portuguese schemes might occasion in the course of trade, and the political state of Europe. The Venetians began to be disquieted with the apprehension of losing their Indian commerce, the monopoly of which was the chief source of their power as well as opulence, and the Portuguese already enjoyed in fancy the wealth of the East. But, during this interval, which gave such scope to the various workings of curiosity, of hope, and of fear, an account was brought to Europe of an event

no less extraordinary than unexpected, the discovery of a New World situated in the west; and the eyes and admiration of mankind turned immediately towards that great object.

BOOK II.

AMONG the foreigners whom the fame of the discoveries made by the Portuguese had allured into their service, was Christopher Colon, or Columbus, a subject of the republic of Genoa. Neither the time nor place of his birth are known with certainty (9); but he was descended of an honourable family, though reduced to indigence by various misfortunes. His ancestors having betaken themselves for subsistence to a sea-fearing life, Columbus discovered in his early youth the peculiar character and talents which mark out a man for that profession. His parents, instead of thwarting this original propensity of his mind, seem to have encouraged and confirmed it, by the education which they gave him. After acquiring some knowledge of the Latin tongue, the only language in which science was taught at that time, he was instructed in geometry, cosmography, astronomy, and the art of drawing. To these he applied with such ardour and predilection, on account of their connexion with navigation, his favourite object, that he advanced with rapid proficiency in the study of them. Thus qualified, he went to sea at the age of fourteen [A.D. 1461], and began his career on that element which conducted him to so much glory. His early voyages were to those ports in the Mediterranean which his countrymen the Genoese frequented. This being a sphere too narrow for his active mind [A.D. 1467], he made an excursion to the northern seas, and visited the coasts of Iceland, to which the English and other nations had begun to resort on account of its fishery. As navigation, in every direction, was now become enterprising, he proceeded beyond that island, the Thule of the ancients, and advanced several degrees within the polar circle. Having satisfied his curiosity, by a voyage which tended more to enlarge his knowledge of naval affairs than to improve his fortune, he entered into the service of a famous sea-captain, of his own name and family. This man commanded a small squadron fitted out at his own expense, and by cruising sometimes against the Mahometans, sometimes against the Venetians, the rivals of his country in trade, had acquired both wealth and reputation. With him Columbus continued for several years, no less distinguished for his courage, than for his experience as a sailor. At length, in an obstinate engagement off the coast of Portugal, with some Venetian Caravals, returning richly laden from the Low Countries, the vessel on board which he served took fire, together with one of the enemy's ships, to which it was fast grappled. In this dreadful extremity his intrepidity and presence of mind did not forsake him. He threw himself into the sea, laid hold of a floating oar, and by the support of it, and his dexterity in swimming, he reached the shore, though above two leagues distant, and saved a life reserved for great undertakings.

As soon as he recovered strength for the journey, he repaired to Lisbon, where many of his countrymen were settled. They soon conceived such a favourable opinion of his merit, as well as talents, that they warmly solicited him to remain in that kingdom, where his naval skill and experience could not fail of rendering him conspicuous. To every adventurer, animated either with curiosity to visit new countries, or with ambition to distinguish himself, the Portuguese service

was at that time extremely inviting. Columbus listened with a favourable ear to the advice of his friends, and having gained the esteem of a Portuguese lady, whom he married, fixed his residence in Lisbon. This alliance, instead of detaching him from a sea-faring life, contributed to enlarge the sphere of his naval knowledge, and to excite a desire of extending it still further. His wife was a daughter of Bartholomew Perestrello, one of the captains employed by prince Henry in his early navigations, and who, under his protection, had discovered and planted the islands of Porto Santo and Madeira. Columbus got possession of the journals and charts of this experienced navigator, and from them he learned the course which the Portuguese had held in making their discoveries, as well as the various circumstances which guided or encouraged them in their attempts. The study of these soothed and inflamed his favourite passion; and while he contemplated the maps, and read the descriptions of the new countries which Perestrello had seen, his impatience to visit them became irresistible. In order to indulge it, he made a voyage to Madeira, and continued during several years to trade with that island, the Canaries, the Azores, the settlements in Guinea, and all the other places which the Portuguese had discovered on the continent of Africa.

By the experience which Columbus acquired during such a variety of voyages, to almost every part of the globe with which, at that time, any intercourse was carried on by sea, he was now become one of the most skilful navigators in Europe. But, not satisfied with that praise, his ambition aimed at something more. The successful progress of the Portuguese navigators had awakened a spirit of curiosity and emulation, which set every man of science upon examining all the circumstances that led to the discoveries which they had made, or that afforded a prospect of succeeding in any new and bolder undertaking. The mind of Columbus, naturally inquisitive, capable of deep reflection, and turned to speculations of this kind, was so often employed in revolving the principles upon which the Portuguese had founded their schemes of discovery, and the mode in which they had carried them on, that he gradually began to form an idea of improving upon their plan, and of accomplishing discoveries which hitherto they had attempted in vain.

To find out a passage by sea to the East-Indies, was the great object in view at that period. From the time that the Portuguese doubled Cape de Verd, this was the point at which they aimed in all their navigations, and, in comparison with it, all their discoveries in Africa appeared inconsiderable. The fertility and riches of India had been known for many ages; its spices and other valuable commodities were in high request throughout Europe, and the vast wealth of the Venetians, arising from their having engrossed this trade, had raised the envy of all nations. But how intent soever the Portuguese were upon discovering a new route to those desirable regions, they searched for it only by steering towards the south, in hopes of arriving at India, by turning to the east, after they had sailed round the further extremity of Africa. This course was still unknown, and, even, if discovered, was of such immense length, that a voyage from Europe to India must have appeared, at that period, an undertaking, extremely arduous, and of very uncertain issue. More than half a century had been employed in advancing from Cape Non to the equator; a much longer space of time might elapse before the more extensive navigation from that to India could be accomplished,

These reflections upon the uncertainty, the danger, and tediousness of the course which the Portuguese were pursuing, naturally led Columbus to consider whether a shorter and more direct passage to the East Indies might not be found out. After revolving long and seriously every circumstance suggested by his superior knowledge in the theory as well as practice of navigation; after comparing attentively the observations of modern pilots, with the hints and conjectures of ancient authors, he at last concluded, that by sailing directly towards the west, across the Atlantic ocean, new countries, which probably formed a part of the great continent of India, must infallibly be discovered.

Principles and arguments of various kinds and derived from different sources, induced him to adopt this opinion, seemingly as chimerical as it was new and extraordinary. The spherical figure of the earth was known, and its magnitude ascertained with some degree of accuracy. From this it was evident, that the continents of Europe, Asia, and Africa, as far as they were known at that time, formed but a small portion of the terraqueous globe. It was suitable to our ideas concerning the wisdom and beneficence of the Author of Nature, to believe that the vast space still unexplored was not covered entirely by a waste unprofitable ocean, but occupied by countries fit for the habitation of man. It appeared likewise extremely probable, that the continent, on this side of the globe, was balanced by a proportional quantity of land in the other hemisphere. These conclusions concerning the existence of another continent, drawn from the figure and structure of the globe, were confirmed by the observations and conjectures of modern navigators. A Portuguese pilot, having stretched further to the west than was usual at that time, took up a piece of timber artificially carved, floating upon the sea; and as it was driven towards him by a westerly wind, he concluded that it came from some unknown land situated in that quarter. Columbus's brother-in-law had found, to the west of the Madeira Isles, a piece of timber fashioned in the same manner, and brought by the same wind; and had seen likewise canes of an enormous size floating upon the waves, which resembled those described by Ptolemy as productions peculiar to the East Indies. After a course of westerly winds, trees, torn up by the roots, were often driven upon the coasts of the Azores; and at one time, the dead bodies of two men with singular features, resembling neither the inhabitants of Europe nor of Africa, were cast ashore there.

As the force of this united evidence, arising from theoretical principles and practical observations, led Columbus to expect the discovery of new countries in the western ocean, other reasons induced him to believe that these must be connected with the continent of India. Though the ancients had hardly ever penetrated into India further than the banks of the Ganges, yet some Greek authors had ventured to describe the provinces beyond that river. As men are prone, and at liberty, to magnify what is remote or unknown, they represented them as regions of an immense extent. Ctesias affirmed that India was as large as all the rest of Asia. Onesicritus, whom Pliny the naturalist follows, contended that it was equal to a third part of the habitable earth. Nearchus asserted, that it would take four months to march in a straight line from one extremity of India to the other. The journal of Marco Polo, who had proceeded towards the east, far beyond the limits to which any European had ever advanced, seemed to confirm these exaggerated accounts of the ancients. By his magnificent

descriptions of the kingdoms of *Cathay* and *Cipango*, and of many other countries, the names of which were unknown in Europe, India appeared to be a region of vast extent. From these accounts, which, however defective, were the most accurate that the people of Europe had received at that period, with respect to the remote parts of the East, Columbus drew a just conclusion. He contended, that in proportion as the continent of India stretched out towards the east, it must, in consequence of the spherical figure of the earth, approach nearer to the islands which had lately been discovered to the west of Africa; that the distance from the one to the other was probably not very considerable: and that the most direct as well as shortest course to the remote regions of the east, was to be found by sailing due west. This notion concerning the vicinity of India to the western parts of our continent, was countenanced by some eminent writers among the ancients, the sanction of whose authority was necessary, in that age, to procure a favourable reception to any tenet. Aristotle thought it probable that the Columns of Hercules, or Straits of Gibraltar, were not far removed from the East Indies, and that there might be a communication by sea between them. Seneca, in terms still more explicit, affirms, that, with a fair wind, one might sail from Spain to India in a few days. The famous Atlantic island described by Plato, and supposed by many to be a real country, beyond which an unknown continent was situated, is represented by him as lying at no great distance from Spain. After weighing all these particulars, Columbus, in whose character the modesty and diffidence of true genius were united with the ardent enthusiasm of a projector, did not rest with such absolute assurance either upon his own arguments, or upon the authority of the ancients, as not to consult such of his contemporaries as were capable of comprehending the nature of the evidence which he produced in support of his opinion. As early as the year one thousand four hundred and seventy-four, he communicated his ideas concerning the probability of discovering new countries, by sailing westwards, to Paul, a physician of Florence, eminent for his knowledge of cosmography, and who, from the learning as well as candour which he discovers in his reply, appears to have been well entitled to the confidence which Columbus placed in him. He warmly approved of the plan, suggested several facts in confirmation of it, and encouraged Columbus to persevere in an undertaking so laudable, and which must redound so much to the honour of his country, and the benefit of Europe.

To a mind less capable of forming and of executing great designs than that of Columbus, all those reasonings, and observations, and authorities, would have served only as the foundation of some plausible and fruitless theory, which might have furnished matter for ingenious discourse or fanciful conjecture. But with his sanguine and enterprising temper, speculation led directly to action. Fully satisfied himself with respect to the truth of his system, he was impatient to bring it to the test of experiment, and to set out upon a voyage of discovery. The first step towards this was to secure the patronage of some of the considerable powers in Europe, capable of undertaking such an enterprise. As long absence had not extinguished the affection which he bore to his native country, he wished that it should reap the fruits of his labours and invention. With this view, he laid his scheme before the senate of Genoa, and making his country the first tender of his service, offered to sail under the banners of the republic, in quest of the new

regions which he expected to discover. But Columbus had resided for so many years in foreign parts, that his countrymen were unacquainted with his abilities and character; and though a maritime people, were so little accustomed to distant voyages, that they could form no just idea of the principles on which he founded his hopes of success. They inconsiderately rejected his proposal, as the dream of a chimerical projector, and lost for ever the opportunity of restoring their commonwealth to its ancient splendour.

Having performed what was due to his country, Columbus was so little discouraged by the repulse which he had received, that, instead of relinquishing his undertaking, he pursued it with fresh ardour. He made his next overture to John II. king of Portugal, in whose dominions he had been long established, and whom he considered, on that account, as having the second claim to his service. Here every circumstance seemed to promise him a more favourable reception: he applied to a monarch of an enterprising genius, no incompetent judge in naval affairs, and proud of patronizing every attempt to discover new countries. His subjects were the most experienced navigators in Europe, and the least apt to be intimidated either by the novelty or boldness of any maritime expedition. In Portugal, the professional skill of Columbus, as well as his personal good qualities, were thoroughly known: and as the former rendered it probable that his scheme was not altogether visionary, the latter exempted him from the suspicion of any sinister intention in proposing it. Accordingly, the king listened to him in the most gracious manner, and referred the consideration of his plan to Diego Ortiz, bishop of Ceuta, and two Jewish physicians, eminent cosmographers, whom he was accustomed to consult in matters of this kind. As in Genoa, ignorance had opposed and disappointed Columbus; in Lisbon, he had to combat with prejudice, an enemy no less formidable. The persons, according to whose decision his scheme was to be adopted or rejected, had been the chief directors of the Portuguese navigations, and had advised to search for a passage to India, by steering a course directly opposite to that which Columbus recommended as shorter and more certain. They could not, therefore, approve of his proposal, without submitting to the double mortification of condemning their own theory, and acknowledging his superior sagacity. After teasing him with captious questions, and starting innumerable objections, with a view of betraying him into such a particular explanation of his system, as might draw from him a full discovery of its nature, they deferred passing a final judgment with respect to it. In the mean time, they conspired to rob him of the honour and advantages which he expected from the success of his scheme, advising the king to despatch a vessel secretly, in order to attempt the proposed discovery, by following exactly the course which Columbus seemed to point out. John, forgetting on this occasion the sentiments becoming a monarch, meanly adopted this perfidious counsel. But the pilot chosen to execute Columbus's plan, had neither the genius nor the fortitude of its author. Contrary winds arose, no sight of approaching land appeared; his courage failed, and he returned to Lisbon, execrating the project as equally extravagant and dangerous.

Upon discovering this dishonourable transaction, Columbus felt the indignation natural to an ingenious mind, and in the warmth of his resentment determined to break off all intercourse with a nation capable of such flagrant treachery. He instantly quitted the kingdom, and landed in Spain towards the close of the year one thousand four hundred and eighty-four. At

he was now at liberty to court the protection of any patron, whom he could engage to approve of his plan, and to carry it into execution, he resolved to propose it in person to Ferdinand and Isabella, who at that time governed the united kingdoms of Castile and Arragon. But as he had already experienced the uncertain issue of application to kings and ministers, he took the precaution of sending into England his brother Bartholomew, to whom he had fully communicated his ideas, in order that he might negotiate, at the same time, with Henry VII. who was reputed one of the most sagacious as well as opulent princes in Europe.

It was not without reason that Columbus entertained doubts and fears with respect to the reception of his proposals in the Spanish court. Spain was, at that juncture, engaged in a dangerous war with Granada, the last of the Moorish kingdoms in that country. The wary and suspicious temper of Ferdinand was not formed to relish bold or uncommon designs. Isabella, though more generous and enterprising, was under the influence of her husband in all her actions. The Spaniards had hitherto made no efforts to extend navigation beyond its ancient limits, and had beheld the amazing progress of discovery among their neighbours the Portuguese, without one attempt to imitate or to rival them. The war with the infidels afforded an ample field to the national activity and love of glory. Under circumstances so unfavourable, it was impossible for Columbus to make rapid progress with a nation, naturally slow and dilatory in forming all its resolutions. His character, however, was admirably adapted to that of the people whose confidence and protection he solicited. He was grave, though courteous in his deportment; circumspect in his words and actions; irreproachable in his morals; and exemplary in his attention to all the duties and functions of religion. By qualities so respectable, he not only gained many private friends, but acquired such general esteem, that, notwithstanding the plainness of his appearance, suitable to the mediocrity of his fortune, he was not considered as a mere adventurer, to whom indigence had suggested a visionary project, but was received as a person to whose propositions serious attention was due.

Ferdinand and Isabella, though fully occupied by their operations against the Moors, paid so much regard to Columbus, as to remit the consideration of his plan to the queen's confessor, Ferdinand de Talavera. He consulted such of his countrymen as were supposed best qualified to decide with respect to a subject of this kind. But true science had hitherto made so little progress in Spain, that the pretended philosophers, selected to judge in a matter of such moment, did not comprehend the first principles upon which Columbus founded his conjectures and hopes. Some of them, from mistaken notions concerning the dimensions of the globe, contended that a voyage to those remote parts of the east which Columbus expected to discover, could not be performed in less than three years. Others concluded, that either he would find the ocean to be of infinite extent, according to the opinion of some ancient philosophers; or if he should persist in steering towards the west beyond a certain point, that the convex figure of the globe would prevent his return, and that he must inevitably perish, in the vain attempt to open a communication between the two opposite hemispheres, which nature had for ever disjoined. Even without deigning to enter into any particular discussion, many rejected the scheme in general, upon the credit of a maxim, under which the ignorant and unenterprising shelter

themselves in every age, "That it is presumptuous in any person, to suppose that he alone possesses knowledge superior to all the rest of mankind united." They maintained, that if there were really any such countries as Columbus pretended, they could not have remained so long concealed, nor would the wisdom and sagacity of former ages have left the glory of this invention to an obscure Genoese pilot.

It required all Columbus's patience and address to negotiate with men capable of advancing such strange propositions. He had to contend not only with the obstinacy of ignorance, but with what is still more intractable, the pride of false knowledge. After innumerable conferences, and wasting five years in fruitless endeavours to inform and to satisfy judges so little capable of deciding with propriety, Talavera, at last, made such an unfavourable report to Ferdinand and Isabella, as induced them to acquaint Columbus, that until the war with the Moors should be brought to a period, it would be imprudent to engage in any new and extensive enterprise.

Whatever care was taken to soften the harshness of this declaration, Columbus considered it as a final rejection of his proposals. But, happily for mankind, that superiority of genius, which is capable of forming great and uncommon designs, is usually accompanied with an ardent enthusiasm, which can neither be cooled by delays, nor damped by disappointment. Columbus was of this sanguine temper. Though he felt deeply the cruel blow given to his hopes, and retired immediately from a court, where he had been amused so long with vain expectations, his confidence in the justness of his own system did not diminish, and his impatience to demonstrate the truth of it by an actual experiment, became greater than ever. Having courted the protection of sovereign states without success, he applied next to persons of inferior rank, and addressed successively the Dukes of Medina Sidonia and Medina Celi, who, though subjects, were possessed of power and opulence more than equal to the enterprise which he projected. His negotiations with them proved as fruitless as those in which he had been hitherto engaged; for these noblemen were either as little convinced by Columbus's arguments as their superiors, or they were afraid of alarming the jealousy and offending the pride of Ferdinand, by countenancing a scheme which he had rejected.

Amid the painful sensations occasioned by such a succession of disappointments, Columbus had to sustain the additional distress of having received no accounts of his brother, whom he had sent to the court of England. In his voyage to that country, Bartholomew had been so unfortunate as to fall into the hands of pirates, who having stripped him of every thing, detained him a prisoner for several years. At length he made his escape, and arrived in London, but in such extreme indigence, that he was obliged to employ himself, during a considerable time, in drawing and selling maps, in order to pick up as much money as would purchase a decent dress, in which he might venture to appear at court. He then laid before the King the proposals with which he had been intrusted by his brother, and, notwithstanding Henry's excessive caution and parsimony, which rendered him averse to new or extensive undertakings, he received Columbus's overtures with more approbation than any monarch to whom they had hitherto been presented.

Meanwhile, Columbus being unacquainted with his brother's fate, and having now no prospect of encouragement in Spain, resolved to visit the court of England in person, in hopes of meeting with a more

favourable reception there. He had already made preparations for this purpose, and taken measures for the disposal of his children during his absence, when Juan Perez, the guardian of the monastery of Rabida, near Palos, in which they had been educated, earnestly solicited him to defer his journey for a short time. Perez was a man of considerable learning, and of some credit with Queen Isabella, to whom he was known personally. He was warmly attached to Columbus, with whose abilities as well as integrity he had many opportunities of being acquainted. Prompted by curiosity or by friendship, he entered upon an accurate examination of his system, in conjunction with a physician settled in the neighbourhood, who was a considerable proficient in mathematical knowledge. This investigation satisfied them so thoroughly, with respect to the solidity of the principles on which Columbus founded his opinion, and the probability of success in executing the plan which he proposed, that Perez, in order to prevent his country from being deprived of the glory and benefit which must accrue to the patrons of such a grand enterprise, ventured to write to Isabella, conjuring her to consider the matter anew with the attention which it merited.

Moved by the representations of a person whom she respected, Isabella desired Perez to repair immediately to the village of Santa Fe, in which, on account of the siege of Granada, the court resided at that time, that she might confer with him upon this important subject. The first effect of their interview was a gracious invitation to Columbus back to court, accompanied with the present of a small sum to equip him for the journey. As there was now a certain prospect that the war with the Moors would speedily be brought to a happy issue by the reduction of Granada, which would leave the nation at liberty to engage in new undertakings; this, as well as the mark of royal favour with which Columbus had been lately honoured, encouraged his friends to appear with greater confidence than formerly in support of his scheme. The chief of these, Alonso de Quintanilla, comptroller of the finances in Castile, and Luis de Santangel, receiver of the ecclesiastical revenues in Arragon, whose meritorious zeal in promoting this great design entitles their names to an honourable place in history, introduced Columbus to many persons of high rank, and interested them warmly in his behalf.

But it was not an easy matter to inspire Ferdinand with favourable sentiments. He still regarded Columbus's project as extravagant and chimerical; and in order to render the efforts of his partisans ineffectual, he had the address to employ, in this new negotiation with him, some of the persons who had formerly pronounced his scheme to be impracticable. To their astonishment, Columbus appeared before them with the same confident hopes of success as formerly; and insisted upon the same high recompence. He proposed that a small fleet should be fitted out, under his command, to attempt the discovery, and demanded to be appointed hereditary admiral and viceroy of all the seas and lands which he should discover, and to have the tenths of the profits arising from them settled irrevocably upon himself and his descendants. At the same time he offered to advance the eighth part of the sum necessary for accomplishing his design, on condition that he should be entitled to a proportional share of benefit from the adventure. If the enterprise should totally miscarry, he made no stipulation for any reward or emolument whatever. Instead of viewing this conduct as the clearest evi-

dence of his full persuasion with respect to the truth of his own system, or being struck with that magnanimity which, after so many delays and repulses, would stoop to nothing inferior to its original claims, the persons with whom Columbus treated began meanly to calculate the expense of the expedition, and the value of the reward which he demanded. The expense, moderate as it was, they represented to be too great for Spain in the present exhausted state of its finances. They contended that the honours and emoluments claimed by Columbus were exorbitant, even if he should perform the utmost of what he had promised; and if all his sanguine hopes should prove illusive, such vast concessions to an adventurer would be deemed not only inconsiderate, but ridiculous. In this imposing garb of caution and prudence, their opinion appeared so plausible, and was so warmly supported by Ferdinand, that Isabella declined giving any countenance to Columbus, and abruptly broke off the negotiation with him which she had begun.

This was more mortifying to Columbus than all the disappointments which he had hitherto met with. The invitation to court from Isabella, like an unexpected ray of light, had opened such prospects of success as encouraged him to hope that his labours were at an end; but now darkness and uncertainty returned, and his mind, firm as it was, could hardly support the shock of such an unforeseen reverse. He withdrew in deep anguish from court, with an intention of prosecuting his voyage to England as his last resource.

[A. D. 1492.] About that time Granada surrendered, and Ferdinand and Isabella, in triumphal pomp, took possession of a city, the reduction of which extirpated a foreign power from the heart of their dominions, and rendered them masters of all the provinces, extending from the bottom of the Pyrenees to the frontiers of Portugal. As the flow of spirits which accompanies success elevates the mind and renders it enterprising, Quintanilla and Santangel, the vigilant and discerning patrons of Columbus, took advantage of this favourable situation, in order to make one effort more in behalf of their friend. They addressed themselves to Isabella, and after expressing some surprise that she, who had always been the munificent patroness of generous undertakings, should hesitate so long to countenance the most splendid scheme that had ever been proposed to any monarch; they represented to her that Columbus was a man of a sound understanding and virtuous character, well qualified, by his experience in navigation, as well as his knowledge of geometry, to form just ideas with respect to the structure of the globe and the situation of its various regions; that by offering to risk his own life and fortune in the execution of his scheme, he gave the most satisfying evidence, both of his integrity and hope of success; that the sum requisite for equipping such an armament as he demanded was inconsiderable, and the advantages which might accrue from his undertaking were immense; that he demanded no recompence for his invention and labour, but what was to arise from the countries which he should discover; that as it was worthy of her magnanimity to make this noble attempt to extend the sphere of human knowledge, and to open an intercourse with regions hitherto unknown, so it would afford the highest satisfaction to her piety and zeal, after re-establishing the christian faith in those provinces of Spain from which it had been long banished, to discover a new world, to which she might communicate the light and blessings of divine truth; that if now she did not decide instantly, the

opportunity would be irretrievably lost; that Columbus was on his way to foreign countries, where some prince, more fortunate or adventurous, would close with his proposals, and Spain would for ever bewail that fatal timidity which had excluded her from the glory and advantages that she had once in her power to have enjoyed.

These forcible arguments, urged by persons of such authority, and at a juncture so well chosen, produced the desired effect. They dispelled all Isabella's doubts and fears; she ordered Columbus to be instantly recalled, declared her resolution of employing him on his own terms, and regretting the low state of her finances, generously offered to pledge her own jewels, in order to raise as much money as might be needed in making preparations for the voyage. Santangel, in a transport of gratitude kissed the queen's hand, and in order to save her from having recourse to such a mortifying expedient for procuring money, engaged to advance immediately the sum that was requisite.

Columbus had proceeded some leagues on his journey, when the messenger from Isabella overtook him. Upon receiving an account of the unexpected resolution in his favour, he returned directly to Santa Fe, though some remnant of diffidence still mingled itself with his joy. But the cordial reception which he met with from Isabella, together with the near prospect of setting out upon that voyage which had so long been the object of his thoughts and wishes, soon effaced the remembrance of all that he had suffered in Spain, during eight tedious years of solicitation and suspense. The negotiation now went forward with facility and despatch, and a treaty or capitulation with Columbus was signed on the seventeenth of April, one thousand four hundred and ninety-two. The chief articles of it were:—1. Ferdinand and Isabella, as Sovereigns of the Ocean, constituted Columbus their High Admiral in all the seas, islands, and continents, which should be discovered by his industry; and stipulated that he and his heirs for ever should enjoy this office, with the same powers and prerogatives which belonged to the High Admiral of Castile, within the limits of his jurisdiction. 2. They appointed Columbus their Viceroy in all the islands and continents which he should discover; but if, for the better administration of affairs, it should hereafter be necessary to establish a separate Governor in any of those countries, they authorized Columbus to name three persons, of whom they would choose one for that office; and the dignity of Viceroy, with all its immunities, was likewise to be hereditary in the family of Columbus. 3. They granted to Columbus and his heirs for ever, the tenth of the free profits accruing from the productions and commerce of the countries which he should discover. 4. They declared, that if any controversy or law-suit shall arise with respect to any mercantile transaction in the countries which should be discovered, it should be determined by the sole authority of Columbus, or of judges to be appointed by him. 5. They permitted Columbus to advance one-eighth part of what should be expended in preparing for the expedition, and in carrying on commerce with the countries which he should discover, and entitled him, in return, to an eighth part of the profit.

Though the name of Ferdinand appears conjoined with that of Isabella in this transaction, his distrust of Columbus was still so violent that he refused to take any part in the enterprise as King of Arragon. As the whole expense of the expedition was to be defrayed by the Crown of Castile, Isabella reserved

for her subjects of that kingdom an exclusive right to all the benefits which might redound from its success.

As soon as the treaty was signed, Isabella, by her attention and activity in forwarding the preparations for the voyage, endeavoured to make some reparation to Columbus for the time which he had lost in fruitless solicitation. By the twelfth of May, all that depended upon her was adjusted; and Columbus waited on the King and Queen, in order to receive their final instructions. Every thing respecting the destination and conduct of the voyage, they committed implicitly to the disposal of his prudence. But that they might avoid giving any just cause of offence to the King of Portugal, they strictly enjoined him not to approach near to the Portuguese settlements on the coast of Guinea, or in any of the other countries to which the Portuguese claimed right as the discoverers. Isabella had ordered the ships, of which Columbus was to take the command, to be fitted out in the port of Palos, a small maritime town in the province of Andalusia. As the guardian, Juan Perez, to whom Columbus had already been so much indebted, resided in the neighbourhood of this place, he, by the influence of that good ecclesiastic, as well as by his own connexion with the inhabitants, not only raised among them what he wanted of the sum that he was bound by treaty to advance, but engaged several of them to accompany him in the voyage. The chief of these associates were three brothers of the name of Pinzon, of considerable wealth, and of great experience in naval affairs, who were willing to hazard their lives and fortunes in the expedition.

But, after all the efforts of Isabella and Columbus, the armament was not suitable, either to the dignity of the nation by which it was equipped, or to the importance of the service for which it was destined. It consisted of three vessels. The largest, a ship of no considerable burthen, was commanded by Columbus, as Admiral, who gave it the name of *Santa Maria*, out of respect for the blessed Virgin, whom he honoured with singular devotion. Of the second, called the *Pinta*, Martin Pinzon was captain, and his brother Francis pilot. The third, named the *Nigna*, was under the command of Vincent Yanez Pinzon. These two were light vessels, hardly superior in burthen or force to large boats. This squadron, if it merits that name, was victualled for twelve months, and had on board ninety men, mostly sailors, together with a few adventurers who followed the fortune of Columbus, and some gentlemen of Isabella's court, whom she appointed to accompany him. Though the expense of the undertaking was one of the circumstances which chiefly alarmed the court of Spain, and retarded so long the negotiation with Columbus, the sum employed in fitting out the squadron did not exceed four thousand pounds.

As the art of ship-building in the fifteenth century was extremely rude, and the bulk of vessels was accommodated to the short and easy voyages along the coast which they were accustomed to perform, it is a proof of the courage as well as enterprising genius of Columbus, that he ventured, with a fleet so unfit for a distant navigation, to explore unknown seas, where he had no chart to guide him, no knowledge of the tides and currents, and no experience of the dangers to which he might be exposed. His eagerness to accomplish the great design which had so long engrossed his thoughts, made him overlook or disregard every circumstance that would have intimidated a mind less adventurous. He pushed forwards the preparations with such ardour, and was seconded so effectually by the persons to whom Isabella committed

he superintendence of this business, that every thing was soon in readiness for the voyage. But as Columbus was deeply impressed with sentiments of religion, he would not set out upon an expedition so arduous, and of which one great object was to extend the knowledge of the Christian faith, without imploring publicly the guidance and protection of Heaven. With this view, he, together with all the persons under his command, marched in solemn procession to the monastery of Rabida. After confessing their sins, and obtaining absolution, they received the holy sacrament from the hands of the guardian, who joined his prayers to theirs for the success of an enterprise which he had so zealously patronized.

Next morning, being Friday the third day of August, in the year one thousand four hundred and ninety-two, Columbus set sail, a little before sunrise, in presence of a vast crowd of spectators, who sent up their supplications to Heaven for the prosperous issue of the voyage, which they wished rather than expected. Columbus steered directly for the Canary Islands [August 13], and arrived there without any occurrence that would have deserved notice on any other occasion. But, in a voyage of such expectation and importance, every circumstance was the object of attention. The rudder of the Pinta broke loose the day after she left the harbour, and that accident alarmed the crew, no less superstitious than unskilful, as a certain omen of the unfortunate destiny of the expedition. Even in the short run to the Canaries, the ships were found to be so crazy and ill-appointed, as to be very improper for a navigation which was expected to be both long and dangerous. Columbus refitted them, however, to the best of his power, and having supplied himself with fresh provisions, he took his departure from Gomera, one of the most westerly of the Canary Islands, on the sixth day of September.

Here the voyage of discovery may properly be said to begin; for Columbus, holding his course due west, left immediately the usual track of navigation, and stretched into unfrequented and unknown seas. The first day, as it was very calm, he made but little way; but on the second, he lost sight of the Canaries; and many of the sailors, dejected already and dismayed, when they contemplated the boldness of the undertaking, began to beat their breasts, and to shed tears, as if they were never more to behold land. Columbus comforted them with assurances of success, and the prospect of vast wealth, in those opulent regions whither he was conducting them. This early discovery of the spirit of his followers taught Columbus that he must prepare to struggle, not only with the unavoidable difficulties which might be expected from the nature of his undertaking, but with such as were likely to arise from the ignorance and timidity of the people under his command; and he perceived that the art of governing the minds of men would be no less requisite for accomplishing the discoveries which he had in view, than naval skill and undaunted courage. Happily for himself, and for the country by which he was employed, he joined to the ardent temper and inventive genius of a projector, virtues of another species, which are rarely united with them. He possessed a thorough knowledge of mankind, an insinuating address, a patient perseverance in executing any plan, the perfect government of his own passions, and the talent of acquiring an ascendant over those of other men. All these qualities, which formed him for command, were accompanied with that superior knowledge of his profession, which begets confidence in times of difficulty and danger.

To unskilful Spanish sailors, accustomed only to coasting voyages in the Mediterranean, the maritime science of Columbus, the fruit of thirty years' experience, improved by an acquaintance with all the inventions of the Portuguese, appeared immense. As soon as they put to sea, he regulated every thing by his sole authority; he superintended the execution of every order: and allowing himself only a few hours for sleep, he was at all other times upon deck. As his course lay through seas which had not formerly been visited, the sounding-line, or instruments for observation, were continually in his hands. After the example of the Portuguese discoverers, he attended to the motion of tides and currents, watched the flight of birds, the appearance of fishes, of sea-weeds, and of every thing that floated on the waves, and entered every occurrence, with a minute exactness, in the journal which he kept. As the length of the voyage could not fail of alarming sailors habituated only to short excursions, Columbus endeavoured to conceal from them the real progress which they made. With this view, though they run eighteen leagues on the second day after they left Gomera, he gave out that they had advanced only fifteen, and he uniformly employed the same artifice of reckoning short during the whole voyage. By the fourteenth of September, the fleet was above two hundred leagues to the west of the Canary Isles, at a greater distance from land than any Spaniard had been before that time. There they were struck with an appearance no less astonishing than new. They observed that the magnetic needle, in their compasses, did not point exactly to the polar star, but varied towards the west; and as they proceeded, this variation increased. This appearance, which is now familiar, though it still remains one of the mysteries of nature, into the cause of which the sagacity of man hath not been able to penetrate, filled the companions of Columbus with terror. They were now in a boundless and unknown ocean, far from the usual course of navigation; nature itself seemed to be altered, and the only guide which they had left was about to fail them. Columbus, with no less quickness than ingenuity, invented a reason for this appearance, which, though it did not satisfy himself, seemed so plausible to them, that it dispelled their fears, or silenced their murmurs.

He still continued to steer due west, nearly in the same latitude with the Canary Islands. In this course he came within the sphere of the trade wind, which blows invariably from east to west, between the tropics and a few degrees beyond them. He advanced before this steady gale with such uniform rapidity, that it was seldom necessary to shift a sail. When about four hundred leagues to the west of the Canaries, he found the sea so covered with weeds, that it resembled a meadow of vast extent, and in some places they were so thick, as to retard the motion of the vessels. This strange appearance occasioned new alarm and disquiet. The sailors imagined that they were now arrived at the utmost boundary of the navigable ocean; that these floating weeds would obstruct their further progress, and concealed dangerous rocks, or some large tract of land, which had sunk, they knew not how, in that place. Columbus endeavoured to persuade them, that what had alarmed, ought rather to have encouraged them, and was to be considered as a sign of approaching land. At the same time, a brisk gale arose, and carried them forward. Several birds were seen hovering about the ship (13), and directed their flight towards the west. The desponding crew resumed some degree of spirit, and began to entertain fresh hopes.

Upon the first of October they were, according to the admiral's reckoning, seven hundred and seventy leagues to the west of the Canaries; but lest his men should be intimidated by the prodigious length of the navigation, he gave out that they had proceeded only five hundred and eighty-four leagues; and, fortunately for Columbus, neither his own pilot, nor those of the other ships, had skill sufficient to correct this error, and discover the deceit. They had now been above three weeks at sea; they had proceeded far beyond what former navigators had attempted or deemed possible; all their prognostics of discovery, drawn from the flight of birds and other circumstances, had proved fallacious; the appearances of land, with which their own credulity or the artifice of their commander had from time to time flattered and amused them, had been altogether illusive, and their prospect of success seemed now to be as distant as ever. These reflections occurred often to men, who had no other object or occupation than to reason and discourse concerning the intention and circumstances of their expedition. They made impression, at first, upon the ignorant and timid, and extending, by degrees, to such as were better informed or more resolute, the contagion spread at length from ship to ship. From secret whispers or murmurings, they proceeded to open cabals and public complaints. They taxed their sovereign with inconsiderate credulity, in paying such regard to the vain promises and rash conjectures of an indigent foreigner, as to hazard the lives of so many of her own subjects, in prosecuting a chimerical scheme. They affirmed that they had fully performed their duty, by venturing so far in an unknown and hopeless course, and could incur no blame for refusing to follow, any longer, a desperate adventurer to certain destruction. They contended, that it was necessary to think of returning to Spain, while their crazy vessels were still in a condition to keep the sea, but expressed their fear that the attempt would prove vain, as the wind, which had hitherto been so favourable to their course, must render it impossible to sail in the opposite direction. All agreed that Columbus should be compelled by force to adopt a measure on which their common safety depended. Some of the more audacious proposed, as the most expeditious and certain method for getting rid at once of his remonstrances, to throw him into the sea, being persuaded that, upon their return to Spain, the death of an unsuccessful projector would excite little concern, and be inquired into with no curiosity.

Columbus was fully sensible of his perilous situation. He had observed, with great uneasiness, the fatal operation of ignorance and of fear in producing disaffection among his crew, and saw that it was now ready to burst out into open mutiny. He retained, however, perfect presence of mind. He affected to seem ignorant of their machinations. Notwithstanding the agitation and solicitude of his own mind, he appeared with a cheerful countenance, like a man satisfied with the progress he had made, and confident of success. Sometimes he employed all the arts of insinuation, to soothe his men. Sometimes he endeavoured to work upon their ambition or avarice, by magnificent descriptions of the fame and wealth which they were about to acquire. On other occasions, he assumed a tone of authority, and threatened them with vengeance from their sovereign, if, by their dastardly behaviour, they should defeat this noble effort to promote the glory of God, and to exalt the Spanish name above that of every other nation. Even with seditious sailors, the words of a man whom they had been accustomed to reverence,

were weighty and persuasive, and not only restrained them from those violent excesses which they meditated, but prevailed with them to accompany their admiral for some time longer.

As they proceeded, the indications of approaching land seemed to be more certain, and excited hope in proportion. The birds began to appear in flocks, making towards the south-west. Columbus, in imitation of the Portuguese navigators, who had been guided, in several of their discoveries, by the motion of birds, altered his course from due west towards that quarter whither they pointed their flight. But, after holding on for several days in this new direction, without any better success than formerly, having seen no object, during thirty days, but the sea and the sky, the hopes of his companions subsided faster than they had risen; their fears revived with additional force; impatience, rage, and despair, appeared in every countenance. All sense of subordination was lost: the officers, who had hitherto concurred with Columbus in opinion, and supported his authority, now took part with the private men: they assembled tumultuously on the deck, expostulated with their commander, mingled threats with their expostulations, and required him instantly to tack about and return to Europe. Columbus perceived that it would be of no avail to have recourse to any of his former arts, which having been tried so often had lost their effect; and that it was impossible to rekindle any zeal for the success of the expedition among men, in whose breasts fear had extinguished every generous sentiment. He saw that it was no less vain to think of employing either gentle or severe measures to quell a mutiny so general and so violent. It was necessary, on all these accounts, to soothe passions which he could no longer command, and to give way to a torrent too impetuous to be checked. He promised solemnly to his men that he would comply with their request, provided they would accompany him, and obey his command for three days longer, and if, during that time, land were not discovered, he would then abandon the enterprise, and direct his course towards Spain.

Enraged as the sailors were, and impatient to turn their faces again towards their native country, this proposition did not appear to them unreasonable. Nor did Columbus hazard much in confining himself to a term so short. The presages of discovering land were now so numerous and promising, that he deemed them infallible. For some days the sounding-line reached the bottom, and the soil which it brought up indicated land to be at no great distance. The flocks of birds increased, and were composed not only of sea-fowl, but of such land birds as could not be supposed to fly far from the shore. The crew of the *Pinta* observed a cane floating, which seemed to have been newly cut, and likewise a piece of timber artificially carved. The sailors aboard the *Nigna* took up the branch of a tree with red berries, perfectly fresh. The clouds around the setting sun assumed a new appearance; the air was more mild and warm, and, during night, the wind became unequal and variable. From all these symptoms, Columbus was so confident of being near land, that on the evening of the eleventh of October, after public prayers for success, he ordered the sails to be furled, and the ships to lie to, keeping strict watch, lest they should be driven ashore in the night. During this interval of suspense and expectation, no man shut his eyes, all kept upon deck gazing intently towards that quarter where they expected to discover the land, which had been so long the object of their wishes.

About two hours before midnight, Columbus standing on the forecastle, observed a light at a distance, and privately pointed it out to Pedro Gutierrez, a page of the queen's wardrobe. Gutierrez perceived it, and calling to Salcedo, the comptroller of the fleet, all three saw it in motion, as if it were carried from place to place. A little after midnight, the joyful sound of *land! land!* was heard from the Pinta, which kept always ahead of the other ships. But, having been so often deceived by fallacious appearances, every man was now become slow of belief, and waited in all the anguish of uncertainty and impatience, for the return of day. As soon as morning dawned, [Friday, Oct. 12,] all doubts and fears were dispelled. From every ship an island was seen about two leagues to the north, whose flat and verdant fields, well stored with wood, and watered with many rivulets, presented the aspect of a delightful country. The crew of the Pinta instantly began the *Te Deum*, as a hymn of thanksgiving to God, and were joined by those of the other ships, with tears of joy, and transports of congratulation. This office of gratitude to Heaven was followed by an act of justice to their commander. They threw themselves at the feet of Columbus, with feelings of self-condemnation mingled with reverence. They implored him to pardon their ignorance, incredulity, and insolence, which had created him so much unnecessary disquiet, and had so often obstructed the prosecution of his well-concerted plan; and passing, in the warmth of their admiration, from one extreme to another, they now pronounced the mar, whom they so lately reviled and threatened, to be a person inspired by Heaven with sagacity and fortitude more than human, in order to accomplish a design so far beyond the ideas and conception of all former ages.

As soon as the sun arose, all their boats were manned and armed. They rowed towards the island with their colours displayed, with warlike music, and other martial pomp. As they approached the coast, they saw it covered with a multitude of people, whom the novelty of the spectacle had drawn together, whose attitudes and gestures expressed wonder and astonishment at the strange objects which presented themselves to their view. Columbus was the first European who set foot in the New World which he had discovered. He landed in a rich dress, and with a naked sword in his hand. His men followed, and kneeling down, they all kissed the ground which they had so long desired to see. They next erected a crucifix, and prostrating themselves before it, returned thanks to God for conducting their voyage to such a happy issue. They then took solemn possession of the country for the Crown of Castile and Leon, with all the formalities which the Portuguese were accustomed to observe in acts of this kind, in their new discoveries.

The Spaniards, while thus employed, were surrounded by many of the natives, who gazed, in silent admiration, upon actions which they could not comprehend, and of which they could not foresee the consequences. The dress of the Spaniards, the whiteness of their skins, their beards, their arms, appeared strange and surprising. The vast machines in which they had traversed the ocean, that seemed to move upon the waters with wings, and uttered a dreadful sound resembling thunder, accompanied with lightning and smoke, struck them with such terror, that they began to respect their new guests as a superior order of beings, and concluded that they were children of the sun, who had descended to visit the earth.

The Europeans were hardly less amazed at the scene now before them. Every herb, and shrub, and tree, was different from those which flourished in Europe. The soil seemed to be rich, but bore few marks of cultivation. The climate, even to the Spaniards, felt warm, though extremely delightful. The inhabitants appeared in the simple innocence of nature, entirely naked. Their black hair, long and uncurled, floated upon their shoulders, or was bound in tresses around their heads. They had no beards, and every part of their bodies was perfectly smooth. Their complexion was of a dusky copper colour, their features singular, rather than disagreeable, their aspect gentle and timid. Though not tall, they were well shaped and active. Their faces, and several parts of their body, were fantastically painted with glaring colours. They were shy at first through fear, but soon became familiar with the Spaniards, and with transports of joy received from them hawkbells, glass beads, or other baubles, in return for which they gave such provisions as they had, and some cotton yarn, the only commodity of value that they could produce. Towards evening, Columbus returned to his ship, accompanied by many of the islanders in their boats, which they called *canoes*, and though rudely formed out of the trunk of a single tree, they rowed them with surprising dexterity. Thus, in the first interview between the inhabitants of the Old and New Worlds, every thing was conducted amicably, and to their mutual satisfaction. The former, enlightened and ambitious, formed already vast ideas with respect to the advantages which they might derive from the regions that began to open to their view. The latter, simple and undiscerning, had no foresight of the calamities and desolation which were approaching their country.

Columbus, who now assumed the title and authority of admiral and viceroy, called the island which he had discovered *San Salvador*. It is better known by the name of *Guanahani*, which the natives gave to it, and is one of that large cluster of islands called the Lucaya or Bahama Isles. It is situated above three thousand miles to the west of Gomera, from which the squadron took its departure, and only four degrees to the south of it; so little had Columbus deviated from the westerly course, which he had chosen as the most proper.

Columbus employed the next day in visiting the coast of the island; and from the universal poverty of the inhabitants, he perceived that this was not the rich country for which he sought. But, conformably to his theory concerning the discovery of those regions of Asia which stretched towards the east, he concluded that San Salvador was one of the isles which geographers described as situated in the great ocean adjacent to India. Having observed that most of the people whom he had seen wore small plates of gold, by way of ornament, in their nostrils, he eagerly enquired where they got that precious metal. They pointed towards the south, and made him comprehend by signs, that gold abounded in countries situated in that quarter. Thither he immediately determined to direct his course, in full confidence of finding there those opulent regions which had been the object of his voyage, and would be a recompence for all his toils and dangers. He took along with him seven of the natives of San Salvador, that, by acquiring the Spanish language, they might serve as guides and interpreters; and those innocent people considered it as a mark of distinction when they were selected to accompany him.

He saw several islands, and touched at three of

the largest, on which he bestowed the names of St. Mary of the Conception, Fernandina, and Isabella. But, as their soil, productions, and inhabitants, nearly resemble those of San Salvador, he made no stay in any of them. He inquired every where for gold, and the signs that were uniformly made by way of answer, confirmed him in the opinion that it was brought from the south. He followed that course, and soon discovered a country which appeared very extensive, not perfectly level, like those which he had already visited, but so diversified with rising grounds, hills, rivers, woods, and plains, that he was uncertain whether it might prove an island, or part of the continent. The natives of San Salvador, whom he had on board, called it *Cuba*; Columbus gave it the name of Juana. He entered the mouth of a large river with his squadron, and all the inhabitants fled to the mountains as he approached the shore. But as he resolved to careen his ships in that place, he sent some Spaniards, together with one of the people of San Salvador, to view the interior part of the country. They having advanced above sixty miles from the shore, reported, upon their return, that the soil was richer and more cultivated than any they had hitherto discovered; that, besides many scattered cottages they had found one village, containing above a thousand inhabitants; that the people, though naked, seemed to be more intelligent than those of San Salvador, but had treated them with the same respectful attention, kissing their feet, and honouring them as sacred beings allied to heaven: that they had given them to eat a certain root, the taste of which resembled roasted chestnuts, and likewise a singular species of corn called *Maize*, which either when roasted whole or ground into meal, was abundantly palatable; that there seemed to be no four-footed animals in the country, but a species of dogs, which could not bark, and a creature resembling a rabbit, but of a much smaller size; that they had observed some ornaments of gold among the people, but of no great value.

These messengers had prevailed with some of the natives to accompany them, who informed Columbus, that the gold of which they made their ornaments was found in *Cubanacan*. By this word they meant the middle or inland part of Cuba; but Columbus, being ignorant of their language, as well as unaccustomed to their pronunciation, and his thoughts running continually upon his own theory concerning the discovery of the East Indies, he was led, by the resemblance of sound, to suppose that they spoke of the Great Khan, and imagined that the opulent kingdom of *Cathay*, described by Marco Polo, was not very remote. This induced him to employ some time in viewing the country. He visited almost every harbour, from Porto del Principe, on the north coast of Cuba, to the eastern extremity of the island; but, though delighted with the beauty of the scenes which every where presented themselves, and amazed at the luxuriant fertility of the soil, both, which, from their novelty, made a more lively impression upon his imagination (14), he did not find gold in such quantity as was sufficient to satisfy either the avarice of his followers, or the expectations of the court to which he was to return. The people of the country, as much astonished at his eagerness in quest of gold as the Europeans were at their ignorance and simplicity, pointed towards the east, where an island which they called *Hayti* was situated, in which that metal was more abundant than among them. Columbus ordered his squadron to bend its course thither; but Martin Alonso Pinzon, impatient to be

the first who should take possession of the treasures which this country was supposed to contain, quitted his companions, regardless of all the admiral's signals to slacken sail until they should come up with him. Columbus, retarded by contrary winds did not reach Hayti till the sixth of December. He called the port, where he first touched, St. Nicholas, and the island itself *Espagnola*, in honour of the kingdom by which he was employed; and it is the only country, of those he had yet discovered, which has retained the name that he gave it. As he could neither meet with the Pinta, nor have intercourse with the inhabitants, who fled in great consternation towards the woods, he soon quitted St. Nicholas, and sailing along the northern coast of the island, he entered another harbour, which he called Conception. Here he was more fortunate; his people overtook a woman who was flying from them, and after treating her with great gentleness, dismissed her with a present of such toys as they knew were most valued in those regions. The description which she gave to her countrymen of the humanity and wonderful qualities of the strangers; their admiration of the trinkets, which she showed with exultation; and their eagerness to participate of the same favours, removed all their fears, and induced many of them to repair to the harbour. The strange objects which they beheld, and the baubles which Columbus bestowed upon them, amply gratified their curiosity and their wishes. They nearly resembled the people of Guanahani and Cuba. They were naked like them, ignorant and simple; and seemed to be equally unacquainted with all the arts which appear most necessary in polished societies; but they were gentle, credulous, and timid to a degree which rendered it easy to acquire the ascendancy over them, especially as their excessive admiration led them into the same error with the people of the other islands, in believing the Spaniards to be more than mortals, and descended immediately from heaven. They possessed gold in greater abundance than their neighbours, which they readily exchanged for bells, beads, or pins; and in this unequal traffick both parties were highly pleased, each considering themselves as gainers by the transaction. Here Columbus was visited by a Prince or *Cazique* of the country. He appeared with all the pomp known among a simple people, being carried in a sort of palanquin upon the shoulders of four men, and attended by many of his subjects, who served him with great respect. His deportment was grave and stately, very reserved towards his own people, but with Columbus and the Spaniards extremely courteous. He gave the admiral some thin plates of gold, and a girdle of curious workmanship, receiving in return presents of small value, but highly acceptable to him.

Columbus, still intent on discovering the mines which yielded gold, continued to interrogate all the natives with whom he had any intercourse, concerning their situation. They concurred in pointing out a mountainous country, which they called *Cibao*, at some distance from the sea, and further towards the east. Struck with this sound, which appeared to him the same with *Cipango*, the name by which Marco Polo, and other travellers to the east, distinguished the island of Japan, he no longer doubted with respect to the vicinity of the countries which he had discovered to the remote parts of Asia; and in full expectation of reaching soon those regions which had been the object of his voyage, he directed his course towards the east. He put into a commodious harbour, which he called St. Thomas, and

found that district to be under the government of a powerful cazique, named *Guacanahari*, who, as he afterwards learned, was one of the five sovereigns among whom the whole island was divided. He immediately sent messengers to Columbus, who, in his name, delivered to him the present of a mask curiously fashioned, with the ears, nose, and mouth of beaten gold, and invited him to the place of his residence, near the harbour now called Cape François, some leagues towards the east. Columbus dispatched some of his officers to visit this Prince, who, as he behaved himself with greater dignity, seemed to claim more attention. They returned with such favourable accounts both of the country and of the people, as made Columbus impatient for that interview with *Guacanahari* to which he had been invited.

He sailed for this purpose from St. Thomas on the twenty-fourth of December, with a fair wind, and the sea perfectly calm; and as, amidst the multiplicity of his occupations, he had not shut his eyes for two days, he retired at midnight in order to take some repose, having committed the helm to the pilot, with strict injunctions not to quit it for a moment. The pilot, dreading no danger, carelessly left the helm to an inexperienced cabin-boy, and the ship, carried away by a current, was dashed against a rock. The violence of the shock awakened Columbus. He ran up to the deck. There all was confusion and despair. He alone retained presence of mind. He ordered some of the sailors to take a boat, and carry out an anchor astern; but, instead of obeying, they made off towards the *Nigna*, which was about half a league distant. He then commanded the masts to be cut down, in order to lighten the ship; but all his endeavours were too late; the vessel opened near the keel, and filled so fast with water that its loss was inevitable. The smoothness of the sea, and the timely assistance of boats from the *Nigna*, enabled the crew to save their lives. As soon as the islanders heard of this disaster, they crowded to the shore, with their Prince *Guacanahari* at their head. Instead of taking advantage of the distress in which they beheld the Spaniards, to attempt any thing to their detriment, they lamented their misfortune with tears of sincere condolence. Not satisfied with this unavailing expression of their sympathy, they put to sea a number of canoes, and under the direction of the Spaniards, assisted in saving whatever could be got out of the wreck; and, by the united labour of so many hands, almost every thing of value was carried ashore. As fast as the goods were landed, *Guacanahari* in person took charge of them. By his orders they were all deposited in one place, and armed sentinels were posted, who kept the multitude at a distance, in order to prevent them not only from embezzling, but from inspecting too curiously what belonged to their guests. Next morning this Prince visited Columbus, who was now on board the *Nigna*, and endeavoured to console him for his loss, by offering all that he possessed to repair it.

The condition of Columbus was such, that he stood in need of consolation. He had hitherto procured no intelligence of the *Pinta*, and no longer doubted but that his treacherous associate had set sail for Europe, in order to have the merit of carrying the first tidings of the extraordinary discoveries which had been made, and to pre-occupy so far the ear of their sovereign, as to rob him of the glory and reward to which he was justly entitled. There remained but one vessel, and that the smallest and most crazy of the squadron, to traverse such a vast ocean, and to carry

so many men back to Europe. Each of those circumstances was alarming, and filled the mind of Columbus with the utmost solicitude. The desire of overtaking Pinzon, and of effacing the unfavourable impressions which his misrepresentations might make in Spain, made it necessary to return thither without delay. The difficulty of taking such a number of persons aboard the *Nigna*, confirmed him in an opinion, which the fertility of the country, and the gentle temper of the people, had already induced him to form. He resolved to leave a part of his crew in the island, that by residing there, they might learn the language of the natives, study their disposition, examine the nature of the country, search for mines, prepare for the commodious settlement of the colony, with which he purposed to return, and thus secure and facilitate the acquisition of those advantages which he expected from his discoveries. When he mentioned this to his men, all approved of the design; and from impatience under the fatigue of a long voyage, from the levity natural to sailors, or from the hopes of amassing wealth in a country, which afforded such promising specimens of its riches, many offered voluntarily to be among the number of those who should remain.

Nothing was now wanting towards the execution of this scheme, but to obtain the consent of *Guacanahari*; and his unsuspecting simplicity soon presented to the admiral a favourable opportunity of proposing it. Columbus having, in the best manner he could, by broken words and signs, expressed some curiosity to know the cause which had moved the islanders to fly with such precipitation upon the approach of his ships, the cazique informed him that the country was much infested by the incursions of certain people, whom he called *Carribeans*, who inhabited several islands to the south-east. These he described as a fierce and warlike race of men, who delighted in blood, and devoured the flesh of the prisoners who were so unhappy as to fall into their hands; and as the Spaniards at their first appearance were supposed to be *Carribeans*, whom the natives, however numerous, durst not face in battle, they had recourse to their usual method of securing their safety, by flying into the thickest and most impenetrable woods. *Guacanahari*, while speaking of those dreadful invaders, discovered such symptoms of terror, as well as such consciousness of the inability of his own people to resist them, as led Columbus to conclude that he would not be alarmed at the proposition of any scheme which afforded him the prospect of an additional security against their attacks. He instantly offered him the assistance of the Spaniards to repel his enemies; he engaged to take him and his people under the protection of the powerful monarch whom he served, and offered to leave in the island such a number of his men as should be sufficient, not only to defend the inhabitants from future incursions, but to avenge their past wrongs.

The credulous prince closed eagerly with the proposal, and thought himself already safe under the patronage of beings sprung from heaven, and superior to the power of mortal men. The ground was marked out for a small fort, which Columbus called *Navidad*, because he had landed there on Christmas-day. A deep ditch was drawn around it. The ramparts were fortified with pallasades, and the great guns, saved out of the admiral's ship, were planted upon them. In ten days the work was finished; that simple race of men labouring with inconsiderate assiduity in erecting this first monument of their own servitude. During this time, Columbus, by his caresses and liberality

laboured to increase the high opinion which the natives entertained of the Spaniards. But while he endeavoured to inspire them with confidence in their disposition to do good, he wished likewise to give them some striking idea of their power to punish and destroy such as were the objects of their indignation. With this view, in presence of a vast assembly, he drew up his men in order of battle, and made an ostentatious but innocent display of the sharpness of the Spanish swords, of the force of their spears, and the operation of their cross-bows. These rude people, strangers to the use of iron, and unacquainted with any hostile weapons but arrows of reeds pointed with the bones of fishes, wooden sword, and javelins hardened in the fire, wondered and trembled. Before this surprise or fear had time to abate, he ordered the great guns to be fired. The sudden explosion struck them with such terror, that they fell flat to the ground, covering their faces with their hands; and when they beheld the astonishing effect of the bullets among the trees, towards which the cannon had been pointed, they concluded that it was impossible to resist men, who had the command of such destructive instruments, and who came armed with thunder and lightning against their enemies.

After giving such impressions ooth of the beneficence and power of the Spaniards, as might have rendered it easy to preserve an ascendant over the minds of the natives, Columbus appointed thirty-eight of his people to remain in the island. He intrusted the command of these to Diego de Arado, a gentleman of Cordova, investing him with the same powers which he himself had received from Ferdinand and Isabella; and furnished him with every thing requisite for the subsistence or defence of this infant colony. He strictly enjoined them to maintain concord among themselves, to yield an unreserved obedience to their commander, to avoid giving offence to the natives by any violence or exaction, to cultivate the friendship of Guacanahai, but not to put themselves in his power, by straggling in small parties, or marching too far from the fort. He promised to revisit them soon, with such a reinforcement of strength as might enable them to take full possession of the country, and to reap all the fruits of their discoveries. In the mean time, he engaged to mention their names to the king and queen, and to place their merit and services in the most advantageous light.

Having thus taken every precaution for the security of the colony, he left Navidad on the fourth of January, one thousand four hundred and ninety-three, and steering towards the east, discovered and gave names to most of the harbours on the northern coast of the island. On the sixth he descried the Pinta, and soon came up with her, after a separation of more than six weeks. Pinzon endeavoured to justify his conduct, by pretending that he had been driven from his course by stress of weather, and prevented from returning by contrary winds. The admiral, though he still suspected his perfidious intentions, and knew well what he urged in his own defence to be frivolous as well as false, was so sensible that this was not a proper time for venturing upon any high strain of authority, and felt such satisfaction in this junction with his consort, which delivered him from many disquieting apprehensions, that, lame as Pinzon's apology was, he admitted of it without difficulty, and restored him to favour. During his absence from the admiral, Pinzon had visited several harbours in the island, had acquired some gold by trafficking with the natives, but had made no discovery of any importance.

From the condition of his ships, as well as the temper of his men, Columbus now found it necessary to hasten his return to Europe. The former, having suffered much during a voyage of such an unusual length, were extremely leaky. The latter expressed the utmost impatience to revisit their native country, from which they had been so long absent, and where they had things so wonderful and unheard-of to relate. Accordingly, on the sixteenth of January, he directed his course towards the north-east, and soon lost sight of land. He had on board some of the natives, whom he had taken from the different islands which he discovered; and besides the gold, which was the chief object of research, he had collected specimens of all the productions which were likely to become subjects of commerce in the several countries, as well as many unknown birds, and other natural curiosities, which might attract the attention of the learned, or excite the wonder of the people. The voyage was prosperous to the fourteenth of February, and he had advanced near five hundred leagues across the Atlantic ocean, when the wind began to rise, and continued to blow with increasing rage, which terminated in a furious hurricane. Every thing that the naval skill and experience of Columbus could devise was employed, in order to save the ships. But it was impossible to withstand the violence of the storm, and, as they were still far from any land, destruction seemed inevitable. The sailors had recourse to prayers to Almighty God, to the invocation of saints, to vows and charms, to every thing that religion dictates, or superstition suggests to the affrighted mind of man. No prospect of deliverance appearing, they abandoned themselves to despair, and expected every moment to be swallowed up in the waves. Besides the passions which naturally agitate and alarm the human mind in such awful situations, when certain death, in one of his most terrible forms, is before it, Columbus had to endure feelings of distress peculiar to himself. He dreaded that all knowledge of the amazing discoveries which he had made was now to perish; mankind were to be deprived of every benefit that might have been derived from the happy success of his schemes, and his own name would descend to posterity as that of a rash deluded adventurer, instead of being transmitted with the honour due to the author and conductor of the most noble enterprise that had ever been undertaken. These reflections extinguished all sense of his own personal danger. Less affected with the loss of life, than solicitous to preserve the memory of what he had attempted and achieved, he retired to his cabin, and wrote, upon parchment, a short account of the voyage which he had made, of the course which he had taken, of the situation and riches of the countries which he had discovered, and of the colony that he had left there. Having wrapped up this in an oiled cloth, which he enclosed in a cake of wax, he put it into a cask carefully stopped up, and threw it into the sea, in hopes that some fortunate accident might preserve a deposit of so much importance to the world.

At length Providence interposed, to save a life reserved for other services. The wind abated, the sea became calm, and on the evening of the fifteenth, Columbus and his companions discovered land; and though uncertain what it was, they made towards it. They soon knew it to be St. Mary, one of the Azores or western isles, subject to the crown of Portugal. There, after a violent contest with the governor, in which Columbus displayed no less spirit than prudence, he obtained a supply of fresh provisions, and

whatever else he needed. One circumstance, however, greatly disquieted him. The Pinta, of which he had lost sight on the first day of the hurricane, did not appear; he dreaded for some time that she had foundered at sea, and that all her crew had perished; afterwards, his former suspicions recurred, and he became apprehensive that Pinzon had borne away for Spain, that he might reach it before him, and, by giving the first account of his discoveries, might obtain some share of his fame.

[Feb. 24.] In order to prevent this, he left the Azores as soon as the weather would permit. At no great distance from the coast of Spain, when near the end of his voyage, and seemingly beyond the reach of any disaster, another storm arose, little inferior to the former in violence; and after driving before it during two days and two nights, he was forced to take shelter in the river Tagus [March 4.] Upon application to the king of Portugal, he was allowed to come up to Lisbon; and, notwithstanding the envy which it was natural for the Portuguese to feel, when they beheld another nation entering upon that province of discovery which they had hitherto deemed peculiarly their own, and in its first essay, not only rivalling, but eclipsing their fame, Columbus was received with all the marks of distinction due to a man who had performed things so extraordinary and unexpected. The king admitted him into his presence, treated him with the highest respect, and listened to the account which he gave of his voyage mingled with regret. While Columbus, on his part, enjoyed the satisfaction of describing the importance of his discoveries, and of being now able to prove the solidity of his schemes to those very persons, who, with an ignorance disgraceful to themselves, and fatal to their country, had lately rejected them as the projects of a visionary or designing adventurer (16).

Columbus was so impatient to return to Spain, that he remained only five days in Lisbon. On the fifteenth of March he arrived in the port of Palos, seven months and eleven days from the time when he set out thence upon his voyage. As soon as the ship was discovered approaching the port, all the inhabitants of Palos ran eagerly to the shore, in order to welcome their relations and fellow-citizens, and to hear tidings of their voyage. When the prosperous issue of it was known, when they beheld the strange people, the unknown animals, and singular productions, brought from the countries which had been discovered, the effusion of joy was general and unbounded. The bells were rung, the cannon fired; Columbus was received at landing with royal honours, and all the people, in solemn procession, accompanied him and his crew to the church, where they returned thanks to Heaven, which had so wonderfully conducted and crowned with success a voyage of greater length and of more importance than had been attempted in any former age. On the evening of the same day, he had the satisfaction of seeing the Pinta, which the violence of the tempest had driven far to the north, enter the harbour.

The first care of Columbus was to inform the king and queen, who were then at Barcelona, of his arrival and success. Ferdinand and Isabella, no less astonished than delighted with this unexpected event, desired Columbus, in terms the most respectful and flattering, to repair immediately to court, that from his own mouth they might receive a full detail of his extraordinary services and discoveries. During his journey to Barcelona, the people crowded from the adjacent country, following him everywhere with admiration and applause. His entrance into

the city was conducted, by order of Ferdinand and Isabella, with pomp suitable to the great event, which added such distinguishing lustre to their reign. The people whom he brought along with him from the countries which he had discovered, marched first, and by their singular complexion, the wild peculiarity of their features, and uncouth finery, appeared like men of another species. Next to them were carried the ornaments of gold fashioned by the rude art of the natives, the grains of gold found in the mountains, and dust of the same metal gathered in the rivers. After these appeared the various commodities of the new discovered countries, together with their curious productions. Columbus himself closed the procession, and attracted the eyes of all the spectators, who gazed with admiration on the extraordinary man, whose superior sagacity and fortitude had conducted their countrymen, by a route concealed from past ages, to the knowledge of a new world. Ferdinand and Isabella received him clad in their royal robes, and seated upon a throne, under a magnificent canopy. When he approached, they stood up, and raising him as he knelt to kiss their hands, commanded him to take his seat upon a chair prepared for him, and give a circumstantial account of his voyage. He delivered it with a gravity and composure no less suitable to the disposition of the Spanish nation, than to the dignity of the audience in which he spoke, and with that modest simplicity which characterizes men of superior minds, who, satisfied with having performed great actions, court not vain applause by an ostentatious display of their exploits. When he had finished his narration, the king and queen, kneeling down, offered up solemn thanks to Almighty God for the discovery of those new regions, from which they expected so many advantages to flow in upon the kingdoms subject to their government (17). Every mark of honour that gratitude or admiration could suggest was conferred upon Columbus. Letters patent were issued, confirming to him and to his heirs all the privileges contained in the capitulation concluded at Santa Fe; his family was ennobled; the king and queen, and, after their example, the courtiers, treated him, on every occasion, with all the ceremonious respect paid to persons of the highest rank. But what pleased him most, as it gratified his active mind, bent continually upon great objects, was an order to equip, without delay, an armament of such force, as might enable him not only to take possession of the countries which he had already discovered, but to go in search of those more opulent regions, which he still confidently expected to find.

While preparations were making for this expedition, the fame of Columbus's successful voyage spread over Europe, and excited general attention. The multitude, struck with amazement when they heard that a new world had been found, could hardly believe an event so much above their conception. Men of science, capable of comprehending the nature, and of discerning the effects, of this great discovery, received the account of it with admiration and joy. They spoke of his voyage with rapture, and congratulated one another upon their felicity, in having lived in the period when, by this extraordinary event, the boundaries of human knowledge were so much extended, and such a new field of inquiry and observation opened, as would lead mankind to a perfect acquaintance with the structure and productions of the habitable globe (18). Various opinions and conjectures were formed concerning the new-found countries, and what division of the earth they

belonged to. Columbus adhered tenaciously to his original opinion, that they should be reckoned a part of those vast regions in Asia, comprehended under the general name of India. This sentiment was confirmed by the observations which he made concerning the productions of the countries he had discovered. Gold was known to abound in India, and he had met with such promising samples of it in the islands which he visited, as led him to believe that rich mines of it might be found. Cotton, another production of the East Indies, was common there. The pimento of the islands he imagined to be a species of the East Indian pepper. He mistook a root, somewhat resembling rhubarb, for that valuable drug, which was then supposed to be a plant peculiar to the East Indies. The birds brought home by him were adorned with the same rich plumage which distinguishes those of India. The alligator of the one country appeared to be the same with the crocodile of the other. After weighing all these circumstances, not only the Spaniards, but the other nations of Europe, seem to have adopted the opinion of Columbus. The countries which he had discovered were considered as a part of India. In consequence of this notion, the name of Indies is given to them by Ferdinand and Isabella, in a ratification of their former agreement, which was granted to Columbus upon his return. Even after the error which gave rise to this opinion was detected, and the true position of the New World was ascertained, the name has remained, and the appellation of *West Indies* is given by all the people of Europe to the country, and that of *Indians* to its inhabitants.

The name by which Columbus distinguished the countries which he had discovered was so inviting, the specimens of their riches and fertility, which he produced, were so considerable, and the reports of his companions, delivered frequently with the exaggeration natural to travellers, so favourable, as to excite a wonderful spirit of enterprise among the Spaniards. Though little accustomed to naval expeditions, they were impatient to set out upon their voyage. Volunteers of every rank solicited to be employed. Allured by the inviting prospects which opened to their ambition and avarice, neither the length nor danger of the navigation intimidated them. Cautious as Ferdinand was, and averse to every thing new and adventurous, he seems to have caught the same spirit with his subjects. Under its influence, preparations for a second expedition were carried on with a rapidity unusual in Spain, and to an extent that would be deemed not inconsiderable in the present age. The fleet consisted of seventeen ships, some of which were of good burden. It had on board fifteen hundred persons, among whom were many of noble families, who had served in honourable stations. The greater part of these being destined to remain in the country, were furnished with every thing requisite for conquest or settlement, with all kinds of European domestic animals, with such seeds and plants as were most likely to thrive in the climate of the West Indies, with utensils and instruments of every sort, and with such artificers as might be most useful in an infant colony.

But, formidable and well provided as this fleet was, Ferdinand and Isabella did not rest their title to the possession of the newly discovered countries upon its operations alone. The example of the Portuguese, as well as the superstition of the age, made it necessary to obtain from the Roman pontiff a grant of those territories which they wished to occupy. The pope, as the vicar and representative of Jesus Christ, was supposed to have a right of dominion

over all the kingdoms of the earth. Alexander VI. a pontiff infamous for every crime which disgraces humanity, filled the papal throne at that time. As he was born Ferdinand's subject, and very solicitous to secure the protection of Spain, in order to facilitate the execution of his ambitious schemes in favour of his own family, he was extremely willing to gratify the Spanish monarchs. By an act of liberality which cost him nothing, and that served to establish the jurisdiction and pretensions of the papal see, he granted in full right to Ferdinand and Isabella all the countries inhabited by infidels, which they had discovered, or should discover; and, in virtue of that power which he derived from Jesus Christ, he conferred on the crown of Castile vast regions, to the possession of which he himself was so far from having any title, that he was unacquainted with their situation, and ignorant even of their own existence. As it was necessary to prevent this grant from interfering with that formerly made to the crown of Portugal, he appointed that a line, supposed to be drawn from pole to pole, a hundred leagues to the westward of the Azores, should serve as a limit between them; and, in the plenitude of his power, bestowed all to the east of this imaginary line upon the Portuguese, and all to the west of it upon the Spaniards. Zeal for propagating the christian faith was the consideration employed by Ferdinand in soliciting this bull, and is mentioned by Alexander as his chief motive for issuing it. In order to manifest some concern for this laudable object, several friars, under the direction of father Boyl, a Catalonian monk of great reputation, as apostolical vicar, were appointed to accompany Columbus, and to devote themselves to the instruction of the natives. The Indians, whom Columbus had brought along with him, having received some tincture of christian knowledge, were baptized with much solemnity, the king himself, the prince his son, and the chief persons of his court, standing as their godfathers. Those first fruits of the New World have not been followed by such an increase as pious men wished, and had reason to expect.

Ferdinand and Isabella having thus acquired a title, which was then deemed completely valid, to extend their discoveries and to establish their dominion over such a considerable portion of the globe, nothing now retarded the departure of the fleet. Columbus was extremely impatient to revisit the colony which he had left, and to pursue that career of glory upon which he had entered. He set sail from the bay of Cadiz on the twenty-fifth of September, and touching again at the island of Gomera, he steered further towards the south than in his former voyage. By holding this course, he enjoyed more steadily the benefit of the regular winds which reign within the tropics, and was carried towards a larger cluster of islands, situated considerably to the east of those which he had already discovered. On the twenty-sixth day after his departure from Gomera [Nov. 2], he made land. It was one of the Caribbee or Leeward Islands, to which he gave the name of Descada, on account of the impatience of his crew to discover some part of the New World. After this he visited successively Dominica, Marigalante, Guadeloupe, Antigua, San Juan de Puerto Rico, and several other islands, scattered in his way as he advanced towards the north-west. All these he found to be inhabited by that fierce race of people whom Guacanahari had painted in such frightful colours. His descriptions appeared not to have been exaggerated. The Spaniards never attempted to land without meeting with such

a reception, as discovered the martial and daring spirit of the natives; and in their habitations were found relics of those horrid feasts which they had made upon the bodies of their enemies taken in war.

But as Columbus was eager to know the state of the colony which he had planted, and to supply it with the necessaries of which he supposed it to be in want, he made no stay in any of those islands, and proceeded directly to Hispaniola [Nov. 22]. When he arrived off Navidad, the station in which he had left the thirty-eight men under the command of Arada, he was astonished that none of them appeared, and expected every moment to see them running with transports of joy to welcome their countrymen. Full of solicitude about their safety, and foreboding in his mind what had befallen them, he rowed instantly to land. All the natives from whom he might have received information had fled. But the fort which he had built was entirely demolished, and the tattered garments, the broken arms and utensils scattered about it, left no room to doubt concerning the unhappy fate of the garrison. While the Spaniards were shedding tears over those sad memorials of their fellow-citizens, a brother of the cazique Guacanahari arrived. From him Columbus received a particular detail of what had happened after his departure from the island. The familiar intercourse of the Indians with the Spaniards tended gradually to diminish the superstitious veneration with which their first appearance had inspired that simple people. By their own indiscretion and ill conduct, the Spaniards speedily effaced those favourable impressions, and soon convinced the natives, that they had all the wants, and weaknesses, and passions of men. As soon as the powerful restraint which the presence and authority of Columbus imposed was withdrawn, the garrison threw off all regard for the officer whom he had invested with command. Regardless of the prudent instructions which he had given them, every man became independent, and gratified his desires without controul. The gold, the women, the provisions of the natives, were all the prey of those licentious oppressors. They roamed in small parties over the island, extending their rapacity and insolence to every corner of it. Gentle and timid as the people were, those unprovoked injuries at length exhausted their patience, and roused their courage. The cazique of Cibao, whose country the Spaniards chiefly infested on account of the gold which it contained, surprised and cut off several of them, while they straggled in as perfect security as if their conduct had been altogether inoffensive. He then assembled his subjects, and surrounding the fort, set it on fire. Some of the Spaniards were killed in defending it, the rest perishing in attempting to make their escape by crossing an arm of the sea. Guacanahari, whom all their exactions had not alienated from the Spaniards, took arms in their behalf, and, in endeavouring to protect them, had received a wound, by which he was still confined.

Though this account was far from removing the suspicions which the Spaniards entertained with respect to the fidelity of Guacanahari, Columbus perceived so clearly that this was not a proper juncture for inquiring into his conduct with scrupulous accuracy, that he rejected the advice of several of his officers, who urged him to seize the person of that prince, and to revenge the death of their countryman by attacking his subjects. He represented to them the necessity of securing the friendship of some potentate of the country, in order to facilitate the settlement which they intended, and the danger of

driving the natives to unite in some desperate attempt against them, by such an ill-timed and unavailing exercise of rigour. Instead of wasting his time in punishing past wrongs, he took precautions for preventing any future injury. With this view he made choice of a situation more healthy and commodious than that of Navidad. He traced out the plan of a town in a large plain near a spacious bay, and obliging every person to put his hand to a work on which their common safety depended, the houses and ramparts were soon so far advanced by their united labour, as to afford them shelter and security. This rising city, the first that the Europeans founded in the New World, he named Isabella, in honour of his patroness the queen of Castile.

In carrying on this necessary work, Columbus had not only to sustain all the hardships, and to encounter all the difficulties, to which infant colonies are exposed when they settle in an uncultivated country, but he had to contend with what was more insupportable, the laziness, the impatience, and mutinous disposition of his followers. By the enervating influence of a hot climate, the natural inactivity of the Spaniards seemed to increase. Many of them were gentlemen, unaccustomed to the fatigue of bodily labour, and all had engaged in the enterprise with the sanguine hopes excited by the splendid and exaggerated description of their countrymen who returned from the first voyage, or by the mistaken opinion of Columbus, that the country which he had discovered was either the Cipango of Marco Polo, or the Ophair, from which Solomon imported those precious commodities which suddenly diffused such extraordinary riches through his kingdom. But when, instead of that golden harvest which they had expected to reap without toil or pains, the Spaniards saw that their prospect of wealth was remote as well as uncertain, and that it could not be attained but by the slow and persevering efforts of industry, the disappointment of those chimerical hopes occasioned such dejection of mind as bordered on despair, and led to general discontent. In vain did Columbus endeavour to revive their spirits by pointing out the fertility of the soil, and exhibiting the specimens of gold daily brought in from different parts of the island. They had not patience to wait for the gradual returns which the former might yield, and the latter they despised as scanty and inconsiderable. The spirit of disaffection spread, and a conspiracy was formed, which might have been fatal to Columbus and the colony. Happily he discovered it; and, seizing the ringleaders, punished some of them, sent others prisoners into Spain, whither he dispatched twelve of the ships which had served as transports, with an earnest request for a reinforcement of men and a large supply of provisions.

[A. D. 1494.] Meanwhile, in order to banish that idleness, which, by allowing his people leisure to brood over their disappointment, nourished the spirit of discontent, Columbus planned several expeditions into the interior parts of the country. He sent a detachment, under the command of Alonzo de Ojeda [March 12], a vigilant and enterprising officer, to visit the district of Cibao, which was said to yield the greatest quantity of gold, and followed him in person with the main body of his troops. In this expedition he displayed all the pomp of military magnificence that he could exhibit, in order to strike the imagination of the natives. He marched with colours flying, with martial music, and with a small body of cavalry that paraded sometimes in the front and sometimes in the rear. As those were the

first horses which appeared in the New World, they were objects of terror no less than of admiration to the Indians, who, having no tame animals themselves, were unacquainted with that vast accession of power which man hath acquired by subjecting them to his dominion. They supposed them to be rational creatures. They imagined that the horse and the rider formed one animal, with whose speed they were astonished, and whose impetuosity and strength they considered as irresistible. But while Columbus endeavoured to inspire the natives with a dread of his power, he did not neglect the arts of gaining their love and confidence. He adhered scrupulously to the principles of integrity and justice in all his transactions with them, and treated them, on every occasion, not only with humanity, but with indulgence. The district of Cibao answered the description given of it by the natives. It was mountainous and uncultivated, but in every river and brook gold was gathered either in dust or in grains, some of which were of considerable size. The Indians had never opened any mines in search of gold. To penetrate into the bowels of the earth, and to refine the rude ore, were operations too complicated and laborious for their talents and industry, and they had no such high value for gold as to put their ingenuity and invention upon the stretch in order to obtain it. The small quantity of that precious metal which they possessed, was either picked up in the beds of the rivers, or washed from the mountains by the heavy rains that fall within the tropics. But, from those indications, the Spaniards could no longer doubt that the country contained rich treasures in its bowels, of which they hoped soon to be masters. In order to secure the command of this valuable province, Columbus erected a small fort to which he gave the name of St. Thomas, by way of ridicule upon some of his incredulous followers, who would not believe that the country produced gold, until they saw it with their own eyes, and touched it with their hands.

The account of those promising appearances of wealth in the country of Cibao came very seasonably to comfort the desponding colony, which was affected with distresses of various kinds. The stock of provisions which had been brought from Europe was mostly consumed; what remained was so much corrupted by the heat and moisture of the climate, as to be almost unfit for use; the natives cultivated so small a portion of ground, and with so little skill, that it hardly yielded what was sufficient for their own subsistence; the Spaniards at Isabella had hitherto neither time nor leisure to clear the soil, so as to reap any considerable fruits of their own industry. On all these accounts, they became afraid of perishing with hunger, and were reduced already to a scanty allowance. At the same time, the diseases predominant in the torrid zone, and which rage chiefly in those uncultivated countries, where the hand of industry has not opened the woods, drained the marshes, and confined the rivers within a certain channel, began to spread among them. Alarmed at the violence and unusual symptoms of those maladies, they exclaimed against Columbus and his companions in the former voyage, who, by their splendid but deceitful descriptions of Hispaniola, allured them to quit Spain for a barbarous uncultivated land, where they must either be cut off by famine, or die of unknown distempers. Several of the officers and persons of note, instead of checking, joined in those seditious complaints. Father Boyl, the apostolical vicar, was one of the most turbulent

and outrageous. It required all the authority and address of Columbus to re-establish subordination and tranquility in the colony. Threats and promises were alternately employed for this purpose; but nothing contributed more to soothe the malcontents, than the prospect of finding in the mines of Cibao such a store of treasure as would be a recompence for all their sufferings, and efface the memory of former disappointments.

When, by his unwearied endeavours, concord and order were so far restored that he could venture to leave the island, Columbus resolved to pursue his discoveries, that he might be able to ascertain whether those new countries with which he had opened a communication were connected with any region of the earth already known, or whether they were to be considered as a separate portion of the globe hitherto unvisited. He appointed his brother, Don Diego, with the assistance of a council of officers, to govern the island in his absence; and gave the command of a body of soldiers to Don Pedro Margarita, with which he was to visit the different parts of the island, and endeavour to establish the authority of the Spaniards among the inhabitants. Having left them very particular instructions with respect to their conduct, he weighed anchor on the twenty-fourth of April, with one ship, and two small barks, under his command. During a tedious voyage of full five months, he had a trial of almost all the numerous hardships to which persons of his profession are exposed, without making any discovery of importance, except the island of Jamaica. As he ranged along the southern coast of Cuba (19), he was entangled in a labyrinth formed by an incredible number of small islands, to which he gave the name of the Queen's Garden. In this unknown course, among rocks and shelves, he was retarded by contrary winds, assaulted with furious storms, and alarmed with the terrible thunder and lightning which is often almost incessant between the tropics. At length his provisions fell short; his crew, exhausted with fatigue, as well as hunger, murmured and threatened, and were ready to proceed to desperate extremities against him. Beset with danger in such various forms, he was obliged to keep continual watch, to observe every occurrence with his own eyes, to issue every order, and to superintend the execution of it. On no occasion was the extent of his skill and experience as a navigator so much tried. To these the squadron owed its safety. But this unremitted fatigue of body, and intense application of mind, overpowering his constitution, though naturally vigorous and robust, brought on a feverish disorder, which terminated in a lethargy, that deprived him of sense and memory, and had almost proved fatal to his life.

But, on his return to Hispaniola [Sept. 27], the sudden emotion of joy which he felt upon meeting with his brother Bartholomew at Isabella, occasioned such a flow of spirits as contributed greatly to his recovery. It was now thirteen years since the two brothers, whom similarity of talents united in close friendship, had separated from each other, and during that long period there had been no intercourse between them. Bartholomew, after finishing his negotiation in the court of England, had set out for Spain by the way of France. At Paris he received an account of the extraordinary discoveries which his brother had made in his first voyage, and that he was then preparing to embark on a second expedition. Though this naturally induced him to pursue his journey with the utmost dispatch, the admiral had

sailed for Hispaniola before he reached Spain. Ferdinand and Isabella received him with the respect due to the nearest kinsman of a person whose merits and services rendered him so conspicuous; and as they knew what consolation his presence would afford to his brother, they persuaded him to take the command of three ships, which they had appointed to carry provisions to the colony at Isabella.

He could not have arrived at any juncture when Columbus stood more in need of a friend capable of assisting him with his counsels, or of dividing with him the cares and burden of government. For although the provisions now brought from Europe afforded a temporary relief to the Spaniards from the calamities of famine, the supply was not in such quantity as to support them long, and the island did not hitherto yield what was sufficient for their sustenance. They were threatened with another danger, still more formidable than the return of scarcity, and which demanded more immediate attention. No sooner did Columbus leave the island on his voyage of discovery, than the soldiers under Margarita, as if they had been set free from discipline and insubordination, scorned all restraint. Instead of conforming to the prudent instructions of Columbus, they dispersed in straggling parties over the island, lived at discretion upon the natives, wasted their provisions, seized their women, and treated that inoffensive race with all the insolence of military oppression.

As long as the Indians had any prospect that their sufferings might come to a period by the voluntary departure of the invaders, they submitted in silence, and dissembled their sorrow; but they now perceived that the yoke would be as permanent as it was intolerable. The Spaniards had built a town, and surrounded it with ramparts. They had erected forts in different places. They had enclosed and sown several fields. It was apparent that they came not to visit the country, but to settle in it. Though the number of those strangers was inconsiderable, the state of cultivation among this rude people was so imperfect, and in such exact proportion to their own consumption, that it was with difficulty they could afford subsistence to their new guests. Their own mode of life was so indolent and inactive, the warmth of the climate so enervating, the constitution of their bodies naturally so feeble, and so unaccustomed to the laborious exertions of industry, that they were satisfied with a proportion of food amazingly small. A handful of maize, or a little of the insipid bread made of the cassada root, was sufficient to support men, whose strength and spirits were not exhausted by any vigorous efforts either of body or mind. The Spaniards, though the most abstemious of all European nations, appeared to them excessively voracious. One Spaniard consumed as much as several Indians. This keenness of appetite surprised them so much, and seemed to be so insatiable, that they supposed the Spaniards had left their own country, because it did not produce as much as was requisite to gratify their immoderate desire of food, and had come among them in quest of nourishment. Self-preservation prompted them to wish for the departure of guests who wasted so fast their slender stock of provisions. The injuries which they suffered added to their impatience for this event. They had long expected that the Spaniards would retire of their own accord. They now perceived that, in order to avert the destruction with which they were threatened, either by the slow consumption of famine, or by the violence of their

oppressors, it was necessary to assume courage, to attack those formidable invaders with united force, and drive them from the settlements of which they had violently taken possession.

Such were the sentiments which universally prevailed among the Indians, when Columbus returned to Isabella. Inflamed by the unprovoked outrages of the Spaniards, with a degree of rage of which their gentle natures, formed to suffer and submit, seemed hardly susceptible, they waited only for a signal from their leaders to fall upon the colony. Some of the caziques had already surprised and cut off several stragglers. The dread of this impending danger united the Spaniards, and re-established the authority of Columbus, as they saw no prospect of safety but in committing themselves to his prudent guidance. It was now necessary to have recourse to arms, the employing of which against the Indians, Columbus had hitherto avoided with the greatest solicitude. Unequal as the conflict may seem, between the naked inhabitants of the New World, armed with clubs, sticks hardened in the fire, wooden swords, and arrows pointed with bones or flints; and troops accustomed to the discipline, and provided with the instruments of destruction, known in the European art of war, the situation of the Spaniards was far from being exempt from danger. The vast superiority of the natives in number, compensated many defects. A handful of men was about to encounter a whole nation. One adverse event, or even any unforeseen delay in determining the fate of the war, might prove fatal to the Spaniards. Conscious that success depended on the vigour and rapidity of his operations, Columbus instantly assembled his forces. They were reduced to a very small number. Diseases engendered by the warmth and humidity of the country, or occasioned by their own licentiousness, had raged among them with much violence; experience had not yet taught them the art either of curing these, or the precautions requisite for guarding against them; two thirds of the original adventurers were dead, and many of those who survived were incapable of service. The body which took the field consisted only of two hundred foot, twenty horse, and twenty large dogs, and how strange soever it may seem to mention the last as composing part of a military force, they were not perhaps the least formidable and destructive of the whole, when employed against naked and timid Indians. All the caziques of the island, Guacanahari excepted, who retained an inviolable attachment to the Spaniards, were in arms to oppose Columbus, with forces amounting, if we may believe the Spanish historians, to a hundred thousand men. Instead of attempting to draw the Spaniards into the fastnesses of the woods and mountains, they were so imprudent as to take their station in the Vega Real, the most open plain in the country. Columbus did not allow them time to perceive their error, or to alter their position. He attacked them during the night, when undisciplined troops are least capable of acting with union and concert, and obtained an easy and bloodless victory. The consternation with which the Indians were filled by the noise and havoc made by the fire-arms, by the impetuous force of the cavalry, and the fierce onset of the dogs, was so great that they threw down their weapons and fled, without attempting resistance. Many were slain; more were taken prisoners, and reduced to servitude; and so thoroughly were the rest intimidated, that from that moment they abandoned themselves to despair, relinquishing all thoughts of

contending with aggressors whom they deemed in-
vincible.

Columbus employed several months in marching through the island, and in subjecting it to the Spanish government, without meeting with any opposition. He imposed a tribute upon all the inhabitants above the age of fourteen. Each person who lived in those districts where gold was found, was obliged to pay quarterly as much gold-dust as filled a hawk's bell; from those in other parts of the country, twenty-five pounds of cotton were demanded. This was the first regular taxation of the Indians, and served as a precedent for exactions still more intolerable. Such an imposition was extremely contrary to those maxims which Columbus had hitherto inculcated, with respect to the mode of treating them. But intrigues were carrying on in the court of Spain at this juncture, in order to undermine his power, and discredit his operations, which constrained him to depart from his own system of administration. Several unfavourable accounts of his conduct, as well as of the countries discovered by him, had been transmitted to Spain. Margarita and father Boyl were now at court, and in order to justify their own conduct, or to gratify their resentment, watched with malevolent attention for every opportunity of spreading insinuations to his detriment. Many of the courtiers viewed his growing reputation and power with envious eyes. Fonseca, Archdeacon of Seville, who was entrusted with the chief direction of Indian affairs, had conceived such an unfavourable opinion of Columbus, for some reason which the contemporary writers have not mentioned, that he listened with partiality to every invective against him. It was not easy for an unfriended stranger, unpractised in courtly arts, to counteract the machinations of so many enemies. Columbus saw that there was but one method of supporting his own credit, and of silencing all his adversaries. He must produce such a quantity of gold as would not only justify what he had reported with respect to the richness of the country, but encourage Ferdinand and Isabella to persevere in prosecuting his plans. The necessity of obtaining it, forced him not only to impose this heavy tax upon the Indians, but to exact payment of it with extreme rigour; and may be pleaded in excuse for his deviating on this occasion from the mildness and humanity with which he uniformly treated that unhappy people.

The labour, attention, and foresight, which the Indians were obliged to employ in procuring the tribute demanded of them, appeared the most intolerable of all evils, to men accustomed to pass their days in a careless, improvident indolence. They were incapable of such a regular and persevering exertion of industry, and felt it such a grievous restraint upon their liberty, that they had recourse to an expedient for obtaining deliverance from this yoke, which demonstrates the excess of their impatience and despair. They formed a scheme of starving those oppressors whom they durst not attempt to expel; and from the opinion which they entertained with respect to the voracious appetite of the Spaniards, they concluded the execution of it to be very practicable. With this view they suspended all the operations of agriculture: they sowed no maize, they pulled up the roots of the manioc or cassada which were planted, and retiring to the most inaccessible parts of the mountains, left the uncultivated plains to their enemies. This desperate resolution produced in some degree the effects which they expected. The

Spaniards were reduced to extreme want; but they received such seasonable supplies of provisions from Europe, and found so many resources in their own ingenuity and industry, that they suffered no great loss of men. The wretched Indians were the victims of their own ill-concerted policy. A great multitude of people, shut up in the mountainous or wooded part of the country, without any food but the spontaneous productions of the earth, soon felt the utmost distresses of famine. This brought on contagious diseases; and, in the course of a few months, more than a third part of the inhabitants of the island perished, after experiencing misery in all its various forms.

But while Columbus was establishing the foundations of the Spanish grandeur in the New World, his enemies laboured with unwearied assiduity to deprive him of the glory and rewards, which by his services and sufferings he was entitled to enjoy. The hardships unavoidable in a new settlement, the calamities occasioned by an unhealthy climate, the disasters attending a voyage in unknown seas, were all represented as the effects of his restless and inconsiderate ambition. His prudent attention to preserve discipline and subordination was denominated excess of rigour; the punishments which he inflicted upon the mutinous and disorderly were imputed to cruelty. These accusations gained such credit in a jealous court, that a commissioner was appointed to repair to Hispaniola, and to inspect into the conduct of Columbus. By the recommendation of his enemies, Aguado, a groom of the bed-chamber, was the person to whom this important trust was committed. But in this choice they seem to have been more influenced by the obsequious attachment of the man to their interest, than by his capacity for the station. Puffed up with such sudden elevation, Aguado displayed, in the exercise of this office, all the frivolous self-importance, and acted with all the disgusting insolence, which are natural to little minds, when raised to unexpected dignity, or employed in functions to which they are not equal. By listening with eagerness to every accusation against Columbus, and encouraging not only the malcontent Spaniards, but even the Indians, to produce their grievances, real or imaginary, he fomented the spirit of dissension in the island, without establishing any regulations of public utility, or that tended to redress the many wrongs, with the odium of which he wished to load the admiral's administration. As Columbus felt sensibly how humiliating his situation must be, if he should remain in the country while such a partial inspector observed his motions, and controlled his jurisdiction, he took the resolution of returning to Spain, in order to lay a full account of all his transactions, particularly with respect to the points in dispute between him and his adversaries, before Ferdinand and Isabella, from whose justice and discernment he expected an equal and a favourable decision [A. D. 1496]. He committed the administration of affairs, during his absence, to Don Bartholomew his brother, with the title of Adelantado, or Lieutenant-Governor. By a choice less fortunate, and which proved the source of many calamities to the colony, he appointed Francis Roldan chief justice, with very extensive powers.

In returning to Europe, Columbus held a course different from that which he had taken in his former voyage. He steered almost due east from Hispaniola, in the parallel of twenty-two degrees of latitude; as experience had not yet discovered the more certain and expeditious method of stretching to the north in

order to fall in with the south-west winds. By this ill-advised choice, which, in the infancy of navigation between the New and Old Worlds, can hardly be imputed to the admiral as a defect in naval skill, he was exposed to infinite fatigue and danger, in a perpetual struggle with the trade-winds, which blow without variation from the east between the tropics. Notwithstanding the almost insuperable difficulties of such a navigation, he persisted in his course with his usual patience and firmness, but made so little way that he was three months without seeing land. At length his provisions began to fail, the crew was reduced to the scanty allowance of six ounces of bread a-day for each person. The admiral fared no better than the meanest sailor. But, even in this extreme distress, he retained the humanity which distinguishes his character, and refused to comply with the earnest solicitations of his crew, some of whom proposed to feed upon the Indian prisoners whom they were carrying over, and others insisted to throw them overboard, in order to lessen the consumption of their small stock. He represented that they were human beings, reduced by a common calamity to the same condition with themselves, and entitled to share an equal fate. His authority and remonstrances dissipated those wild ideas suggested by despair. Nor had they time to recur; as he came soon within sight of the coast of Spain, when all their fears and sufferings ended.

Columbus appeared at court with the modest but determined confidence of a man conscious not only of integrity, but of having performed great service. Ferdinand and Isabella, ashamed of their own facility in lending too favourable an ear to frivolous or unfounded accusations, received him with such distinguished marks of respect as covered his enemies with shame. Their censures and calumnies were no more heard of at that juncture. The gold, the pearls, the cotton, and other commodities of value which Columbus produced, seemed fully to refute what the malcontents had propagated with respect to the poverty of the country. By reducing the Indians to obedience, and imposing a regular tax upon them, he had secured to Spain a large accession of new subjects, and the establishment of a revenue that promised to be considerable. By the mines which he had found out and examined, a source of wealth still more copious was opened. Great and unexpected as those advantages were, Columbus represented them only as preludes to future acquisitions, and as the earnest of more important discoveries, which he still meditated, and to which those he had already made would conduct him with ease and certainty.

The attentive consideration of all these circumstances made such an impression, not only upon Isabella, who was flattered with the idea of being the patroness of all Columbus's enterprises, but even upon Ferdinand, who having originally expressed his disapprobation of his schemes, was still apt to doubt of their success, that they resolved to supply the colony in Hispaniola with every thing which could render it a permanent establishment, and to furnish Columbus with such a fleet, that he might proceed to search for those new countries, of whose existence he seemed to be confident. The measures most proper for accomplishing both these designs were concerted with Columbus. Discovery had been the sole object of the first voyage to the New World; and though, in the second, settlement had been proposed, the precautions taken for that purpose had either been insufficient, or were rendered ineffectual by the mutinous spirit of the Spaniards, and the unforeseen calamities arising from various causes. Now a plan

was to be formed of a regular colony, that might serve as a model in all future establishments. Every particular was considered with attention, and the whole arranged with a scrupulous accuracy. The precise number of adventurers who should be permitted to embark was fixed. They were to be of different ranks and professions; and the proportion of each was established, according to their usefulness and the wants of the colony. A suitable number of women was to be chosen to accompany these new settlers. As it was the first object to raise provisions in a country where scarcity of food had been the occasion of so much distress, a considerable body of husbandmen was to be carried over. As the Spaniards had then no conception of deriving any benefit from those productions of the New World which have since yielded such large returns of wealth to Europe, but had formed magnificent ideas, and entertained sanguine hopes with respect to the riches contained in the mines which had been discovered, a band of workmen, skilled in the various arts employed in digging and refining the precious metals, was provided. All these emigrants were to receive pay and subsistence for some years at the public expense.

Thus far the regulations were prudent, and well adapted to the end in view. But as it was foreseen that few would engage voluntarily to settle in a country, whose noxious climate had been fatal to so many of their countrymen, Columbus proposed to transport to Hispaniola such malefactors as had been convicted of crimes, which, though capital, were of a less atrocious nature; and that for the future a certain proportion of the offenders usually sent to the galleys, should be condemned to labour in the mines which were to be opened. This advice, given without due reflection, was as inconsiderately adopted. The prisons of Spain were drained, in order to collect members for the intended colony; and the judges empowered to try criminals were instructed to recruit it by their future sentences. It was not, however, with such materials that the foundation of society, destined to be permanent, should be laid. Industry, sobriety, patience, and mutual confidence, are indispensably requisite in an infant settlement, where purity of morals must contribute more towards establishing order, than the operation or authority of laws. But when such a mixture of what is corrupt is admitted into the original constitution of the political body, the vices of those unsound and incurable members will probably infect the whole, and must certainly be productive of violent and unhappy effects. This the Spaniards fatally experienced; and the other European nations having successively imitated the practice of Spain in this particular, pernicious consequences have followed in their settlements, which can be imputed to no other cause.

Though Columbus obtained, with great facility and dispatch, the royal approbation of every measure and regulation that he proposed, his endeavours to carry them into execution were so long retarded, as must have tired out the patience of any man less accustomed to encounter and to surmount difficulties. Those delays were occasioned partly by that tedious formality and spirit of procrastination, with which the Spaniards conduct business; and partly by the exhausted state of the treasury, which was drained by the expense of celebrating the marriage of Ferdinand and Isabella's only son with Margaret of Austria, and that of Joanna, their second daughter, with Philip archduke of Austria; but must be chiefly imputed to the malicious arts of Columbus's enemies. Astonished at the reception which he met with upon his return,

and overawed by his presence, they gave way, for some time, to a tide of favour too strong for them to oppose. Their enmity, however, was too inveterate to remain long inactive. They resumed their operations, and by the assistance of Fonseca, the minister for Indian affairs, who was now promoted to the bishopric of Badajoz, they threw in so many obstacles to protract the preparations for Columbus's expedition, that a year elapsed before he could procure two ships to carry over a part of the supplies destined for the colony, and almost two years were spent before the small squadron was equipped, of which he himself was to take the command.

This squadron consisted of six ships only, of no great burden, and but indifferently provided for a long or dangerous navigation [A.D. 1498]. The voyage which he now meditated was in a course different from any he had undertaken. As he was fully persuaded that the fertile regions of India lay to the south-west of those countries which he had discovered, he proposed as the most certain method of finding out these, to stand directly south from the Canary or Cape de Verd Islands, until he came under the equinoctial line, and then to stretch to the west before the favourable wind for such a course, which blows invariably between the tropics. With this idea he set sail, and touched first at the Canary, and then at the Cape de Verd Islands. From the former he despatched three of his ships with a supply of provisions for the colony in Hispaniola; with the other three he continued his voyage towards the south. No remarkable occurrence happened until they arrived within five degrees of the line. There they were becalmed, and at the same time the heat became so excessive, that many of their wine-casks burst, the liquors in others soured, and their provisions corrupted. The Spaniards, who had never ventured so far to the south, were afraid that the ships would take fire, and began to apprehend the reality of what the ancients had taught concerning the destructive qualities of that torrid region of the globe. They were relieved, in some measure, from their fears by a seasonable fall of rain. This, however, though so heavy and unintermitting that the men could hardly keep the deck, did not greatly mitigate the intenseness of the heat. The admiral, who with his usual vigilance had in person directed every operation from the beginning of the voyage, was so much exhausted by fatigue and want of sleep, that it brought on a violent fit of the gout, accompanied with a fever. All these circumstances constrained him to yield to the importunities of his crew, and to alter his course to the north-west, in order to reach some of the Caribbee islands, where he might refit, and be supplied with provisions.

On the first of August, the man stationed in the round top surprised them with the joyful cry of *Land!* They stood towards it, and discovered a considerable island, which the admiral called Trinidad, a name it still retains. It lies on the coast of Guiana, near the mouth of the Orinoco. This, though a river only of the third or fourth magnitude in the New World, far surpasses any of the streams in our hemisphere. It rolls towards the ocean such a vast body of water, and rushes into it with such impetuous force, that when it meets the tide, which on that coast rises to an uncommon height, their collision occasions a swell and agitation of the waves no less surprising than formidable. In this conflict, the irresistible torrent of the river so far prevails, that it freshens the ocean many leagues with its flood. Columbus, before he could conceive the danger, was entangled among those adverse currents and tempestuous waves and it was

with the utmost difficulty that he escaped through a narrow strait, which appeared so tremendous, that he called it La Boca del Drago. As soon as the consternation which this occasioned permitted him to reflect upon the nature of an appearance so extraordinary, he discerned in it a source of comfort and hope. He justly concluded that such a vast body of water as this river contained, could not be supplied by any island, but must flow through a country of immense extent, and of consequence that he was now arrived at that continent which it had long been the object of his wishes to discover. Full of this idea, he stood to the west along the coast of those provinces which are now known by the names of Paria and Cumana. He landed in several places, and had some intercourse with the people, who resembled those of Hispaniola in their appearance and manner of life. They wore, as ornaments, small plates of gold, and pearls of considerable value, which they willingly exchanged for European toys. They seemed to possess a better understanding, and greater courage, than the inhabitants of the islands. The country produced four-footed animals of several kinds, as well as a great variety of fowls and fruits. The admiral was so much delighted with its beauty and fertility, that with the warm enthusiasm of a discoverer, he imagined it to be the Paradise described in Scripture, which the Almighty chose for the residence of man, while he retained the innocence that rendered him worthy of such an habitation. Thus Columbus had the glory not only of discovering to mankind the existence of a new world, but made considerable progress towards a perfect knowledge of it; and was the first man who conducted the Spaniards to that vast continent which has been the chief seat of their empire, and the source of their treasures in this quarter of the globe. The shattered condition of his ships, scarcity of provisions, his own infirmities, together with the impatience of his crew, prevented him from pursuing his discoveries any further, and made it necessary to bear away for Hispaniola. In his way thither he discovered the islands of Cubagua and Margarita, which afterwards became remarkable for their pearl-fishery. When he arrived at Hispaniola [Aug. 30], he was wasted to an extreme degree with fatigue and sickness; but found the affairs of the colony in such a situation, as afforded him no prospect of enjoying that repose of which he stood so much in need.

Many revolutions had happened in that country during his absence. His brother, the adelantado, in consequence of an advice which the admiral gave before his departure, had removed the colony from Isabella to a more commodious station, on the opposite side of the island, and laid the foundation of St. Domingo, which was long the most considerable European town in the New World, and the seat of the supreme courts in the Spanish dominions there. As soon as the Spaniards were established in this new settlement, the adelantado, that they might neither languish in inactivity, nor have leisure to form new cabals, marched into those parts of the island which his brother had not yet visited or reduced to obedience. As the people were unable to resist, they submitted every where to the tribute which he imposed. But they soon found the burden to be so intolerable, that, overawed as they were by the superior power of their oppressors, they took arms against them. Those insurrections, however, were not formidable. A conflict with timid and naked Indians was neither dangerous nor of doubtful issue.

But while the adelantado was employed against them in the field, a mutiny of an aspect far more alarming broke out among the Spaniards. The ring-leader of it was Francis Roldan, whom Columbus had placed in a station which required him to be the guardian of order and tranquillity in the colony. A turbulent and inconsiderate ambition precipitated him into this desperate measure, so unbecoming his rank. The arguments which he employed to seduce his countrymen were frivolous and ill-founded. He accused Columbus and his two brothers of arrogance and severity; he pretended that they aimed at establishing an independent dominion in the country; he taxed them with an intention of cutting off part of the Spaniards by hunger and fatigue, that they might more easily reduce the remainder to subjection; he represented it as unworthy of Castilians, to remain the tame and passive slaves of three Genoese adventurers. As men have always a propensity to impute the hardships of which they feel the pressure, to the misconduct of their rulers; as every nation views with a jealous eye the power and exaltation of foreigners, Roldan's insinuations made a deep impression on his countrymen. His character and rank added weight to them. A considerable number of the Spaniards made choice of him as their leader; and, taking arms against the adelantado and his brother, seized the king's magazine of provisions, and endeavoured to surprise the fort of St. Domingo. This was preserved by the vigilance and courage of Don Diego Columbus. The mutineers were obliged to retire to the province of Xaragua, where they continued not only to disclaim the adelantado's authority themselves, but excited the Indians to throw off the yoke.

Such was the distracted state of the colony when Columbus landed at St. Domingo. He was astonished to find that the three ships which he had despatched from the Canaries were not yet arrived. By the unskilfulness of the pilots, and the violence of currents, they had been carried a hundred and sixty miles to the west of St. Domingo, and forced to take shelter in a harbour of the province of Xaragua, where Roldan and his seditious followers were cantoned. Roldan carefully concealed from the commanders of the ships his insurrection against the adelantado, and employing his utmost address to gain their confidence, persuaded them to set on shore a considerable part of the new settlers whom they brought over, that they might proceed by land to St. Domingo. It required but few arguments to prevail with those men to espouse his cause. They were the refuse of the goals of Spain, to whom idleness, licentiousness, and deeds of violence were familiar; and they returned eagerly to a course of life nearly resembling that to which they had been accustomed. The commanders of the ships perceiving, when it was too late, their imprudence in disembarking so many of their men, stood away for St. Domingo, and got safe into the port a few days after the admiral; but their stock of provisions was so wasted during a voyage of such long continuance, that they brought little relief to the colony.

By this junction with a band of such bold and desperate associates, Roldan became extremely formidable, and no less extravagant in his demands. Columbus, though filled with resentment at his ingratitude, and highly exasperated by the insolence of his followers, made no haste to take the field. He trembled at the thoughts of kindling the flames of a civil war, in which, whatever party prevailed, the power and strength of both must be so much wasted,

as might encourage the common enemy to unite and complete their destruction. At the same time, he observed, that the prejudices and passions which incited the rebels to take arms, had so far infected those who still adhered to him, that many of them were adverse, and all cold to the service. From such sentiments, with respect to the public interest, as well as from this view of his own situation, he chose to negotiate rather than to fight. By a seasonable proclamation, offering free pardon to such as should merit it by returning to their duty, he made impression upon some of the malcontents. By engaging to grant such as should desire it the liberty of returning to Spain, he allured all those unfortunate adventurers, who, from sickness and disappointment, were disgusted with the country. By promising to re-establish Roldan in his former office, he soothed his pride; and, by complying with most of his demands in behalf of his followers, he satisfied their avarice. Thus, gradually, and without bloodshed, but after many tedious negotiations, he dissolved this dangerous combination, which threatened the colony with ruin; and restored the appearance of order, regular government, and tranquillity.

In consequence of this agreement with the mutineers, lands were allotted them in different parts of the island, and the Indians settled in each district were appointed to cultivate a certain portion of ground for the use of those new masters [A. D. 1499]. The performance of this work was substituted in place of the tribute formerly imposed; and how necessary soever such a regulation might be in a sickly and feeble colony, it introduced among the Spaniards the *Repartinientos*, or distributions of Indians, established by them in all their settlements, which brought numberless calamities upon that unhappy people, and subjected them to the most grievous oppression. This was not the only bad effect of the insurrection in Hispaniola; it prevented Columbus from prosecuting his discoveries on the continent, as self-preservation obliged him to keep near his person his brother the adelantado, and the sailors whom he intended to have employed in that service. As soon as his affairs would permit, he sent some of his ships to Spain with a journal of the voyage which he had made, a description of the new countries which he had discovered, a chart of the coast along which he had sailed, and specimens of the gold, the pearls, and other curious or valuable productions which he had acquired by trafficking with the natives. At the same time he transmitted an account of the insurrection in Hispaniola; he accused the mutineers not only of having thrown the colony into such violent convulsions as threatened its dissolution, but of having obstructed every attempt towards discovery and improvement, by their unprovoked rebellion against their superiors; and proposed several regulations for the better government of the island, as well as the extinction of that mutinous spirit, which, though suppressed at present, might soon burst out with additional rage. Roldan and his associates did not neglect to convey to Spain, by the same ships, an apology for their own conduct, together with their recriminations upon the admiral and his brothers. Unfortunately for the honour of Spain, and the happiness of Columbus, the latter gained most credit in the court of Ferdinand and Isabella, and produced unexpected effects.

But, previous to the relating of these, it is proper to take a view of some events, which merit attention, both on account of their own importance, and their

connexion with the history of the New World. While Columbus was engaged in his successive voyages to the west, the spirit of discovery did not languish in Portugal, the kingdom where it first acquired vigour and became enterprising. Self-condemnation and regret were not the only sentiments to which the success of Columbus, and reflection upon their own imprudence in rejecting his proposals, gave rise among the Portuguese. They excited a general emulation to surpass his performances, and an ardent desire to make some reparation to their country for their own error. With this view, Emanuel, who inherited the enterprising genius of his predecessors, persisted in their grand scheme of opening a passage to the East Indies by the Cape of Good Hope, and, soon after his accession to the throne, equipped a squadron for that important voyage. He gave the command of it to Vasco de Gama, a man of noble birth, possessed of virtue, prudence, and courage, equal to the station. The squadron, like all those fitted out for discovery in the infancy of navigation, was extremely feeble, consisting of three vessels, of neither burden nor force adequate to the service. As the Europeans were at that time little acquainted with the course of the trade-winds and periodical monsoons, which render navigation in the Atlantic ocean, as well as in the sea that separates Africa from India, at some seasons easy, and at others not only dangerous, but almost impracticable, the time chosen for Gama's departure was the most improper during the whole year.

He set sail from Lisbon on the ninth of July [A. D. 1497], and standing towards the south, had to struggle for four months with contrary winds, before he could reach the Cape of Good Hope, [Nov. 20.] Here their violence began to abate; and during an interval of calm weather, Gama doubled that formidable promontory, which had so long been the boundary of navigation, and directed his course towards the north-east, along the African coast. He touched at several ports; and after various adventures, which the Portuguese historians relate with high but just encomiums upon his conduct and intrepidity, he came to anchor before the city of Melinda. Throughout all the vast countries which extend along the coast of Africa, from the river Senegal to the confines of Zanguebar, the Portuguese had found a race of men rude and uncultivated, strangers to letters, to arts, and commerce, and differing from the inhabitants of Europe, no less in their features and complexion than in their manners and institutions. As they advanced from this, they observed, to their inexpressible joy, that the human form gradually altered and improved; the Asiatic features began to predominate, marks of civilization appeared, letters were known, the Mahometan religion was established, and a commerce, far from being inconsiderable, was carried on. At that time several vessels from India were in the port of Melinda. Gama now pursued his voyage with almost absolute certainty of success, and, under the conduct of a Mahometan pilot, arrived at Calcut, upon the coast of Malabar, on the twenty-second of May one thousand four hundred and ninety-eight. What he beheld of the wealth, the populousness, the cultivation, the industry, and arts of this highly civilized country, far surpassed any idea that he had formed, from the imperfect accounts which the Europeans had hitherto received of it. But as he possessed neither sufficient force to attempt a settlement, nor proper commodities with which he could carry on commerce of any consequence, he hastened back to Portugal, with an account

of his success in performing a voyage, the longest, as well as most difficult, that had ever been made, since the first invention of navigation. He landed at Lisbon on the fourteenth of September one thousand four hundred and ninety-nine, two years two months and five days from the time he left that port.

Thus, during the course of the fifteenth century, mankind made greater progress in exploring the state of the habitable globe, than in all the ages which had elapsed previous to that period. The spirit of discovery, feeble at first and cautious, moved within a very narrow sphere, and made its efforts with hesitation and timidity. Encouraged by success, it became adventurous, and boldly extended its operations. In the course of its progression, it continued to acquire vigour, and advanced at length with a rapidity and force which burst through all the limits within which ignorance and fear had hitherto circumscribed the activity of the human race. Almost fifty years were employed by the Portuguese in creeping along the coast of Africa from Cape Non to Cape de Verd, the latter of which lies only twelve degrees to the south of the former. In less than thirty years they ventured beyond the equinoctial line into another hemisphere, and penetrated to the southern extremity of Africa, at the distance of forty-nine degrees from Cape de Verd. During the last seven years of the century, a New World was discovered in the west, not inferior in extent to all the parts of the earth with which mankind were at that time acquainted. In the east, unknown seas and countries were found out, and a communication, long desired, but hitherto concealed, was opened between Europe and the opulent regions of India. In comparison with events so wonderful and unexpected, all that had hitherto been deemed great or splendid faded away and disappeared. Vast objects now presented themselves. The human mind, roused and interested by the prospect, engaged with ardour in pursuit of them, and exerted its active powers in a new direction.

This spirit of enterprise, though but newly awakened in Spain, began soon to operate extensively. All the attempts towards discovery made in that kingdom had hitherto been carried on by Columbus alone, and at the expence of the sovereign. But now private adventurers, allured by the magnificent descriptions he gave of the regions which he had visited, as well as by the specimens of their wealth which he produced, offered to fit out squadrons at their own risk, and to go in quest of new countries. The Spanish court, whose scanty revenues were exhausted by the charge of its expedition to the New World, which, though they opened alluring prospects of future benefit, yielded a very sparing return of present profit, was extremely willing to devolve the burthen of discovery upon its subjects. It seized with joy an opportunity of rendering the avarice, the ingenuity, and efforts of projectors, instrumental in promoting designs of certain advantage to the public, though of doubtful success with respect to themselves. One of the first propositions of this kind was made by Alonso de Ojeda, a gallant and active officer, who had accompanied Columbus in his second voyage. His rank and character procured him such credit with the merchants of Seville, that they undertook to equip four ships, provided he could obtain the royal licence, authorizing the voyage. The powerful patronage of the bishop of Badajoz easily secured success in a suit so agreeable to the court. Without consulting Columbus, or regarding the rights and jurisdiction which he had acquired by the capitulation in one thousand four hundred and ninety-two, Ojeda was permitted to set

out for the New World. In order to direct his course, the bishop communicated to him the admiral's journal of his last voyage, and his charts of the countries which he had discovered. Ojeda struck out into no new path of navigation [May], but adhering servilely to the route which Columbus had taken, arrived on the coast of Paria. He traded with the natives, and standing to the west, proceeded as far as Cape de Vela, and ranged along a considerable extent of coast beyond that on which Columbus had touched. Having thus ascertained the opinion of Columbus [October], that this country was a part of the continent, Ojeda returned by way of Hispaniola to Spain, with some reputation as a discoverer, but with little benefit to those who had raised the funds for the expedition.

Amerigo Vespucci, a Florentine gentleman, accompanied Ojeda in this voyage. In what station he served is uncertain; but as he was an experienced sailor, and eminently skilful in all the sciences subservient to navigation, he seems to have acquired such authority among his companions, that they willingly allowed him to have a chief share in directing their operations during the voyage. Soon after his return, he transmitted an account of his adventures and discoveries to one of his countrymen; and labouring with the vanity of a traveller to magnify his own exploits, he had the address and confidence to frame his narrative, so as to make it appear that he had the glory of having first discovered the continent in the New World. Amerigo's account was drawn up not only with art, but with some elegance. It contained an amusing history of his voyage, and judicious observations upon the natural productions, the inhabitants, and the custom of the countries which he had visited. As it was the first description of any part of the New World, that was published, a performance so well calculated to gratify the passion of mankind for what is new and marvellous, circulated rapidly, and was read with admiration. The country of which Amerigo was supposed to be the discoverer, came gradually to be called by his name. The caprice of mankind, often as unaccountable as unjust, has perpetuated this error. By the universal consent of nations, America is the name bestowed on this new quarter of the globe. The bold pretensions of a fortunate impostor have robbed the discoverer of the New World of a distinction which belonged to him. The name of Amerigo has supplanted that of Columbus; and mankind may regret an act of injustice, which having received the sanction of time, it is now too late to redress [22].

During the same year, another voyage of discovery was undertaken. Columbus not only introduced the spirit of naval enterprise into Spain, but all the first adventurers who distinguished themselves in this new career, were formed by his instructions, and acquired in his voyages the skill and information which qualified them to imitate his example. Alonso Nigro who had served under the admiral in his last expedition, fitted out a single ship, in conjunction with Christopher Guerra, a merchant of Seville, and sailed to the coast of Paria. This voyage seems to have been conducted with greater attention to private emolument, than to any general or national object. Nigro and Guerra made no discoveries of any importance; but they brought home such a return of gold and pearls, as inflamed their countrymen with the desire of engaging in similar adventures.

[A. D. 1500, JAN. 13.] Soon after, Vincent Yanez Pinzon, one of the admiral's companions in his first voyage, sailed from Palos with four ships. He stood boldly towards the south, and was the first Spaniard who ventured to cross the equinoctial line; but he

seems to have landed on no part of the coast beyond the mouth of the Maragnon, or river of the Amazons. All these navigators adopted the erroneous theory of Columbus, and believed that the countries which they had discovered were part of the vast continent of India.

During the last year of the fifteenth century, that fertile district of America, on the confines of which Pinzon had stopped short, was more fully discovered. The successful voyage of Gama to the East Indies having encouraged the king of Portugal to fit out a fleet so powerful, as not only to carry on trade, but to attempt conquest, he gave the command of it to Pedro Alvarez Cabral. In order to avoid the coast of Africa, where he was certain of meeting with variable breezes, or frequent calms, which might retard his voyage, Cabral stood out to sea, and kept so far to the west, that, to his surprise, he found himself upon the shore of an unknown country, in the tenth degree beyond the line. He imagined at first that it was some island in the Atlantic ocean, hitherto unobserved; but proceeding along its coasts for several days, he was led gradually to believe, that a country so extensive formed a part of some great continent. This latter opinion was well founded. The country with which he fell in belongs to that province in South America, now known by the name of Brazil. He landed; and having formed a very high idea of the fertility of the soil, and agreeableness of the climate, he took possession of it for the crown of Portugal, and dispatched a ship to Lisbon with an account of this event, which appeared to be no less important than it was unexpected. Columbus's discovery of the New World was the effort of an active genius, enlightened by science, guided by experience, and acting upon a regular plan, executed with no less courage than perseverance. But from this adventure of the Portuguese, it appears that chance might have accomplished that great design which is now the pride of human reason to have formed and perfected. If the sagacity of Columbus had not conducted mankind to America, Cabral, by a fortunate accident, might have led them, a few years later, to the knowledge of that extensive continent.

While the Spaniards and Portuguese, by those successive voyages, were daily acquiring more enlarged ideas of the extent and opulence of that quarter of the globe which Columbus had made known to them, he himself, far from enjoying the tranquillity and honours with which his services should have been recompensed, was struggling with every distress in which the envy and malevolence of the people under his command or the ingratitude of the court which he served, could involve him. Though the pacification with Roldan broke the union and weakened the force of the mutineers, it did not extirpate the seeds of discord out of the island. Several of the malcontents continued in arms, refusing to submit to the Admiral. He and his brothers were obliged to take the field alternately, in order to check their incursions, or to punish their crimes. The perpetual occupation and disquiet which this created, prevented him from giving due attention to the dangerous machinations of his enemies in the court of Spain. A good number of such as were most dissatisfied with his administration, had embraced the opportunity of returning to Europe with the ships which he despatched from St. Domingo. The final disappointment of all their hopes inflamed the rage of these unfortunate adventurers against Columbus to the utmost pitch. Their poverty and distress, by exciting compassion, rendered their accusations credible, and

their complaints interesting. They teased Ferdinand and Isabella incessantly with memorials, containing the detail of their own grievances, and the articles of their charge against Columbus. Whenever either the king or queen appeared in public, they surrounded them in a tumultuary manner, insisting with importunate clamours for the payment of the arrears due to them, and demanding vengeance upon the author of their sufferings. They insulted the admiral's sons wherever they met them, reproaching them as the offspring of the projector, whose fatal curiosity had discovered those pernicious regions which drained Spain of its wealth, and would prove the grave of its people. These avowed endeavours of the malcontents from America to ruin Columbus, were seconded by the secret but more dangerous insinuations of that party among the courtiers which had always thwarted his schemes and envied his success and credit.

Ferdinand was disposed to listen, not only with a willing but with a partial ear, to these accusations. Notwithstanding the flattering accounts which Columbus had given of the riches of America, the remittances from it had hitherto been so scanty, that they fell far short of defraying the expence of the armaments fitted out. The glory of the discovery, together with the prospect of remote commercial advantages, was all that Spain had yet received in return for the efforts she had made. But time had already diminished the first sensations of joy which the discovery of a New World occasioned, and fame alone was not an object to satisfy the cold interested mind of Ferdinand. The nature of commerce was then so little understood, that where immediate gain was not acquired, the hope of distant benefit, or of slow and moderate returns, was totally disregarded. Ferdinand considered Spain, on this account, as having lost by the enterprise of Columbus, and imputed it to his misconduct and incapacity for government, that a country abounding in gold had yielded nothing of value to its conquerors. Even Isabella, who from the favorable opinion which she entertained of Columbus, had uniformly protected him, was shaken at length by the number and boldness of his accusers, and began to suspect that a disaffection so general must have been occasioned by real grievances, which called for redress. The Bishop of Badajos, with his usual animosity against Columbus, encouraged these suspicions and confirmed them.

As soon as the queen began to give way to the torrent of calumny, a resolution fatal to Columbus was taken. Francis de Bovadilla, a knight of Calatrava, was appointed to repair to Hispaniola, with full powers to inquire into the conduct of Columbus, and if he should find the charge of mal-administration proved, to supersede him, and assume the government of the island. It was impossible to escape condemnation, when this preposterous commission made it the interest of the judge to pronounce the person whom he was sent to try, guilty. Though Columbus had now composed all the dissensions in the island; though he had brought both Spaniards and Indians to submit peaceably to his government; though he had made such effectual provision for working the mines, and cultivating the country, as would have secured a considerable revenue to the king, as well as large profits to individuals, Bovadilla, without deigning to attend to the nature or merit of those services, discovered, from the moment that he landed in Hispaniola, a determined purpose of treating him as a criminal. He took possession of the admiral's house in St. Domingo, from which its master happened at that time to be absent, and seized his effects, as if his guilt had been already fully proved; he rendered

himself master of the fort and of the king's stores by violence; he required all persons to acknowledge him as supreme governor; he set at liberty the prisoner confined by the admiral; and summoned him to appear before his tribunal, in order to answer for his conduct; transmitting to him, together with the summons a copy of the royal mandate, by which Columbus was enjoined to yield implicit obedience to his commands

[October.] Columbus, though deeply affected with the ingratitude and injustice of Ferdinand and Isabella did not hesitate a moment about his own conduct. He submitted to the will of his sovereigns with respectful silence, and repaired directly to the court of that violent and partial judge whom they had authorized to try him. Bovadilla, without admitting him into his presence, ordered him instantly to be arrested, to be loaded with chains, and hurried on board a ship. Even under this humiliating reverse of fortune, the firmness of mind which distinguished the character of Columbus did not forsake him. Conscious of his own integrity, and solacing himself with reflecting upon the great things which he had achieved, he endured this insult offered to his character, not only with composure, but with dignity. Nor had he the consolation of sympathy to mitigate his sufferings. Bovadilla had already rendered himself so extremely popular, by granting various immunities to the colony, by liberal donations of Indian land to all who applied for them, and by relaxing the reins of discipline and government, that the Spaniards, who were mostly adventurers, whom their indigence or crimes had compelled to abandon their native country, expressed the most indecent satisfaction with the disgrace and imprisonment of Columbus. They flattered themselves, that now they should enjoy an uncontrolled liberty, more suitable to their disposition and former habits of life. Among persons thus prepared to censure the proceedings and to asperse the character of Columbus, Bovadilla collected materials for a charge against him. All accusations, the most improbable, as well as inconsistent, were received. No informer, however infamous, was rejected. The result of this inquest, no less indecent than partial, he transmitted to Spain. At the same time, he ordered Columbus, with his two brothers, to be carried thither in fetters; and, adding cruelty to insult, he confined them in different ships, and excluded them from the comfort of that friendly intercourse which might have soothed their common distress. But while the Spaniards in Hispaniola viewed the arbitrary and insolent proceedings of Bovadilla with a general approbation, which reflects dishonour upon their name and country, one man still retained a proper sense of the great actions which Columbus had performed, and was touched with the sentiments of veneration and pity due to his rank, his age, and his merit. Alonzo de Valejo, the captain of the vessel on board which the admiral was confined, as soon as he was clear of the island, approached his prisoner with great respect, and offered to release him from the fetters with which he was unjustly loaded. "No," replied Columbus, with a generous indignation, "I wear these irons in consequence of an order from my sovereigns. They shall find me as obedient to this as to their other injunctions. By their command I have been confined, and their command alone shall set me at liberty."

[November 23.] Fortunately, the voyage to Spain was extremely short. As soon as Ferdinand and Isabella were informed that Columbus was brought home a prisoner, and in chains, they perceived at once what universal astonishment this event must

occasion, and what an impression to their disadvantage it must make. All Europe, they foresaw, would be filled with indignation at this ungenerous requital of a man who had performed actions worthy of the highest recompence, and would exclaim against the injustice of the nation, to which he had been such an eminent benefactor, as well as against the ingratitude of the princes whose reign he had rendered illustrious. Ashamed of their own conduct, and eager not only to make some reparation for this injury, but to efface the stain which it might fix upon their character, they instantly issued orders to set Columbus at liberty [December 17], invited him to court, and remitted money to enable him to appear there in a manner suitable to his rank. When he entered the royal presence, Columbus threw himself at the feet of his Sovereigns. He remained for some time silent; the various passions which agitated his mind suppressing his power of utterance. At length he recovered himself, and vindicated his conduct in a long discourse, producing the most satisfying proofs of his own integrity as well as good intention, and evidence, no less clear, of the malevolence of his enemies, who, not satisfied with having ruined his fortune, laboured to deprive him of what alone was now left, his honour and his fame. Ferdinand received him with decent civility, and Isabella with tenderness and respect. They both expressed their sorrow for what had happened, disavowed their knowledge of it, and joined in promising him protection and future favor. But though they instantly degraded Bovadilla, in order to remove from themselves any suspicion of having authorized his violent proceedings, they did not restore to Columbus his jurisdiction and privileges as viceroy of those countries which he had discovered. Though willing to appear the avengers of Columbus's wrongs, that illiberal jealousy which prompted them to invest Bovadilla with such authority as put it in his power to treat the admiral with indignity, still subsisted. They were afraid to trust a man to whom they had been so highly indebted, and retaining him at court under various pretexts, they appointed Nicholas de Ovando, a knight of the military order of Alcantara, governor of Hispaniola.

Columbus was deeply affected with this new injury, which came from hands that seemed to be employed in making reparation for his past sufferings. The sensibility with which great minds feel every thing that implies any suspicion of their integrity, or that wears the aspect of an affront, is exquisite. Columbus had experienced both from the Spaniards; and their ungenerous conduct exasperated him to such a degree, that he could no longer conceal the sentiments which it excited. Wherever he went he carried about with him, as a memorial of their ingratitude, those fetters with which he had been loaded. They were constantly hung up in his chamber, and he gave orders, that when he died they should be buried in his grave.

[A. D. 1501.] Meanwhile, the spirit of discovery, notwithstanding the severe check which it had received by the ungenerous treatment of the man who first excited it in Spain, continued active and vigorous. Roderigo de Bastidas, a person of distinction, fitted out two ships [January] in copartnership with John de la Cosa, who having served under the Admiral in two of his voyages, was deemed the most skilful pilot in Spain. They steered directly towards the continent, arrived on the coast of Paria, and proceeding to the west, discovered all the coast of the province now known by the name of Tierra Firme, from Cape de Vela to the gulf of Darien. Not long after, Ojeda,

with his former associate, Amerigo Vespucci, set out upon a second voyage, and being unacquainted with the destination of Bastidas, held the same course, and touched at the same places. The voyage of Bastidas was prosperous and lucrative, that of Ojeda unfortunate. But both tended to increase the ardour of discovery; for in proportion as the Spaniards acquired a more extensive knowledge of the American continent, their idea of its opulence and fertility increased.

Before these adventurers returned from their voyages, a fleet was equipped, at the public expense, for carrying over Ovando, the new governor, to Hispaniola. His presence there was extremely requisite, in order to stop the inconsiderate career of Bovadilla, whose imprudent administration threatened the settlement with ruin. Conscious of the violence and iniquity of his proceedings against Columbus, he continued to make it his sole object to gain the favour and support of his countrymen, by accommodating himself to their passions and prejudices. With this view, he established regulations in every point the reverse of those which Columbus deemed essential to the prosperity of the colony. Instead of the severe discipline, necessary in order to habituate the dissolute and corrupted members of which the society was composed, to the restraints of law and subordination, he suffered them to enjoy such uncontrolled license, as encouraged the wildest excesses. Instead of protecting the Indians, he gave a legal sanction to the oppression of that unhappy people. He took the exact number of such as survived their past calamities, divided them into distinct classes, distributed them in property among his adherents, and reduced all the people of the island to a state of complete servitude. As the avarice of the Spaniards was too rapacious and impatient to try any method of acquiring wealth but that of searching for gold, this servitude became as grievous as it was unjust. The Indians were driven in crowds to the mountains, and compelled to work in the mines, by masters who imposed their tasks without mercy or discretion. Labour so disproportioned to their strength and former habits of life, wasted that feeble race of men with such rapid consumption, as must have soon terminated in the utter extinction of the ancient inhabitants of the country.

The necessity of applying a speedy remedy to those disorders, hastened Ovando's departure. He had the command of the most respectable armament hitherto fitted out for the New World. It consisted of thirty-two ships, on board of which two thousand five hundred persons embarked, with an intention of settling in the country. Upon the arrival of the new governor with this powerful reinforcement to the colony, Bovadilla, resigned his charge, and was commanded to return instantly to Spain, in order to answer for his conduct. Roldan, and the other ringleaders of the mutineers, who had been most active in opposing Columbus, were required to leave the island at the same time. A proclamation was issued, declaring the natives to be free subjects of Spain, of whom no service was to be exacted contrary to their own inclination, and without paying them an adequate price for their labour. With respect to the Spaniards themselves, various regulations were made, tending to suppress the licentious spirit which had been so fatal to the colony, and to establish that reverence for law and order on which society is founded, and to which it is indebted for its increase and stability. In order to limit the exorbitant gain which private persons were supposed to make by working the mines, an ordinance was published, directing all the gold to be brought to

a public smelting-house, and declaring one half of it to be the property of the crown.

While these steps were taking for securing the tranquillity and welfare of the colony which Columbus had planted, he himself was engaged in the unpleasant employment of soliciting the favour of an ungrateful court, and notwithstanding all his merit and services he solicited in vain. He demanded, in terms of the original capitulation in one thousand four hundred and ninety-two, to be reinstated in his office of viceroy over the countries which he had discovered. By a strange fatality, the circumstance which he urged in support of his claim, determined a jealous monarch to reject it. The greatness of his discoveries, and the prospect of their increasing value, made Ferdinand consider the concessions in the capitulation as extravagant and impolitic. He was afraid of intrusting a subject with the exercise of a jurisdiction that now appeared to be so extremely extensive, and might grow to be no less formidable. He inspired Isabella with the same suspicions; and under various pretexts, equally frivolous and unjust, they eluded all Columbus's requisitions to perform that which a solemn compact bound them to accomplish. After attending the court of Spain for near two years, as an humble suitor, he found it impossible to remove Ferdinand's prejudices and apprehensions; and perceived, at length, that he laboured in vain, when he urged a claim of justice or merit with an interested and unfeeling prince.

But even this ungenerous return did not discourage him from pursuing the great object which first called forth his inventive genius, and excited him to attempt discovery. To open a new passage to the East Indies, was his original and favourite scheme. This still engrossed his thoughts; and either from his own observations in his voyage to Paria, or from some obscure hint of the natives, or from the accounts given by Bastidas and De la Cosa of their expedition, he conceived an opinion that, beyond the continent of America, there was a sea which extended to the East Indies, and hoped to find some strait or narrow neck of land, by which a communication might be opened with it and the part of the ocean already known. By a very fortunate conjecture, he supposed this strait or isthmus to be situated near the gulf of Darien. Full of this idea, though he was now of an advanced age, worn out with fatigue, and broken with infirmities, he offered, with the alacrity of a youthful adventurer, to undertake a voyage which would ascertain this important point, and perfect the grand scheme which from the beginning he proposed to accomplish. Several circumstances concurred in disposing Ferdinand and Isabella to lend a favourable ear to this proposal. They were glad to have the pretext of any honourable employment for removing from court a man with whose demands they deemed it impolitic to comply, and whose services it was indecent to neglect. Though unwilling to reward Columbus, they were not insensible of his merit, and from their experience of his skill and conduct, had reason to give credit to his conjectures, and to confide in his success. To these considerations, a third must be added of still more powerful influence. About this time the Portuguese fleet, under Cabral, arrived from the Indies; and, by the richness of its cargo, gave the people of Europe a more perfect idea than they had hitherto been able to form, of the opulence and fertility of the East. The Portuguese had been more fortunate in their discoveries than the Spaniards. They had opened a communication with countries where industry, arts, and elegance flourished; and

where commerce had been longer established, and carried to a greater extent, than in any region of the earth. Their first voyages thither yielded immediate as well as vast returns of profit, in commodities extremely precious and in great request. Lisbon became immediately the seat of commerce and wealth; while Spain had only the expectation of remote benefit, and of future gain, from the western world. Nothing, then, could be more acceptable to the Spaniards than Columbus's offer to conduct them to the East, by a route which he expected to be shorter, as well as less dangerous, than that which the Portuguese had taken. Even Ferdinand was roused by such a prospect, and warmly approved of the undertaking.

But interesting as the object of this voyage was to the nation, Columbus could only procure four small barks, the largest of which did not exceed seventy tons in burden, for performing it. Accustomed to brave danger, and to engage in arduous undertakings with inadequate force, he did not hesitate to accept the command of this pitiful squadron. His brother Bartholomew, and his second son Ferdinand, the historian of his actions, accompanied him. He sailed from Cadiz on the ninth of May, and touched, as usual, at the Canary islands; from thence he proposed to have stood directly for the continent; but his largest vessel was so clumsy and unfit for service, as constrained him to bear away for Hispaniola, in hopes of exchanging her for some ship of the fleet that had carried out Ovando. When he arrived at St. Domingo (June 29), he found eighteen of these ships ready loaded, and on the point of departing for Spain. Columbus immediately acquainted the governor with the destination of his voyage, and the accident which had obliged him to alter his route. He requested permission to enter the harbour, not only that he might negotiate the exchange of his ship, but that he might take shelter during a violent hurricane, of which he discerned the approach from various prognostics, which his experience and sagacity had taught him to observe. On that account, he advised him likewise to put off for some days the departure of the fleet bound for Spain. But Ovando refused his request, and despised his counsel. Under circumstances in which humanity would have afforded refuge to a stranger, Columbus was denied admittance into a country of which he had discovered the existence and acquired the possession. His salutary warning, which merited the greatest attention, was regarded as the dream of a visionary prophet, who arrogantly pretended to predict an event beyond the reach of human foresight. The fleet set sail for Spain. Next night the hurricane came on with dreadful impetuosity. Columbus, aware of the danger, took precautions against it, and saved his little squadron. The fleet destined for Spain met with the fate which the rashness and obstinacy of its commanders deserved. Of eighteen ships, two or three only escaped. In this general wreck perished Bovadilla, Roldan, and the greater part of those who had been the most active in persecuting Columbus, and oppressing the Indians. Together with themselves, all the wealth which they had acquired by their injustice and cruelty was swallowed up. It exceeded in value two hundred thousand *pesos*; an immense sum at that period, and sufficient not only to have screened them from any severe scrutiny into their conduct, but to have secured them a gracious reception in the Spanish court. Among the ships that escaped, one had on board all the effects of Columbus which had been recovered from the ruins of his

fortune. Historians, struck with the exact discrimination of characters, as well as the just distribution of rewards and punishments, conspicuous in those events, universally attributed them to an immediate interposition of Divine Providence, in order to avenge the wrongs of an injured man, and to punish the oppressors of an innocent people. Upon the ignorant and superstitious race of men, who were witnesses of this occurrence, it made a different impression. From an opinion which vulgar admiration is apt to entertain with respect to persons who have distinguished themselves by their sagacity and inventions, they believed Columbus to be possessed of supernatural powers, and imagined that he had conjured up this dreadful storm by magical art and incantations, in order to be avenged of his enemies. [July 14.] Columbus soon left Hispaniola, where he met with such an inhospitable reception, and stood towards the continent. After a tedious and dangerous voyage, he discovered Guanaia, an island not far distant from the coast of Honduras. There he had an interview with some inhabitants of the continent, who arrived in a large canoe. They appeared to be a people more civilized, and who had made greater progress in the knowledge of useful arts, than any whom he had hitherto discovered. In return to the inquiries which the Spaniards made, with their usual eagerness, concerning the places where the Indians got the gold which they wore by way of ornament, they directed them to countries situated to the west, in which gold was found in such profusion, that it was applied to the most common uses. Instead of steering in quest of a country so inviting, which would have conducted him along the coast of Yucatan to the rich empire of Mexico, Columbus was so bent upon his favourite scheme of finding out the strait which he supposed to communicate with the Indian ocean, that he bore away to the east, towards the gulf of Darien. In this navigation he discovered all the coast of the continent, from Cape Gracias a Dios, to a harbour which, on account of its beauty and security, he called Porto Bello. He searched in vain for the imaginary strait, through which he expected to make his way into an unknown sea; and though he went on shore several times, and advanced into the country, he did not penetrate so far as to cross the narrow isthmus which separates the gulf of Mexico from the great southern ocean. He was so much delighted, however, with the fertility of the country, and conceived such an idea of its wealth, from the specimens of gold produced by the natives, that he resolved to leave a small colony upon the river Belen [A. D. 1503], in the province of Veragua, under the command of his brother, and to return himself to Spain, in order to procure what was requisite for rendering the establishment permanent. But the ungovernable spirit of the people under his command, deprived Columbus of the glory of planting the first colony on the continent of America. Their insolence and rapaciousness provoked the natives to take arms, and as these were a more hardy and warlike race of men than the inhabitants of the islands, they cut off part of the Spaniards, and obliged the rest to abandon a station which was found to be untenable.

This repulse, the first that the Spaniards met with from any of the American nations, was not the only misfortune that befell Columbus; it was followed by a succession of all the disasters to which navigation is exposed. Furious hurricanes, with violent storms of thunder and lightning, threatened his leaky vessels with destruction; while his discontented crew, exhausted with fatigue, and destitute of provisions,

was unwilling or unable to execute his commands. One of his ships perished; he was obliged to abandon another, as unfit for service; and with the two which remained, he quitted that part of the continent; which in his anguish he named the Coast of Vexation, and bore away for Hispaniola. New distresses awaited him in this voyage. He was driven back by a violent tempest from the coast of Cuba, his ships fell foul of one another, and were so much shattered by the shock, that with the utmost difficulty they reached Jamaica [June 24], where he was obliged to run them aground, to prevent them from sinking. The measure of his calamities seemed now to be full, He was cast ashore upon an island at a considerable distance from the only settlement of the Spaniards in America. His ships were ruined beyond the possibility of being repaired. To convey an account of his situation to Hispaniola, appeared impracticable; and without this it was vain to expect relief. His genius, fertile in resources, and most vigorous in those perilous extremities, when feeble minds abandon themselves to despair, discovered the only expedient which afforded any prospect of deliverance. He had recourse to the hospitable kindness of the natives, who, considering the Spaniards as beings of a superior nature, were eager, on every occasion, to minister to their wants. From them he obtained two of their canoes, each formed out of the trunk of a single tree hollowed with fire, and so mis-shapen and awkward as hardly to merit the name of boats. In these, which were fit only for creeping along the coast, or crossing from one side of a bay to another, Mendez, a Spaniard, and Fieschi, a Genoese, two gentlemen particularly attached to Columbus, gallantly offered to set out for Hispaniola, upon a voyage of above thirty leagues. This they accomplished in ten days, after surmounting incredible dangers, and enduring such fatigues that several of the Indians who accompanied them sunk under it, and died. The attention paid to them by the governor of Hispaniola was neither such as their courage merited, nor the distress of the persons from whom they came required. Ovando, from a mean jealousy of Columbus, was afraid of allowing him to set foot in the island under his government. This ungenerous passion hardened his heart against every tender sentiment, which reflection upon the services and misfortunes of that great man, or compassion for his own fellow-citizens involved in the same calamities, must have excited. Mendez and Fieschi spent eight months in soliciting relief for their commander and associates, without any prospect of obtaining it.

During this period, various passions agitated the mind of Columbus and his companions in adversity. At first the expectation of speedy deliverance, from the success of Mendez and Fieschi's voyage, cheered the spirits of the most desponding [A. D. 1504.] After some time the most timorous began to suspect that they had miscarried in their daring attempt. At length, even the most sanguine concluded that they had perished. The ray of hope which had broken in upon them, made their condition appear now more dismal. Despair, heightened by disappointment, settled in every breast. Their last resource had failed, and nothing remained but the prospect of ending their miserable days among naked savages, far from their country and their friends. The samens, in a transport of rage, rose in open mutiny, threatened the life of Columbus, whom they reproached as the author of all their calamities, seized ten canoes, which he had purchased from the Indians, and, despising his remonstrances and entreaties made off with them to

a distant part of the island. At the same time the natives murmured at the long residence of the Spaniards in their country. As their industry was not greater than that of their neighbours in Hispaniola, like them they found the burden of supporting so many strangers to be altogether intolerable. They began to bring in provisions with reluctance, they furnished them with a sparing hand, and threatened to withdraw those supplies altogether. Such a resolution must have been quickly fatal to the Spaniards. Their safety depended upon the good-will of the Indians; and unless they could revive the admiration and reverence with which that simple people had at first beheld them, destruction was unavoidable. Though the licentious proceedings of the mutineers had, in a great measure, effaced those impressions which had been so favourable to the Spaniards, the ingenuity of Columbus suggested a happy artifice. That not only restored but heightened the high opinion which the Indians had originally entertained of them. By his skill in astronomy he knew that there was shortly to be a total eclipse of the moon. He assembled all the principal persons of the district around him on the day before it happened, and, after reproaching them for their fickleness in withdrawing their affection and assistance from men whom they had lately revered, he told them, that the Spaniards were servants of the Great Spirit who dwells in heaven, who made and governs the world; that he, offended at their refusing to support men who were the objects of his peculiar favour, was preparing to punish this crime with exemplary severity, and that very night the moon should withhold her light, and appear of a bloody hue, as a sign of the divine wrath, and an emblem of the vengeance ready to fall upon them. To this marvellous prediction some of them listened with the careless indifference peculiar to the people of America; others, with the credulous astonishment natural to barbarians. But when the moon began gradually to be darkened, and at length appeared of a red colour, all were struck with terror. They ran with consternation to their houses, and returning instantly to Columbus loaded with provisions, threw them at his feet, conjuring him to intercede with the Great Spirit to avert the destruction with which they were threatened. Columbus, seeming to be moved by their entreaties, promised to comply with their desire. The eclipse went off, the moon recovered its splendour, and from that day the Spaniards were not only furnished profusely with provisions, but the natives, with superstitious attention, avoided every thing that could give them offence.

During those transactions, the mutineers had made repeated attempts to pass over to Hispaniola in the canoes which they had seized. But from their own misconduct, or the violence of the winds and currents, their efforts were all unsuccessful. Enraged at this disappointment, they marched towards that part of the island where Columbus remained, threatening him with new insults and danger. While they were advancing, an event happened, more cruel and afflicting than any calamity which he dreaded from them. The governor of Hispaniola, whose mind was still filled with some dark suspicions of Columbus, sent a small bark to Jamaica, not to deliver his distressed countrymen, but to spy out their condition. Lest the sympathy of those whom he employed should afford them relief, contrary to his intention, he gave the command of this vessel to Escobar, an inveterate enemy of Columbus, who, adhering to his instructions with malignant accuracy, cast anchor at some distance

from the island, approached the shore in a small boat, observed the wretched plight of the Spaniards, delivered a letter of empty compliments to the admiral, received his answer, and departed. When the Spaniards first descried the vessel standing towards the island every heart exulted, as if the long-expected hour of their deliverance had at length arrived; but when it disappeared so suddenly, they sunk into the deepest dejection, and all their hopes died away. Columbus alone, though he felt most sensibly this wanton insult which Ovando added to his past neglect, retained such composure of mind as to be able to cheer his followers. He assured them, that Mendez and Fieschi had reached Hispaniola in safety; that they would speedily procure ships to carry them off; but, as Escobar's vessel could not take them all on board, that he had refused to go with her, because he was determined never to abandon the faithful companions of his distress. Soothed with the expectation of speedy deliverance, and delighted with his apparent generosity in attending more to their preservation than to his own safety, their spirits revived, and he regained their confidence.

Without this confidence he could not have resisted the mutineers, who were now at hand. All his endeavours to reclaim those desperate men had no effect but to increase their phrenzy. Their demands became every day more extravagant, and their intentions more violent and bloody. The common safety rendered it necessary to oppose them with open force. Columbus, who had been long afflicted with the gout, could not take the field. His brother, the adelantado, marched against them. [May 20.] They quickly met. The mutineers rejected with scorn terms of accommodation, which were once more offered them, and rushed on boldly to the attack. They fell not upon an enemy unprepared to receive them. In the first shock several of their most daring leaders were slain. The adelantado, whose strength was equal to his courage, closed with their captain, wounded, disarmed, and took him prisoner. At sight of this, the rest fled with a dastardly fear suitable to their former insolence. Soon after, they submitted in a body to Columbus, and bound themselves by the most solemn oaths to obey all his commands. Hardly was tranquillity re-established, when the snps appeared whose arrival Columbus had promised with great address, though he could foresee it with little certainty. With transports of joy, the Spaniards quitted an island in which the unfeeling jealousy of Ovando had suffered them to languish above a year, exposed to misery in all its various forms.

When they arrived at St. Domingo, the governor, with the mean artifice of a vulgar mind, that labours to atone for insolence by servility, fawned on the man whom he envied, and had attempted to ruin. He received Columbus with the most studied respect, lodged him in his own house, and distinguished him with every mark of honour. But amidst those over-acted demonstrations of regard, he could not conceal the hatred and malignity latent in his heart. He set at liberty the captain of the mutineers, whom Columbus had brought over in chains, to be tried for his crimes; and threatened such as had adhered to the admiral with proceeding to a judicial inquiry into their conduct. Columbus submitted in silence to what he could not redress; but discovered an extreme impatience to quit a country which was under the jurisdiction of a man who had treated him, on every occasion, with inhumanity and injustice.

[September 12.] His preparations were soon finished, and he set sail for Spain with two ships

Disasters similar to those which had accompanied him through life continued to pursue him to the end of his career. One of his vessels being disabled, was soon forced back to St. Domingo; the other, shattered by violent storms, sailed seven hundred leagues with tarry-masts [December], and reached with difficulty the port of St. Lucar.

There he received the account of an event [Nov. 9.] the most fatal that could have befallen him, and which completed his misfortunes. This was the death of his patroness queen Isabella, in whose justice, humanity, and favour, he confided as his last resource. None now remained to redress his wrongs, or to reward him for his services and sufferings, but Ferdinand, who had so long opposed and so often injured him. To solicit a prince thus prejudiced against him, was an occupation no less irksome than hopeless. In this, however, was Columbus doomed to employ the close of his days. As soon as his health was in some degree re-established, he repaired to court; and though he was received there with civility barely decent, he plied Ferdinand with petition after petition, demanding the punishment of his oppressors, and the restitution of all the privileges bestowed upon him by the capitulation of one thousand four hundred and ninety-two. Ferdinand amused him with fair words and unmeaning promises. Instead of granting his claims, he opposed expedients in order to elude them, and spun out the affair with such apparent art, as plainly discovered his intention that it should never be terminated. The declining health of Columbus flattered Ferdinand with the hopes of being soon delivered from an importunate suitor, and encouraged him to persevere in this illiberal plan. Nor was he deceived in his expectations. Disgusted with the ingratitude of a monarch whom he had served with such fidelity and success, exhausted with the fatigues and hardships which he had endured, and broken with the infirmities which these had brought upon him, Columbus ended his life at Valladolid on the twentieth of May, one thousand five hundred and six, in the fifty-ninth year of his age. He died with a composure of mind suitable to the magnanimity which distinguished his character, and with sentiments of piety becoming that supreme respect for religion, which he had manifested in every occurrence of his life.

BOOK III.

WHILE Columbus was employed in his last voyage, several events worthy of notice happened in Hispaniola. The colony there, the parent and nurse of all the subsequent establishments of Spain in the New World, gradually acquired the form of a regular and prosperous society. The humane solicitude of Isabella to protect the Indians from oppression, and particularly the proclamation by which the Spaniards were prohibited to compel them to work, retarded, it is true, for some time the progress of improvement. The natives, who considered exemption from toil as supreme felicity, scorned every allurement and reward by which they were invited to labour. The Spaniards had not a sufficient number of hands either to work the mines or to cultivate the soil. Several of the first colonists, who had been accustomed to the service of the Indians, quitted the island, when deprived of those instruments without which they knew not how to carry on any operation. Many of the new settlers who came over with Ovando, were seized with the distempers peculiar to the climate, and in a short space above a thousand of them died. At the same time, the exacting one half of the product of the

mines as the royal share, was found to be a demand so exorbitant, that no adventurers would engage to work them upon such terms. In order to save the colony from ruin, Ovando ventured to relax the rigour of the royal edicts. [A. D. 1505.] He made a new distribution of the Indians among the Spaniards, and compelled them to labour, for a stated time, in digging the mines, or in cultivating the ground; but in order to screen himself from the imputation of having subjected them again to servitude, he enjoined their masters to pay them a certain sum, as the price of their work. He reduced the royal share of the gold found in the mines from the half to the third part, and soon after lowered it to a fifth, at which it long remained. Notwithstanding Isabella's tender concern for the good treatment of the Indians, and Ferdinand's eagerness to improve the royal revenue, Ovando persuaded the court to approve of both these regulations.

But the Indians, after enjoying respite from oppression, though during a short interval, now felt the yoke of bondage to be so galling, that they made several attempts to vindicate their own liberty. This the Spaniards considered as rebellion, and took arms in order to reduce them to subjection. When war is carried on between nations whose state of improvement is in any degree similar, the means of defence bear some proportion to those employed in the attack; and in this equal contest such efforts must be made, such talents are displayed, and such passions roused, as exhibit mankind to view in a situation no less striking than interesting. It is one of the noblest functions of history, to observe and to delineate men at a juncture when their minds are most violently agitated, and all their powers and passions are called forth. Hence the operations of war, and the struggles between contending states, have been deemed by historians, ancient as well as modern, a capital and important article in the annals of human actions. But in a contest between naked savages, and one of the most warlike of the European nations, where science, courage and discipline on one side, were opposed by ignorance, timidity, and disorder on the other, a particular detail of events would be as unpleasant as uninteresting. If the simplicity and innocence of the Indians had inspired the Spaniards with humanity, had softened the pride of superiority into compassion, and had induced them to improve the inhabitants of the New World, instead of oppressing them, some sudden acts of violence, like the too rigorous chastisements of impatient instructors, might have been related without horror. But, unfortunately, this consciousness of superiority operated in a different manner. The Spaniards were advanced so far beyond the natives of America in improvement of every kind, that they viewed them with contempt. They conceived the Americans to be animals of an inferior nature, who were not entitled to the rights and privileges of men. In peace, they subjected them to servitude. In war, they paid no regard to those laws, which, by a tacit convention between contending nations, regulate hostility, and set some bounds to its rage. They considered them not as men fighting in defence of their liberty, but as slaves who had revolted against their masters. The caziques, when taken, were condemned, like the leaders of banditti, to the most cruel and ignominious punishments; and all their subjects, without regarding the distinction of ranks established among them, were reduced to the same state of abject slavery. With such a spirit and sentiments were hostilities carried on against the cazique of Higüey, a province

at the eastern extremity of the island. This war was occasioned by the perfidy of the Spaniards, in violating a treaty which they had made with the natives, and it was terminated by hanging up the cacique, who defended his people with bravery so far superior to that of his countrymen, as entitled him to a better fate.

The conduct of Ovando, in another part of the island, was still more treacherous and cruel. The province anciently named Xaragua, which extends from the fertile plain where Leogane is now situated, to the western extremity of the island, was subject to a female cacique, named Anacoana, highly respected by the natives. She, from that partial fondness with which the women of America were attached to the Europeans, (the cause of which shall be afterwards explained,) had always courted the friendship of the Spaniards, and loaded them with benefits. But some of the adherents of Roldan having settled in her country, were so much exasperated at her endeavouring to restrain their excesses, that they accused her of having formed a plan to throw off the yoke, and to exterminate the Spaniards. Ovando, though he knew well what little credit was due to such profligate men, marched, without further inquiry, towards Xaragua, with three hundred foot and seventy horsemen. To prevent the Indians from taking alarm at this hostile appearance, he gave out that his sole intention was to visit Anacoana, to whom his countrymen had been so much indebted, in the most respectful manner, and to regulate with her the mode of levying the tribute payable to the King of Spain. Anacoana, in order to receive this illustrious guest with due honour, assembled the principal men in her dominions, to the number of three hundred, and advancing at the head of these, accompanied by a great crowd of persons of inferior rank, she welcomed Ovando with songs and dances, according to the mode of the country, and conducted him to the place of her residence. There he was feasted for some days, with all the kindness of simple hospitality, and amused with the games and spectacles usual among the Americans upon occasions of mirth and festivity. But amidst the security which this inspired, Ovando was meditating the destruction of his unsuspecting entertainer and her subjects; and the mean perfidy with which he executed this scheme, equalled his barbarity in forming it. Under colour of exhibiting to the Indians the parade of an European tournament, he advanced with his troops in battle array, towards the house in which Anacoana and the chiefs who attended her, were assembled. The infantry took possession of all the avenues which led to the village. The horsemen encompassed the house. These movements were the object of admiration without any mixture of fear, until, upon a signal which had been concerted, the Spaniards suddenly drew their swords, and rushed upon the Indians, defenceless and astonished at an act of treachery which exceeded the conception of undesigning men. In a moment Anacoana was secured. All her attendants were seized and bound. Fire was set to the house; and without examination or conviction, all these unhappy persons, the most illustrious in their own country, were consumed in the flames. Anacoana was reserved for a more ignominious fate. She was carried in chains to St. Domingo, and, after the formality of a trial before Spanish judges, she was condemned, upon the evidence of those very men who had betrayed her, to be publicly hanged.

Overawed and humbled by this atrocious treatment of their princes and nobles, who were objects of their

highest reverence, the people in all the provinces of Hispaniola submitted, without further resistance, to the Spanish yoke. Upon the death of Isabella, all the regulations tending to mitigate the rigour of their servitude were forgotten. The small gratuity paid to them as the price of their labour was withdrawn, and at the same time the tasks imposed upon them were increased [A. D. 1506]. Ovando, without any restraint, distributed Indians among his friends in the island. Ferdinand, to whom the queen had left by will one half of the revenue arising from the settlements in the New World, conferred grants of a similar nature upon his courtiers, as the least expensive mode of rewarding their services. They farmed out the Indians, of whom they were rendered proprietors, to their countrymen settled in Hispaniola; and that wretched people, being compelled to labour in order to satisfy the rapacity of both, the exactions of their oppressors no longer knew any bounds. But, barbarous as their policy was, and fatal to the inhabitants of Hispaniola, it produced, for some time, very considerable effects. By calling forth the force of a whole nation, and exerting it in one direction, the working of the mines was carried on with amazing rapidity and success. During several years, the gold brought into the royal smelting-house in Hispaniola amounted annually to four hundred and sixty thousand pesos, above a hundred thousand pounds sterling; which, if we attend to the great change in the value of money since the beginning of the sixteenth century to the present times, must appear a considerable sum. Vast fortunes were created, of a sudden, by some. Others dissipated, in ostentatious profusion, what they acquired with facility. Dazzled by both, new adventurers crowded to America, with the most eager impatience to share in those treasures which had enriched their countrymen; and, notwithstanding the mortality occasioned by the unhealthiness of the climate, the colony continued to increase.

Ovando governed the Spaniards with wisdom and justice not inferior to the rigour with which he treated the Indians. He established equal laws; and, by executing them with impartiality, accustomed the people of the colony to reverence them. He founded several new towns in different parts of the island, and allured inhabitants to them, by the concession of various immunities. He endeavoured to turn the attention of the Spaniards to some branch of industry more useful than that of searching for gold in the mines. Some slips of the sugar-cane having been brought from the Canary Islands by way of experiment, they were found to thrive with such increase in the rich soil and warm climate to which they were transplanted, that the cultivation of them soon became an object of commerce. Extensive plantations were begun; sugar-works, which the Spaniards called *ingenios*, from the various machinery employed in them, were erected, and in a few years the manufacture of this commodity was the great occupation of the inhabitants of Hispaniola, and the most considerable source of their wealth.

The prudent endeavours of Ovando to promote the welfare of the colony were powerfully seconded by Ferdinand. The large remittances which he received from the New World opened his eyes, at length, with respect to the importance of those discoveries, which he had hitherto affected to undervalue. Fortune, and his own address, having now extricated him out of those difficulties in which he had been involved by the death of his queen [A. D. 1507], and by his disputes with his son-in-law about the government of her dominions, he had full leisure to turn his attention to the affairs

of America. To his provident sagacity, Spain is indebted for many of those regulations which gradually formed that system of profound but jealous policy, by which she governs her dominions in the New World. He erected a court distinguished by the title of the *Casa de Contratacion*, or Board of Trade, composed of persons eminent for rank and abilities, to whom he committed the administration of American affairs. This board assembled regularly in Seville, and was invested with a distinct and extensive jurisdiction. He gave a regular form to ecclesiastical government in America, by nominating archbishops, bishops, deans, together with clergymen of subordinate ranks, to take charge of the Spaniards established there, as well as of the natives who should embrace the christian faith. But notwithstanding the obsequious devotion of the Spanish court to the papal see, such was Ferdinand's solicitude to prevent any foreign power from claiming jurisdiction or acquiring influence in his new dominions, that he reserved to the crown of Spain the sole right of patronage to the benefices in America, and stipulated that no papal bull or mandate should be promulgated there, until it was previously examined and approved of by his council. With the same spirit of jealousy, he prohibited any goods to be exported to America, or any person to settle there, without a special licence from that council.

But, notwithstanding this attention to the police and welfare of the colony, a calamity impended which threatened its dissolution. The original inhabitants, on whose labour the Spaniards in Hispaniola depended for their prosperity, and even their existence, wasted so fast, that the extinction of the whole race seemed to be inevitable. When Columbus discovered Hispaniola, the number of its inhabitants were computed to be at least a million. They were now reduced to sixty thousand in the space of fifteen years. This consumption of the human species, no less amazing than rapid, was the effect of several concurring causes. The natives of the American islands were of a more feeble constitution than the inhabitants of the other hemisphere. They could neither perform the same work, nor endure the same fatigue, with men whose organs were of a more vigorous conformation. The listless indolence in which they delighted to pass their days, as it was the effect of their debility, contributed likewise to increase it, and rendered them, from habit as well as constitution, incapable of hard labour. The food on which they subsisted afforded little nourishment, and they were accustomed to take it in small quantities not sufficient to invigorate a languid frame, and render it equal to the efforts of active industry. The Spaniards, without attending to those peculiarities in the constitution of the Americans, imposed tasks upon them, which, though not greater than Europeans might have performed with ease, were so disproportioned to their strength, that many sunk under the fatigue, and ended their wretched days. Others, prompted by impatience and despair, cut short their own lives with a violent hand. Famine, brought on by compelling such numbers to abandon the culture of their lands, in order to labour in the mines, proved fatal to many. Diseases of various kinds, some occasioned by the hardships to which they were exposed, and others by their intercourse with the Europeans who communicated to them some of their peculiar maladies, completed the desolation of the island. The Spaniards, being thus deprived of the instruments which they were accustomed to employ, found it impossible to extend their improvements, or even to carry on the works which they had already begun. [A.D. 1508.] In order to provide an immediate remedy

for an evil so alarming, Ovando proposed to transport the inhabitants of the Lucayo islands to Hispaniola, under pretence that they might be civilized with more facility, and instructed to greater advantage in the christian religion, if they were united to the Spanish colony, and placed under the immediate inspection of the missionaries settled there. Ferdinand, deceived by this artifice, or willing to connive at an act of violence which policy represented as necessary, gave his assent to the proposal. Several vessels were fitted out for the Lucayos, the commanders of which informed the natives, with whose language they were now well acquainted, that they came from a delicious country, in which the departed ancestors of the Indians resided, by whom they were sent to invite their descendants to resort thither, to partake of the bliss enjoyed there by happy spirits. That simple people listened with wonder and credulity; and fond of visiting their relations and friends in that happy region, followed the Spaniards with eagerness. By this artifice, above forty thousand were decoyed into Hispaniola, to share in the sufferings which were the lot of the inhabitants of that island, and to mingle their groans and tears with those of that wretched race of men.

The Spaniards had, for some time, carried on their operations in the mines of Hispaniola with such ardour, as well as success, that these seemed to have engrossed their whole attention. The spirit of discovery languished; and, since the last voyage of Columbus, no enterprise of any moment had been undertaken. But as the decrease of the Indians rendered it impossible to acquire wealth in that island with the same rapidity as formerly, this urged some of the more adventurous Spaniards to search for new countries, where their avarice might be gratified with more facility. Juan Ponce de Leon, who commanded under Ovando in the eastern district of Hispaniola, passed over to the island of St. Juan de Puerto Rico, which Columbus had discovered in his second voyage, and penetrated into the interior part of the country. As he found the soil to be fertile and expected, from some symptoms, as well as from the information of the inhabitants, to discover mines of gold in the mountains, Ovando permitted him to attempt making a settlement in the island. This was easily effected by an officer eminent for conduct no less than for courage. In a few years Puerto Rico was subjected to the Spanish government, the natives were reduced to servitude; and, being treated with the same inconsiderate rigour as their neighbours in Hispaniola, the race of original inhabitants, worn out with fatigue and sufferings, was soon exterminated.

About the same time, Juan Diaz de Solis, in conjunction with Vincent Yanez Pinzon, one of Columbus's original companions, made a voyage to the continent. They held the same course which Columbus had taken, as far as to the island of Guanaïos; but, standing from thence to the west, they discovered a new and extensive province, afterwards known by the name of Yucatan, and proceeded a considerable way along the coast of that country. Though nothing memorable occurred in this voyage, it deserves notice, because it led to discoveries of greater importance. From the same reason, the voyage of Sebastian de Ocampo must be mentioned. By the command of Ovando, he sailed round Cuba, and first discovered with certainty that this country, which Columbus once supposed to be a part of the continent, was a large island.

This voyage round Cuba was one of the last

occurrences under the administration of Ovando. Ever since the death of Columbus, his son Don Diego had been employed in soliciting Ferdinand to grant him the offices of viceroy and admiral in the New World, together with all the immunities and profits which descended to him by inheritance, in consequence of the original capitulation with his father. But if these dignities and revenues appeared so considerable to Ferdinand, that, at the expense of being deemed unjust as well as ungrateful, he had wrested them from Columbus, it is not surprising that he should be unwilling to confer them on his son. Accordingly, Don Diego wasted two years in incessant but fruitless importunity. Weary of this, he endeavoured at length to obtain, by a legal sentence, what he could not procure for the favour of an interested monarch. He commenced a suit against Ferdinand before the council which managed Indian affairs, and that court, with integrity which reflects honour upon its proceedings, decided against the king, and sustained Don Diego's claim of the viceroyalty, together with all the other privileges stipulated in the capitulation. Even after this decree, Ferdinand's repugnance to put a subject in possession of such extensive rights, might have thrown in new obstacles, if Don Diego had not taken a step which interested very powerful persons in the success of his claims. The sentence of the council of the Indies gave him a title to a rank so elevated, and a fortune so opulent, that he found no difficulty in concluding a marriage with Donna Maria, daughter of Don Ferdinand de Toledo, great commendator of Leon, and brother of the Duke of Alva, a nobleman of the first rank, and nearly related to the king. The Duke and his family espoused so warmly the cause of their new ally, that Ferdinand could not resist their solicitations. He recalled Ovando, [A. D. 1509,] and appointed Don Diego his successor, though, even in conferring this favour, he could not conceal his jealousy; for he allowed him to assume only the title of governor, not that of viceroy, which had been adjudged to belong to him.

Don Diego quickly repaired to Hispaniola, attended by his brother, his uncles, his wife, whom the courtesy of the Spaniards honoured with the title of vice-queen, and a numerous retinue of persons of both sexes, born of good families. He lived with a splendour and magnificence hitherto unknown in the New World; and the family of Columbus seemed now to enjoy the honours and rewards due to his inventive genius, of which he himself had been cruelly defrauded. The colony itself acquired new lustre by the accession of so many inhabitants of a different rank and character from most of those who had hitherto migrated to America, and many of the most illustrious families in the Spanish settlements are descended from the persons who at that time accompanied Don Diego Columbus.

No benefits accrued to the unhappy natives from this change of governors. Don Diego was not only authorized by a royal edict to continue the *repartimientos*, or distribution of Indians, but the particular number which he might grant to every person, according to his rank in the colony, was specified. He availed himself of that permission, and soon after he landed at St. Domingo, he divided such Indians as were still unappropriated, among his relations and attendants.

The next care of the new governor was to comply with an instruction which he received from the king, about settling a colony in Cubagua, a small island which Columbus had discovered in his third voyage. Though this barren spot hardly yielded subsistence

to its wretched inhabitants, such quantities of those oysters which produce pearls were found on its coast, that it did not long escape the inquisitive avarice of the Spaniards, and became a place of considerable resort. Large fortunes were acquired by the fishery of pearls, which was carried on with extraordinary ardour. The Indians, especially those from the Lucayo islands, were compelled to dive for them; and this dangerous and unhealthy employment was an additional calamity, which contributed not a little to the extinction of that devoted race.

About this period, Juan Diaz de Solis and Pinzon set out, in conjunction, upon a second voyage. They stood directly south, towards the equinoctial line, which Pinzon had formerly crossed, and advanced as far as the fortieth degree of southern latitude. They were astonished to find that the continent of America stretched on their right hand, through all this vast extent of ocean. They landed in different places, to take possession in name of their sovereign; but though the country appeared to be extremely fertile and inviting, their force was so small, having been fitted out rather for discovery than making settlements, that they left no colony behind them. Their voyage served, however, to give the Spaniards more exalted and adequate ideas with respect to the dimensions of this new quarter of the globe.

Though it was about ten years since Columbus had discovered the main land of America, the Spaniards had hitherto made no settlement in any part of it. What had been so long neglected was now seriously attempted, and with considerable vigour; though the plan for this purpose was neither formed by the crown, nor executed at the expense of the nation, but carried on by the enterprising spirit of private adventurers. This scheme took its rise from Alonso de Ojeda, who had already made two voyages as a discoverer, by which he acquired considerable reputation, but no wealth. But his character for intrepidity and conduct easily procured him associates, who advanced the money requisite to defray the charges of the expedition. About the same time, Diego de Nicuesa, who had acquired a large fortune in Hispaniola, formed a similar design. Ferdinand encouraged both; and though he refused to advance the smallest sum, was extremely liberal of titles and patents. He erected two governments on the continent, one extending from Cape de Vela to the Gulf of Darien, and the other from that to Cape Gracias a Dios. The former was given to Ojeda, the latter to Nicuesa. Ojeda fitted out a ship and two brigantines, with three hundred men; Nicuesa, six vessels, with seven hundred and eighty men. They sailed about the same time from St. Domingo for their respective governments. In order to give their title to those countries some appearance of validity, several of the most eminent divines and lawyers in Spain were employed to prescribe the mode in which they should take possession of them. There is not in the history of mankind any thing more singular or extravagant than the form which they devised for this purpose. They instructed those invaders, as soon as they landed on the continent, to declare to the natives the principle articles of the christian faith; to acquaint them in particular, with the supreme jurisdiction of the pope over all the kingdoms of the earth; to inform them of the grant which this holy pontiff had made of their country to the king of Spain; to require them to embrace the doctrines of that religion which the Spaniards made known to them; and to submit to the sovereign whose authority they proclaimed. If the natives refused to

comply with this requisition, the terms of which must have been utterly incomprehensible to uninstructed Indians, then Ojeda and Nicuessa were authorized to attack them with fire and sword; to reduce them, their wives and children, to a state of servitude; and to compel them by force to recognise the jurisdiction of the Church, and the authority of the Monarch, to which they would not voluntarily subject themselves (23).

As the inhabitants of the Continent could not at once yield assent to doctrines too refined for their uncultivated understandings, and explained to them by interpreters imperfectly acquainted with their language; as they did not conceive how a foreign priest, of whom they had never heard, could have any right to dispose of their country, or how an unknown prince should claim jurisdiction over them as his subjects; they fiercely opposed the new invaders of their territories. Ojeda and Nicuessa endeavoured to effect by force what they could not accomplish by persuasion. The contemporary writers enter into a very minute detail in relating their transactions; but as they made no discovery of importance, nor established any permanent settlement, their adventures are not entitled to any considerable place in the general history of a period, where romantic valour, struggling with incredible hardships, distinguishes every effort of the Spanish arms. They found the natives in those countries of which they went to assume the government, to be of a character very different from that of their countrymen in the islands. They were fierce and warlike. Their arrows were dipped in a poison so noxious, that every wound was followed with certain death. In one encounter they slew about seventy of Ojeda's followers, and the Spaniards, for the first time, were taught to dread the inhabitants of the New World. Nicuessa was opposed by people equally resolute in defence of their possessions. Nothing could soften their ferocity. Though the Spaniards employed every art to soothe them, and to gain their confidence, they refused to hold any intercourse, or to exchange any friendly office, with men whose residence among them they considered as fatal to their liberty and independence [A. D. 1510]. This implacable enmity of the natives, though it rendered an attempt to establish a settlement in their country extremely difficult as well as dangerous, might have been surmounted at length by the perseverance of the Spaniards, by the superiority of their arms, and their skill in the art of war. But every disaster which can be accumulated upon the unfortunate, combined to complete their ruin. The loss of their ships by various accidents upon an unknown coast, the diseases peculiar to a climate the most noxious in all America, the want of provisions, unavoidable in a country imperfectly cultivated, dissension among themselves, and the incessant hostilities of the natives, involved them in a succession of calamities, the bare recital of which strikes one with horror. Though they received two considerable reinforcements from Hispaniola, the greater part of those who had engaged in this unhappy expedition perished, in less than a year, in the most extreme misery. A few who survived, settled as a feeble colony at Santa Maria el Antigua, on the gulf of Darien, under the command of Vasco Nuguez de Balboa, who, in the most desperate exigences, displayed such courage and conduct, as first gained the confidence of his countrymen, and marked him out as their leader in more splendid and successful undertakings. Nor was he the only adventurer in this expedition who will appear with lustre in more

important scenes. Francisco Pizarro was one of Ojeda's companions, and in this school of adversity acquired or improved the talents which fitted him for the extraordinary actions which he afterwards performed. Hernan Cortes, whose name became still more famous, had likewise engaged early in this enterprise, which roused all the active youth of Hispaniola to arms; but the good fortune that accompanied him in his subsequent adventures, interposed to save him from the disasters to which his companions were exposed. He was taken ill at St. Domingo before the departure of the fleet, and detained there by a tedious indisposition.

Notwithstanding the unfortunate issue of this expedition, the Spaniards were not deterred from engaging in new schemes of a similar nature. When wealth is acquired gradually by the persevering hand of industry, or accumulated by the slow operations of regular commerce, the means employed are so proportioned to the end attained, that there is nothing to strike the imagination, and little to urge on the active powers of the mind to uncommon efforts. But when large fortunes were created almost instantaneously; when gold and pearls were procured in exchange for baubles; when the countries which produced these rich commodities, defended only by naked savages, might be seized by the first bold invader; objects so singular and alluring roused a wonderful spirit of enterprise among the Spaniards, who rushed with ardour into this new path that was opened to wealth and distinction. While this spirit continued warm and vigorous, every attempt either towards discovery or conquest was applauded, and adventurers engaged in it with emulation. The passion for new undertakings, which characterizes the age of discovery in the latter part of the fifteenth and beginning of the sixteenth century, would alone have been sufficient to prevent the Spaniards from stopping short in their career. But circumstances peculiar to Hispaniola, at this juncture, concurred with it in extending their navigation and conquests. The rigorous treatment of the inhabitants of that island having almost extirpated the race, many of the Spanish planters, as I have already observed, finding it impossible to carry on their works with the same vigour and profit, were obliged to look out for settlements in some country where people were not yet wasted by oppression. Others, with the inconsiderate levity natural to men upon whom wealth pours in with a sudden flow, had squandered in thoughtless prodigality, what they acquired with ease, and were driven by necessity to embark in the most desperate schemes, in order to retrieve their affairs [A. D. 1511]. From all these causes, when Don Diego Columbus proposed to conquer the island of Cuba, and to establish a colony there, many persons of chief distinction in Hispaniola engaged with alacrity in the measure. He gave the command of the troops destined for that service to Diego Velasquez, one of his father's companions in his second voyage, and who, having been long settled in Hispaniola, had acquired an ample fortune, with such reputation for probity and prudence, that he seemed to be well qualified for conducting an expedition of importance. Three hundred men were deemed sufficient for the conquest of an island of above seven hundred miles in length, and filled with inhabitants. But they were of the same unwelcome character with the people of Hispaniola. They were not only intimidated by the appearance of their new enemies, but unprepared to resist them. For though, from the time that the Spaniards took possession of

the adjacent island, there was reason to expect a descent on their territories, none of the small communities into which Cuba was divided, had either made any provision for its own defence, or had formed any concert for their common safety. The only obstruction the Spaniards met with was from Hatuey, a cacique, who had fled from Hispaniola, and had taken possession of the eastern extremity of Cuba. He stood upon the defensive at their first landing, and endeavoured to drive them back to their ships. His feeble troops, however, were soon broken and dispersed; and he himself being taken prisoner, Velasquez, according to the barbarous maxim of the Spaniards, considered him as a slave who had taken arms against his master, and condemned him to the flames. When Hatuey was fastened to the stake, a Franciscan friar, labouring to convert him, promised him immediate admittance into the joys of heaven, if he would embrace the Christian faith. "Are there any Spaniards," says he, after some pause, "in that region of bliss which you describe?"—"Yes," replied the monk, "but only such as are worthy and good."—"The best of them," returned the indignant cacique, "have neither worth nor goodness: I will not go to a place where I may meet with one of that accursed race." This dreadful example of vengeance struck the people of Cuba with such terror, that they scarcely gave any opposition to the progress of their invaders; and Velasquez, without the loss of a man, annexed this extensive and fertile island to the Spanish monarchy.

The facility with which this important conquest was completed, served as an incitement to other undertakings. Juan Ponce de Leon, having acquired both fame and wealth by the reduction of Puerto Rico, was impatient to engage in some new enterprise. [A.D. 1512.] He fitted out three ships at his own expense for a voyage of discovery, and his reputation soon drew together a respectable body of followers. He directed his course towards the Lucayo Islands; and after touching at several of them, as well as the Bahama Isles, he stood to the south-west, and discovered a country hitherto unknown to the Spaniards, which he called Florida, either because he fell in with it on Palm Sunday, or on account of its gay and beautiful appearance. He attempted to land in different places, but met with such vigorous opposition from the natives, who were fierce and warlike, as convinced him that an increase of force was requisite to effect a settlement. Satisfied with having opened a communication with a new country, of whose value and importance he conceived very sanguine hopes, he returned to Puerto Rico, through the channel now known by the name of the Gulf of Florida.

It was not merely the passion of searching for new countries that prompted Ponce de Leon to undertake this voyage; he was influenced by one of those visionary ideas, which at that time often mingled with the spirit of discovery, and rendered it more active. A tradition prevailed among the natives of Puerto Rico, that in the Isle of Bimini, one of the Lucayos, there was a fountain of such wonderful virtue as to renew the youth and recall the vigour of every person who bathed in its salutary waters. In hopes of finding this grand restorative, Ponce de Leon and his followers ranged through the islands, searching, with fruitless solicitude and labour, for the fountain which was the chief object of their expedition. That a tale so fabulous should gain credit among simple uneducated Indians is not surprising. That it should make any impression

upon an enlightened people, appears, in the present age, altogether incredible. The fact, however, is certain; and the most authentic Spanish historians mention this extravagant sally of their credulous countrymen. The Spaniards, at that period, were engaged in a career of activity which gave a romantic turn to their imagination, and daily presented to them strange and marvellous objects. A New World was opened to their view. They visited islands and continents, of whose existence mankind in former ages had no conception. In those delightful countries nature seemed to assume another form: every tree and plant and animal was different from those of the ancient hemisphere. They seemed to be transported into enchanted ground; and after the wonders which they had seen, nothing, in the warmth and novelty of their admiration, appeared to them so extraordinary as to be beyond belief. If the rapid succession of new and striking scenes made such impression even upon the sound understanding of Columbus, that he boasted of having found the seat of Paradise, it will not appear strange that Ponce de Leon should dream of discovering the fountain of youth.

Soon after the expedition to Florida, a discovery of much greater importance was made in another part of America. Balboa having been raised to the government of the small colony at Santa Maria in Darien, by the voluntary suffrage of his associates, was so extremely desirous to obtain from the Crown a confirmation of their election, that he dispatched one of his officers to Spain, in order to solicit a royal commission, which might invest him with a legal title to the supreme command. Conscious, however, that he could not expect success from the patronage of Ferdinand's ministers, with whom he was unconnected, or from negotiating in a court to the arts of which he was a stranger, he endeavoured to merit the dignity to which he aspired, and aimed at performing some signal service that would secure him the preference to every competitor. Full of this idea he made frequent inroads into the adjacent country, subdued several of the caciques, and collected a considerable quantity of gold, which abounded more in that part of the continent, than in the islands. In one of those excursions, the Spaniards contended with such eagerness about the division of some gold, that they were at the point of proceeding to acts of violence against one another. A young cacique who was present, astonished at the high value which they set upon a thing of which he did not see the use, tumbled the gold out of the balance with indignation; and, turning to the Spaniards, "Why do you quarrel (says he) about such a trifle? If you are so passionately fond of gold, as to abandon your own country, and to disturb the tranquillity of distant nations for its sake, I will conduct you to a region where the metal which seems to be the chief object of your admiration and desire, is so common, that the meanest utensils are formed of it." Transported with what they heard, Balboa and his companions inquired eagerly where this happy country lay, and how they might arrive at it. He informed them that at the distance of six suns, that is, of six days' journey, towards the south, they should discover another ocean, near to which this wealthy kingdom was situated; but if they intended to attack that powerful state, they must assemble forces far superior in number and strength to those with which they now appeared.

This was the first information which the Spaniards received concerning the great southern ocean, or the

opulent and extensive country known afterwards by the name of Peru. Balboa had now before him objects suited to his boundless ambition, and the enterprising ardour of his genius. He immediately concluded the ocean which the cazique mentioned, to be that for which Columbus had searched without success in this part of America, in hopes of opening a more direct communication with the East Indies; and he conjectured that the rich territory which had been described to him, must be part of that vast and opulent region of the earth. Elated with the idea of performing what so great a man had attempted in vain, and eager to accomplish a discovery which he knew would be no less acceptable to the king than beneficial to his country, he was impatient until he could set out upon this enterprise, in comparison of which all his former exploits appeared inconsiderable. But previous arrangement and preparation were requisite to insure success. He began with courting and securing the friendship of the neighbouring caziques. He sent some of his officers to Hispaniola with a large quantity of gold, as a proof of his past success, and an earnest of his future hopes. By a proper distribution of this, they secured the favour of the governor, and allured volunteers into the service. A considerable reinforcement from that island joined him, and he thought himself in a condition to attempt the discovery.

The isthmus of Darien is not above sixty miles in breadth; but this neck of land, which binds together the continents of North and South America, is strengthened by a chain of lofty mountains stretching through its whole extent, which render it a barrier of solidity sufficient to resist the impulse of two opposite oceans. The mountains are covered with forests almost inaccessible. The valleys in that moist climate, where it rains during two-thirds of the year, are marshy, and so frequently overflowed, that the inhabitants find it necessary, in many places, to build their houses upon trees, in order to be elevated at some distance from the damp soil, and the odious reptiles engendered in the putrid waters. Large rivers rush down with an impetuous current from the high grounds. In a region thinly inhabited by wandering savages, the hand of industry had done nothing to mitigate or correct those natural disadvantages. To march across this unexplored country with no other guides but Indians, whose fidelity could be little trusted, was, on all those accounts, the boldest enterprise on which the Spaniards had hitherto ventured in the New World. But the intrepidity of Balboa was such as distinguished him among his countrymen, at a period when every adventurer was conspicuous for daring courage. [A. D. 1513.] Nor was bravery his only merit; he was prudent in conduct, generous, affable, and possessed of those popular talents which, in the most desperate undertakings, inspire confidence and secure attachment. Even after the junction of the volunteers from Hispaniola, he was able to muster only an hundred and ninety men for his expedition. But they were hardy veterans, inured to the climate of America, and ready to follow him through every danger. A thousand Indians attended them to carry their provisions; and to complete their warlike array, they took with them several of those fierce dogs, which were no less formidable than destructive to their naked enemies.

Balboa set out upon this important expedition on the first of September, about the time that the periodical rains began to abate. He proceeded by sea, and without any difficulty, to the territories of a cazique whose friendship he had gained; but no sooner did

he begin to advance into the interior part of the country, than he was retarded by every obstacle, which he had reason to apprehend, from the nature of the territory, or the disposition of its inhabitants. Some of the caziques, at his approach, fled to the mountains with all their people, and carried off or destroyed whatever could afford subsistence to his troops. Others collected their subjects, in order to oppose his progress, and he quickly perceived what an arduous undertaking it was to conduct such a body of men through hostile nations, across swamps, and rivers, and woods, which had never been passed but by straggling Indians. But by sharing in every hardship with the meanest soldier, by appearing the foremost to meet every danger, by promising confidently to his troops the enjoyment of honour and riches superior to what had been attained by the most successful of their countrymen, he inspired them with such enthusiastic resolution, that they followed him without murmuring. When they had penetrated a good way into the mountains, a powerful cazique appeared in a narrow pass, with a numerous body of his subjects, to obstruct their progress. But men who had surmounted so many obstacles, despised the opposition of such feeble enemies. They attacked them with impetuosity, and having dispersed them with much ease and great slaughter, continued their march. Though their guides had represented the breadth of the isthmus to be only a journey of six days, they had already spent twenty-five in forcing their way through the woods and mountains. Many of them were ready to sink under such uninterrupted fatigue in that sultry climate, several were taken ill of the dysentery and other diseases frequent in that country, and all became impatient to reach the period of their labours and sufferings. At length the Indians assured them, that from the top of the next mountain they should discover the ocean which was the object of their wishes. When, with infinite toil, they had climbed up the greater part of that steep ascent, Balboa commanded his men to halt, and advanced alone to the summit, that he might be the first who should enjoy a spectacle which he had so long desired. As soon as he beheld the South Sea stretching in endless prospect below him, he fell on his knees, and lifting up his hands to heaven, returned thanks to God, who had conducted him to a discovery so beneficial to his country, and so honourable to himself. His followers, observing his transports of joy, rushed forward to join in his wonder, exultation, and gratitude. They held on their course to the shore with great alacrity, when Balboa, advancing up to the middle in the waves with his buckler and sword, took possession of that ocean in the name of the king his master, and vowed to defend it, with these arms, against all his enemies.

That part of the great Pacific or Southern Ocean, which Balboa first discovered, still retains the name of the Gulf of St. Michael, which he gave to it, and is situated to the east of Panama. From several of the petty princes, who governed in the districts adjacent to that gulf, he extorted provisions and gold by force of arms. Others sent them to him voluntarily. To these acceptable presents, some of the caziques added a considerable quantity of pearls; and he learned from them, with much satisfaction, that pearl oysters abounded in the sea which he had newly discovered.

Together with the acquisition of this wealth, which served to soothe and encourage his followers, he received accounts which confirmed his sanguine hopes of future and more extensive benefits from the expe-

dition. All the people on the coast of the South Sea concurred in informing him, that there was a mighty and opulent kingdom situated at a considerable distance towards the south-east, the inhabitants of which had tame animals to carry their burthens. In order to give the Spaniards an idea of these, they drew upon the sand the figure of the llamas or sheep, afterwards found in Peru, which the Peruvians had taught to perform such services as they described. As the llama in its form nearly resembles a camel, a beast of burthen deemed peculiar to Asia, this circumstance, in conjunction with the discovery of the pearls, another noted production of that country, tended to confirm the Spaniards in their mistaken theory with respect to the vicinity of the New World to the East Indies.

But though the information which Balboa received from the people on the coast, as well as his own conjectures and hopes, rendered him extremely impatient to visit this unknown country, his prudence restrained him from attempting to invade it with a handful of men, exhausted by fatigue, and weakened by disease (24). He determined to lead back his followers, at present, to their settlement of Santa Maria in Darien, and to return next season with a force more adequate to such an arduous enterprise. In order to acquire a more extensive knowledge of the isthmus, he marched back by a different route, which he found to be no less dangerous and difficult than that which he had formerly taken. But to men elated with success, and animated with hope, nothing is insurmountable. Balboa returned to Santa Maria, [A. D. 1514], from which he had been absent four months, with greater glory and more treasure than the Spaniards had acquired in any expedition in the New World. None of Balboa's officers distinguished themselves more in this service than Francisco Pizarro, or assisted with greater courage and ardour in opening a communication with those countries, in which he was destined to act soon a most illustrious part.

Balboa's first care was to send information to Spain of the important discovery which he had made; and to demand a reinforcement of a thousand men, in order to attempt the conquest of that opulent country, concerning which he had received such inviting intelligence. The first account of the discovery of the New World hardly occasioned greater joy than the unexpected tidings, that a passage was at last found to the great southern ocean. The communication with the East Indies, by a course to the westward of the line of demarcation drawn by the pope, seemed now to be certain. The vast wealth which flowed into Portugal from its settlements and conquests in that country, excited the envy, and called forth the emulation, of other states. Ferdinand hoped now to come in for a share in this lucrative commerce, and in his eagerness to obtain it, was willing to make an effort beyond what Balboa required. But even in this exertion, his jealous policy, as well as the fatal antipathy of Fonseca, now bishop of Burgos, to every man of merit who distinguished himself in the New World, were conspicuous. Notwithstanding Balboa's recent services, which marked him out as the most proper person to finish that great undertaking which he had begun, Ferdinand was so ungenerous as to overlook these, and to appoint Pedrarias Davila, governor of Darien. He gave him the command of fifteen stout vessels, and twelve hundred soldiers. These were fitted out at the public expense, with a liberality which Ferdinand had never displayed in any former armament destined for the New World; and such was the ardour of the Spanish gentlemen to follow a leader who was about to conduct them to a country, where,

as fame reported, they had only to throw their nets into the sea and draw out gold, that fifteen hundred embarked on board the fleet; and if they had not been restrained, a much greater number would have engaged in the service.

Pedrarias reached the gulf of Darien without any remarkable accident, and immediately sent some of his principal officers ashore to inform Balboa of his arrival, with the king's commission, to be governor of the colony. To their astonishment, they found Balboa, of whose great exploits they had heard so much, and of whose opulence they had formed such high ideas, clad in a canvass jacket, and wearing coarse hempen sandals used only by the meanest peasants, employed, together with some Indians, in thatching his own hut with reeds. Even in this simple garb, which corresponded so ill with the expectations and wishes of his new guests, Balboa received them with dignity. The fame of his discoveries had drawn so many adventurers from the islands, that he could now muster four hundred and fifty men. At the head of those daring veterans, he was more than a match for the forces which Pedrarias brought with him. But though his troops murmured loudly at the injustice of the King in superseding their commander, and complained that strangers would now reap the fruits of their toil and success, Balboa submitted with implicit obedience to the will of his sovereign, and received Pedrarias with all the deference due to his character.

Notwithstanding this moderation, to which Pedrarias owed the peaceable possession of his government, he appointed a judicial inquiry to be made into Balboa's conduct, while under the command of Nicuesa, and imposed a considerable fine upon him, on account of the irregularities of which he had then been guilty. Balboa felt sensibly the mortification of being subjected to trial and to punishment in a place where he had so lately occupied the first station. Pedrarias could not conceal his jealousy of his superior merit: so that the resentment of the one, and the envy of the other, gave rise to dissensions extremely detrimental to the colony. It was threatened with a calamity still more fatal. Pedrarias had landed in Darien at a most unlucky time of the year [July], about the middle of the rainy season, in that part of the torrid zone where the clouds pour down such torrents as are unknown in more temperate climates. The village of Santa Maria was seated in a rich plain, environed with marshes and woods. The constitution of Europeans was unable to withstand the pestilential influence of such a situation, in a climate naturally so noxious, and at a season so peculiarly unhealthy. A violent and destructive malady carried off many of the soldiers who accompanied Pedrarias. An extreme scarcity of provisions augmented this distress, as rendered it impossible to find proper refreshment for the sick, or the necessary sustenance for the healthy. In the space of a month, above six hundred persons perished in the utmost misery. Dejection and despair spread through the colony. Many principal persons solicited their dismissal, and were glad to relinquish all their hopes of wealth, in order to escape from that pernicious region. Pedrarias endeavoured to divert those who remained from brooding over their misfortunes, by finding them employment. With this view, he sent several detachments into the interior parts of the country, to levy gold among the natives, and to search for the mines in which it was produced. Those rapacious adventurers, more attentive to present gain than to the means of facilitating their future

progress, plundered without distinction wherever they marched. Regardless of the alliances which Balboa had made with several of the caziques, they stripped them of every thing valuable, and treated them, as well as their subjects, with the utmost insolence and cruelty. By their tyranny and exactions, which Pedrarias, either from want of authority or inclination, did not restrain, all the country from the gulf of Darien to the lake of Nicaragua was desolated, and the Spaniards were inconsiderately deprived of the advantages which they might have derived from the friendship of the natives, in extending their conquests to the South Sea. Balboa, who saw with concern that such ill-judged proceedings retarded the execution of his favourite scheme, sent violent remonstrances to Spain against the imprudent government of Pedrarias, which had ruined a happy and flourishing colony. Pedrarias, on the other hand, accused him of having deceived the King, by magnifying his own exploits, as well as by a false representation of the opulence and value of the country.

Ferdinand became sensible at length of his imprudence in superseding the most active and experienced officer in the New World, and, by way of compensation to Balboa, appointed him adelantado, or lieutenant-governor, of the countries upon the South Sea, with very extensive privileges and authority. At the same time he enjoined Pedrarias to support Balboa in all his operations, and to consult with him concerning every measure which he himself pursued. But to effect such a sudden transition from inveterate enmity to perfect confidence, exceeded Ferdinand's power. [A. D. 1515.] Pedrarias continued to treat his rival with neglect; and Balboa's fortune being exhausted by the payment of his fine, and other exactions of Pedrarias, he could not make suitable preparations for taking possession of his new government. At length, by the interposition and exhortations of the bishop of Darien, they were brought to a reconciliation; and in order to cement this union more firmly, Pedrarias agreed to give his daughter in marriage to Balboa. The first effect of their concord was, that Balboa was permitted to make several small incursions into the country [A. D. 1516]. These he conducted with such prudence as added to the reputation which he had already acquired. Many adventurers resorted to him; and with the countenance and aid of Pedrarias, he began to prepare for his expedition to the South Sea. In order to accomplish this, it was necessary to build vessels capable of conveying his troops to those provinces which he purposed to invade [A. D. 1517]. After surmounting many obstacles, and enduring a variety of those hardships which were the portion of the conquerors of America, he at length finished four small brigantines. In these, with three hundred chosen men, a force superior to that with which Pizarro afterwards undertook the same expedition, he was ready to sail towards Peru, when he received an unexpected message from Pedrarias. As his reconciliation with Balboa had never been cordial, the progress which his son-in-law was making revived his ancient enmity, and added to its rancour. He dreaded the prosperity and elevation of a man whom he had injured so deeply. He suspected that success would encourage him to aim at independence upon his jurisdiction; and so violently did the passions of hatred, fear, and jealousy, operate upon his mind, that, in order to gratify his vengeance, he scrupled not to defeat an enterprise of the greatest moment to his country. Under pretences which were false, but plausible, he desired Balboa to postpone his voyage

for a short time, and to repair to Acla, in order that he might have an interview with him. Balboa, with the unsuspicious confidence of a man conscious of no crime, instantly obeyed the summons; but as soon as he entered the place, he was arrested by order of Pedrarias, whose impatience to satiate his revenge did not suffer him to languish long in confinement. Judges were immediately appointed to proceed to his trial. An accusation of disloyalty to the King, and of an intention to revolt against the Governor, was preferred against him. Sentence of death was pronounced; and though the judges who passed it, seconded by the whole colony, interceded warmly for his pardon, Pedrarias continued inexorable; and the Spaniards beheld, with astonishment and sorrow, the public execution of a man whom they universally deemed more capable than any who had borne command in America, of forming and accomplishing great designs. Upon his death, the expedition which he had planned was relinquished. Pedrarias, notwithstanding the violence and injustice of his proceedings, was not only screened from punishment by the powerful patronage of the bishop of Burgos and other courtiers, but continued in power. Soon after he obtained permission to remove the colony from its unwholesome station of Santa Maria to Panama, on the opposite side of the isthmus; and though it did not gain much in point of healthfulness by the change, the commodious situation of this new settlement contributed greatly to facilitate the subsequent conquests of the Spaniards in the extensive countries situated upon the southern ocean.

[A. D. 1515.] During these transactions in Darien, the history of which it was proper to carry on in an uninterrupted tenor, several important events occurred with respect to the discovery, the conquest, and government of other provinces in the New World. Ferdinand was so intent upon opening a communication with the Molucca or Spice Islands by the west, that, in the year one thousand five hundred and fifteen, he fitted out two ships at his own expense, in order to attempt such a voyage, and gave the command of them to Juan Diaz de Solis, who was deemed one of the most skilful navigators in Spain. He stood along the coast of South America, and on the first of January, one thousand five hundred and sixteen entered a river which he called Janeiro, where an extensive commerce is now carried on. From thence he proceeded to a spacious bay, which he supposed to be the entrance into a strait that communicated with the Indian Ocean; but upon advancing further, he found it to be the mouth of Rio de Plata, one of the vast rivers by which the Southern Continent of America is watered. In endeavouring to make a descent in this country, De Solis and several of his crew were slain by the natives, who, in sight of the ships, cut their bodies in pieces, roasted and devoured them. Discouraged with the loss of their commander, and terrified at this shocking spectacle, the surviving Spaniards set sail for Europe, without aiming at any further discovery. Though this attempt proved abortive, it was not without benefit. It turned the attention of ingenious men to this course of navigation, and prepared the way for a more fortunate voyage, by which, a few years posterior to this period, the great design that Ferdinand had in view was accomplished.

Though the Spaniards were thus actively employed in extending their discoveries and settlements in America, they still considered Hispaniola as their principal colony, and the seat of government. Don

Diego Columbus wanted neither inclination nor abilities to have rendered the members of this colony, who were most immediately under his jurisdiction, prosperous and happy. But he was circumscribed in all his operations by the suspicious policy of Ferdinand, who on every occasion, and under pretexts the most frivolous, retrenched his privileges, and encouraged the treasurer, the judges, and other subordinate officers, to counteract his measures, and to dispute his authority. The most valuable prerogative which the Governor possessed, was that of distributing Indians among the Spaniards settled in the island. The rigorous servitude of those unhappy men having been but little mitigated by all the regulations in their favour, the power of parcelling out such necessary instruments of labour at pleasure, secured to the governor great influence in the colony. In order to strip him of this, Ferdinand created a new office, with the power of distributing the Indians, and bestowed it upon Rodrigo Albuquerque, a relation of Zapata, his confidential minister. Mortified with the injustice as well as indignity of this invasion upon his rights, in a point so essential, Don Diego could no longer remain in a place where his power and consequence were almost annihilated. He repaired to Spain with the vain hopes of obtaining redress. Albuquerque entered upon his office with all the rapacity of an indigent adventurer impatient to amass wealth. He began with taking the exact number of Indians in the island, and found, that from sixty thousand, who, in the year one thousand five hundred and eight, survived after all their sufferings, they were now reduced to fourteen thousand. These he threw into separate divisions or lots, and bestowed them upon such as were willing to purchase them at the highest price. By this arbitrary distribution, several of the natives were removed from their original habitations, many were taken from their ancient masters, and all of them subjected to heavier burdens, and to more intolerable labour, in order to reimburse their new proprietors. Those additional calamities completed the misery, and hastened on the extinction of this wretched and innocent race of men.

The violence of these proceedings, together with the fatal consequences which attended them, not only excited complaints among such as thought themselves aggrieved, but touched the hearts of all who retained any sentiments of humanity. From the time that ecclesiastics were sent as instructors into America, they perceived that the rigour with which their countrymen treated the natives, rendered their ministry altogether fruitless. The missionaries, in conformity to the mild spirit of that religion which they were employed to publish, early remonstrated against the maxims of the planters with respect to the Americans, and condemned the *repartimientos*, or *distributions*, by which they were given up as slaves to their conquerors, as no less contrary to natural justice and the precepts of christianity, than to sound policy. The Dominicans, to whom the instruction of the Americans was originally committed, were most vehement in testifying against the *repartimientos*. In the year one thousand five hundred and eleven, Montesino, one of their most eminent preachers, inveighed against this practice, in the great church at St. Domingo, with all the impetuosity of popular eloquence. Don Diego Columbus, the principal officers of the colony, and all the laymen who had been his hearers, complained of the monk to his superiors; but they, instead of condemning, applauded his doctrine, as equally pious and seasonable. The Franciscans, influenced by the spirit of opposition

and rivalry which subsists between the two orders, discovered some inclination to take part with the laity, and to espouse the defence of the *repartimientos*. But as they could not with decency give their avowed approbation to a system of oppression so repugnant to the spirit of religion, they endeavoured to paliate what they could not justify, and alleged, in excuse for the conduct of their countrymen, that it was impossible to carry on any improvement in the colony, unless the Spaniards possessed such dominion over the natives that they could compel them to labour.

The Dominicans, regardless of such political and interested considerations, would not relax in any degree the rigour of their sentiments, and even refused to absolve or admit to the sacrament, such of their countrymen as continued to hold the natives in servitude. Both parties applied to the king for his decision in a matter of such importance. Ferdinand empowered a committee of his privy-council, assisted by some of the most eminent civilians and divines in Spain, to hear the deputies sent from Hispaniola, in support of their respective opinions. After a long discussion, the speculative point in controversy was determined in favour of the Dominicans, the Indians were declared to be a free people, entitled to all the natural rights of men; but, notwithstanding all this decision, the *repartimientos* were continued upon their ancient footing. As this determination admitted the principle upon which the Dominicans founded their opinion, they renewed their efforts to obtain relief for the Indians with additional boldness and zeal. At length, in order to quiet the colony, which was alarmed by their remonstrances and censures, Ferdinand issued a decree of his privy-council, declaring, that after mature consideration of the Apostolic bull, and other titles by which the crown of Castile claimed a right to its possessions in the New World [A. D. 1513], the servitude of the Indians was warranted both by the laws of God and of man; that unless they were subjected to the dominion of the Spaniards, and compelled to reside under their inspection, it would be impossible to reclaim them from idolatry, or to instruct them in the principles of the christian faith; that no further scruple ought to be entertained concerning the lawfulness of the *repartimientos*, as the king and council were willing to take the charge of that upon their own consciences; and that therefore the Dominicans, and monks of other religious orders, should abstain, for the future, from those invectives, which, from an excess of charitable but ill-informed zeal, they had uttered against that practice.

That his intention of adhering to this decree might be fully understood, Ferdinand conferred new grants of Indians upon several of his courtiers (25). But in order that he might not seem altogether inattentive to the rights of humanity, he published an edict, in which he endeavoured to provide for the mild treatment of the Indians under the yoke to which he subjected them; he regulated the nature of the work which they should be required to perform; he prescribed the mode in which they should be clothed and fed, and gave directions with respect to their instruction in the principles of christianity.

But the Dominicans, who, from their experience of what was passed, judged concerning the future, soon perceived the inefficacy of those provisions, and foretold, that as long as it was the interest of individuals to treat the Indians with rigour, no public regulations could render their servitude mild or tolerable. They considered it as vain to waste their own time and strength in attempting to communicate

the sublime truths of religion to men, whose spirits were broken, and their faculties impaired by oppression. Some of them, in despair, requested the permission of their superiors to remove to the continent, and to pursue the object of their mission among such of the natives as were not hitherto corrupted by the example of the Spaniards, or alienated by their cruelty from the christian faith. Such as remained in Hispaniola continued to remonstrate, with decent firmness, against the servitude of the Indians.

The violent operations of Albuquerque, the new distributor of Indians, revived the zeal of the Dominicans against the *repartimientos*, and called forth an advocate for that oppressed people, who possessed all the courage, the talents, and activity requisite in supporting such a desperate cause. This was Bartholomew de las Casas, a native of Seville, and one of the clergymen sent out with Columbus in his second voyage to Hispaniola, in order to settle in that island. He early adopted the opinion prevalent among ecclesiastics, with respect to the unlawfulness of reducing the natives to servitude; and that he might demonstrate the sincerity of his conviction, he relinquished all the Indians who had fallen to his own share in the division of the inhabitants among their conquerors, declaring that he should ever bewail his own misfortune and guilt, in having exercised for a moment this impious dominion over his fellow-creatures. From that time he became the avowed patron of the Indians; and by his bold interpositions in their behalf, as well as by the respect due to his abilities and character, he had often the merit of setting some bounds to the excesses of his countrymen. He did not fail to remonstrate warmly against the proceedings of Albuquerque, and, though he soon found that attention to his own interest rendered this rapacious officer deaf to admonition, he did not abandon the wretched people whose cause he had espoused. He instantly set out for Spain, with the most sanguine hopes of opening the eyes and softening the heart of Ferdinand, by that striking picture of the oppression of his new subjects, which he would exhibit to his view.

He easily obtained admittance to the king, whom he found in a declining state of health. With much freedom, and no less eloquence, he represented to him all the fatal effects of the *repartimientos* in the New World, boldly charging him with the guilt of having authorised this impious measure, which had brought misery and destruction upon a numerous and innocent race of men, whom Providence had placed under his protection. Ferdinand, whose mind as well as body was much enfeebled by his distemper, was greatly alarmed at this charge of impiety, which at another juncture he would have despised. He listened with deep compunction to the discourse of las Casas, and promised to take into serious consideration the means of redressing the evil of which he complained. But death prevented him from executing his resolution. Charles of Austria, to whom all his crowns devolved, resided at that time in his paternal dominions in the Low Countries. Las Casas, with his usual ardour, prepared immediately to set out for Flanders, in order to occupy the ear of the young monarch, when cardinal Ximenes, who, as regent, assumed the reigns of government in Castile, commanded him to desist from the journey, and engaged to hear his complaints in person.

He accordingly weighed the matter with attention equal to its importance; and as his impetuous mind delighted in schemes bold and uncommon, he soon fixed upon a plan which astonished the ministers,

trained up under the formal and cautious administration of Ferdinand. Without regarding either the rights of Don Diego Columbus, or the regulations established by the late king, he resolved to send three persons to America as superintendents of all the colonies there, with authority, after examining all circumstances on the spot, to decide finally with respect to the point in question. It was a matter of deliberation and delicacy to choose men qualified for such an important station. As all the laymen settled in America, or who had been consulted in the administration of that department, had given their opinion that the Spaniards could not keep possession of their new settlements, unless they were allowed to retain their dominion over the Indians, he saw that he could not rely on their impartiality, and determined to commit the trust to ecclesiastics. As the Dominicans and Franciscans had already espoused opposite sides in the controversy, he, from the same principle of impartiality, excluded both these fraternities from the commission. He confined his choice to the monks of St. Jerome, a small but respectable order in Spain. With the assistance of their general, and in concert with Las Casas, he soon pitched upon three persons whom he deemed equal to the charge. To them he joined Zuazo, a private lawyer of distinguished probity, with unbounded power to regulate all judicial proceedings in the colonies. Las Casas was appointed to accompany them, with the title of Protector of the Indians.

To vest such extraordinary powers, as might at once overturn the system of government established in the New World, in four persons, who, from their humble condition in life, were little entitled to possess this high authority, appeared to Zapata, and other ministers of the late King, a measure so wild and dangerous, that they refused to issue the despatches necessary for carrying it into execution. But Ximenes was not of a temper patiently to brook opposition to any of his schemes. He sent for the refractory ministers, and addressed them in such a tone, that in the utmost consternation they obeyed his orders. The superintendents, with their associate Zuazo, and Las Casas, sailed for St. Domingo. Upon their arrival, the first act of their authority was to set at liberty all the Indians who had been granted to the Spanish courtiers, or to any person not residing in America. This, together with the information which had been received from Spain concerning the object of the commission, spread a general alarm. The colonists concluded that they were to be deprived at once of the hands with which they carried on their labour, and that, of consequence, ruin was unavoidable. But the fathers of St. Jerome proceeded with such caution and prudence, as soon dissipated all their fears. They discovered, in every step of their conduct, a knowledge of the world, and of affairs, which is seldom acquired in a cloister; and displayed a moderation as well as gentleness still more rare among persons trained up in the solitude and austerity of a monastic life. Their ears were open to information from every quarter; they compared the different accounts which they received; and after a mature consideration of the whole, they were fully satisfied that the state of the colony rendered it impossible to adopt the plan proposed by las Casas, and recommended by the cardinal. They plainly perceived that the Spaniards settled in America were so few in number, that they could neither work the mines which had been opened, nor cultivate the country; that they depended for effecting both upon the labour of the natives, and if

deprived of it, they must instantly relinquish their conquests, or give up all the advantages which they derived from them; that no allurements were so powerful as to surmount the natural aversion of the Indians to any laborious effort, and that nothing but the authority of a master could compel them to work; and if they were not kept constantly under the eye and discipline of a superior, so great was their natural listlessness and indifference, that they would neither attend to religious instruction, nor observe those rights of christianity which they had been already taught. Upon all those accounts, the superintendents found it necessary to tolerate the *repartimientos*, and to suffer the Indians to remain under subjection to their Spanish masters. They used their utmost endeavours, however, to prevent the fatal effects of this establishment, and to secure to the Indians the consolation of the best treatment compatible with a state of servitude. For this purpose, they revived former regulations, they prescribed new ones, they neglected no circumstance that tended to mitigate the rigour of the yoke; and by their authority, their example, and their exhortations, they laboured to inspire their countrymen with sentiments of equity and gentleness towards the unhappy people upon whose industry they depended. Zuazo, in his department, seconded the endeavours of the superintendents. He reformed the courts of justice, in such a manner as to render their decisions equitable as well as expeditious, and introduced various regulations which greatly improved the interior police of the colony. The satisfaction which his conduct and that of the superintendents gave, was now universal among the Spaniards settled in the New World, and all admired the boldness of Ximenes, in having departed from the ordinary path of business in forming his plan, as well as his sagacity in pitching upon persons, whose wisdom, moderation, and disinterestedness, rendered them worthy of this high trust.

Las Casas alone was dissatisfied. The prudential considerations which influenced the superintendents made no impression upon him. He regarded their idea of accommodating their conduct to the state of the colony, as the maxim of an unhallowed timid policy, which tolerated what was unjust because it was beneficial. He contended that the Indians were by nature free, and as their protector, he required the superintendents not to bereave them of the common privilege of humanity. They received his most virulent remonstrances without emotion, but adhered firmly to their own system. The Spanish planters did not bear with him so patiently, and were ready to tear him in pieces for insisting in a requisition so odious to them. Las Casas, in order to screen himself from their rage, found it necessary to take shelter in a convent; and perceiving that all his efforts in America were fruitless, he soon set out for Europe, with a fixed resolution not to abandon the protection of a people whom he deemed to be cruelly oppressed.

Had Ximenes retained that vigour of mind with which he usually applied to business, Las Casas must have met with no very gracious reception upon his return to Spain. But he found the cardinal languishing under a mortal distemper, and preparing to resign his authority to the young king, who was daily expected from the Low Countries. Charles arrived, took possession of the government, and, by the death of Ximenes, lost a minister, whose abilities and integrity entitled him to direct his affairs. Many of the Flemish nobility had accompanied their

sovereign to Spain. From that warm predilection to his countrymen, which was natural at his age, he consulted them with respect to all the transactions in his new kingdom: and they, with an indiscreet eagerness, intruded themselves into every business, and seized almost every department of administration. The direction of American affairs was an object too alluring to escape their attention. Las Casas observed their growing influence, and though projectors are usually too sanguine to conduct their schemes with much dexterity, he possessed a bustling, indefatigable activity, which sometimes accomplished its purposes with greater success than the most exquisite discernment and address. He courted the Flemish ministers with assiduity. He represented to them the absurdity of all the maxims hitherto adopted with respect to the government of America, particularly during the administration of Ferdinand, and pointed out the defects of those arrangements which Ximenes had introduced. The memory of Ferdinand was odious to the Flemings. The superior virtue and abilities of Ximenes had long been the object of their envy. They fondly wished to have a plausible pretext for condemning the measures, both of the monarch and of the minister, and of reflecting some discredit on their political wisdom. The friends of Don Diego Columbus, as well as the Spanish courtiers, who had been dissatisfied with the cardinal's administration, joined Las Casas in censuring the scheme of sending superintendents to America. This union of so many interests and passions was irresistible; and in consequence of it the fathers of St. Jerome, together with their associate Zuazo, were recalled. Roderigo de Figueroa, a lawyer of some eminence, was appointed chief judge of the island, and received instructions, in compliance with the request of Las Casas, to examine once more, with the utmost attention, the point in controversy between him and the people of the colony, with respect to the treatment of the natives; and in the mean time to do every thing in his power to alleviate their sufferings, and prevent the extinction of the race.

This was all that the zeal of Las Casas could procure at that juncture in favour of the Indians. The impossibility of carrying on any improvements in America, unless the Spanish planters could command the labour of the natives, was an insuperable objection to his plan of treating them as free subjects. In order to provide some remedy for this, without which he found it was in vain to mention his scheme, Las Casas proposed to purchase a sufficient number of negroes from the Portuguese settlements on the coast of Africa, and to transport them to America, in order that they might be employed as slaves in working the mines and cultivating the ground. One of the first advantages which the Portuguese had derived from their discoveries in Africa, arose from the trade in slaves. Various circumstances concurred in reviving this odious commerce, which had been long abolished in Europe, and which is no less repugnant to the feelings of humanity, than to the principles of religion. As early as the year one thousand five hundred and three, a few negro slaves had been sent into the New World. In the year one thousand five hundred and eleven, Ferdinand permitted the importation of them in greater numbers. They were found to be a more robust and hardy race than the natives of America. They were more capable of enduring fatigue, more patient under servitude, and the labour of one negro was computed to be equal to that of four Indians. Cardinal Ximenes, however, when solicited to encourage this commerce, premp-

torly rejected the proposition, because he perceived the iniquity of reducing one race of men to slavery, while he was consulting about the means of restoring liberty to another. But Las Casas, from the inconsistency natural to men who hurry with headlong impetuosity towards a favourite point, was incapable of making this distinction. While he contended earnestly for the liberty of the people born in one quarter of the globe, he laboured to enslave the inhabitants of another region; and in the warmth of his zeal to save the Americans from the yoke, pronounced it to be lawful and expedient to impose one still heavier upon the Africans. Unfortunately for the latter, Las Casas's plan was adopted. Charles granted a patent to one of his Flemish favourites, containing an exclusive right of importing four thousand negroes into America. The favourite sold his patent to some Genoese merchants for twenty-five thousand ducats, and they were the first who brought into a regular form that commerce for slaves between Africa and America, which has since been carried on to such an amazing extent.

A. D. 1518.] But the Genoese merchants, conducting their operations, at first, with the rapacity of monopolists, demanded such a high price for negroes, that the number imported into Hispaniola made no great change upon the state of the colony. Las Casas, whose zeal was no less inventive than indefatigable, had recourse to another expedient for the relief of the Indians. He observed, that most of the persons who had settled hitherto in America, were sailors and soldiers employed in the discovery or conquest of the country; the younger sons of noble families, allured by the prospect of acquiring sudden wealth; or desperate adventurers, whom their indigence or crimes forced to abandon their native land. Instead of such men, who were dissolute, rapacious, and incapable of that sober persevering industry, which is requisite in forming new colonies, he proposed to supply the settlements in Hispaniola and other parts of the New World with a sufficient number of labourers and husbandmen, who should be allured by suitable premiums to remove thither. These, as they were accustomed to fatigue, would be able to perform the work, to which the Indians, from the feebleness of their constitution, were unequal, and might soon become useful and opulent citizens. But though Hispaniola stood much in need of a recruit of inhabitants, having been visited at this time with the small-pox, which swept off almost all the natives who had survived their long continued oppression, and though Las Casas had the countenance of the Flemish ministers, this scheme was defeated by the bishop of Burgos, who thwarted all his projects.

Las Casas now despaired of procuring any relief for the Indians in those places where the Spaniards were already settled. The evil was become so inveterate there, as not to admit of a cure. But such discoveries were daily making in the continent, as gave a high idea both of its extent and populousness. In all those vast regions there was but one feeble colony planted; and except a small spot on the isthmus of Darien, the natives still occupied the whole country. This opened a new and more ample field for the humanity and zeal of Las Casas, who flattered himself that he might prevent a pernicious system from being introduced there, though he had failed of success in his attempts to overturn it, where it was already established. Full of this idea, he applied for a grant of the unoccupied country, stretching along the sea-coast from the gulf of Paria to the western

frontier of that province, now known by the name of Santa Martha. He proposed to settle there with a colony composed of husbandmen, labourers, and ecclesiastics. He engaged, in the space of two years, to civilize ten thousand of the natives, and to instruct them so thoroughly in the arts of social life, that, from the fruits of their industry, an annual revenue of fifteen thousand ducats should arise to the King. In ten years he expected that his improvements would be so far advanced, as to yield annually sixty thousand ducats. He stipulated, that no sailor or soldier should ever be permitted to settle in this district; and that no Spaniard whatever should enter it without his permission. He even projected to clothe the people whom he took along with him in some distinguishing garb, which did not resemble the Spanish dress, that they might appear to the natives to be a different race of men from those who had brought so many calamities upon their country. From this scheme, of which I have traced only the great lines, it is manifest that Las Casas had formed ideas concerning the method of treating the Indians, similar to those by which the Jesuits afterwards carried on their great operations in another part of the same continent. He supposed that the Europeans, by availing themselves of that ascendant which they possessed in consequence of their superior progress in science and improvement, might gradually form the minds of the Americans to relish those comforts of which they were destitute, might train them to the arts of civil life, and render them capable of its functions.

But to the Bishop of Burgos and the council of the Indies, this project appeared not only chimerical, but dangerous in a high degree. They deemed the faculties of the Americans to be naturally so limited, and their indolence so excessive, that every attempt to instruct or to improve them would be fruitless. They contended, that it would be extremely imprudent to give the command of a country extending above a thousand miles along the coast, to a fanciful presumptuous enthusiast, a stranger to the affairs of the world, and unacquainted with the arts of government. Las Casas, far from being discouraged with a repulse, which he had reason to expect, had recourse once more to the Flemish favourites, who zealously patronized his scheme, merely because it had been rejected by the Spanish ministers. They prevailed with their master, who had lately been raised to the imperial dignity [A. D. 1519], to refer the consideration of this measure to a select number of his privy counsellors; and Las Casas having excepted against the members of the council of the Indies, as partial and interested, they were all excluded. The decision of men chosen by recommendation of the Flemings, was perfectly conformable to their sentiments. They warmly approved of Las Casas's plan: and gave orders for carrying it into execution, but restricted the territory allotted him to three hundred miles along the coast of Cumana, allowing him, however, to extend it as far as he pleased towards the interior part of the country.

This determination did not pass uncensured. Almost every person who had been in the West Indies exclaimed against it, and supported their opinion so confidently, and with such plausible reasons, as made it advisable to pause and to review the subject more deliberately. Charles himself, though accustomed, at this early period of his life, to adopt the sentiments of his ministers with such submissive deference as did not promise that decisive vigour of mind which distinguished his riper years, could not help suspecting

that the eagerness with which the Flemings took part in every affair relating to America, flowed from some improper motive, and began to discover an inclination to examine in person into the state of the question concerning the character of the Americans, and the proper method of treating them [June 20]. An opportunity of making this inquiry with great advantage soon occurred. Quevedo, the bishop of Darien, who had accompanied Pedrarias to the continent in the year one thousand five hundred and thirteen, happened to land at Barcelona, where the court then resided. It was quickly known, that his sentiments concerning the talents and disposition of the Indians differed from those of Las Casas; and Charles naturally concluded, that by confronting two respectable persons, who, during their residence in America, had full leisure to observe the manners of the people whom they pretended to describe, he might be able to discover which of them had formed his opinion with the greatest discernment and accuracy.

A day for this solemn audience was appointed. The emperor appeared with extraordinary pomp, and took his seat on a throne in the great hall of the palace. His principal courtiers attended. Don Diego Columbus, admiral of the Indies, was summoned to be present. The bishop of Darien was called upon first to deliver his opinion. He, in a short discourse, lamented the fatal desolation of America, by the extinction of so many of its inhabitants; he acknowledged that this must be imputed, in some degree, to the excessive rigour and inconsiderate proceedings of the Spaniards, but declared that all the people of the New World whom he had seen, either in the continent or in the islands, appeared to him to be a race of men marked out, by the inferiority of their talents, for servitude, and whom it would be impossible to instruct or improve, unless they were kept under the continual inspection of a master. Las Casas, at greater length, and with more fervour, defended his own system. He rejected with indignation the idea that any race of men was born to servitude, as irreligious and inhuman. He asserted that the faculties of the Americans were not naturally despicable, but unimproved; that they were capable of receiving instruction in the principles of religion, as well as of acquiring the industry and arts which would qualify them for the various offices of social life; that the mildness and timidity of their nature rendered them so submissive and docile, that they might be led and formed with a gentle hand. He professed, that his intentions in proposing the scheme now under consideration were pure and disinterested; and though, from the accomplishment of his designs, inestimable benefits would result to the crown of Castile, he never had claimed, nor ever would receive, any recompence on that account.

Charles, after hearing both, and consulting with his ministers, did not think himself sufficiently informed to establish any general arrangement with respect to the state of the Indians; but as he had perfect confidence in the integrity of Las Casas, and as even the bishop of Darien admitted his scheme to be of such importance, that a trial should be made of its effects, he issued a patent [A. D. 1520], granting him the district in Cumana formerly mentioned, with full power to establish a colony there according to his own plan.

Las Casas pushed on the preparations for his voyage with his usual ardour. But, either from his own inexperience in the conduct of affairs, or from the secret opposition of the Spanish nobility, who

universally dreaded the success of an institution that might rob them of the industrious and useful hands which cultivated their estates, his progress in engaging husbandmen and labourers was extremely slow, and he could not prevail on more than two hundred to accompany him to Cumana.

Nothing, however, could damp his zeal. With this slender train, hardly sufficient to take possession of such a large territory, and altogether unequal to any effectual attempt towards civilizing its inhabitants, he set sail. The first place at which he touched was the island of Puerto Rico. There he received an account of a new obstacle to the execution of his scheme, more insuperable than any he had hitherto encountered. When he left America in the year one thousand five hundred and sixteen, the Spaniards had little intercourse with any part of the continent, except the countries adjacent to the gulf of Darien. But as every species of internal industry began to stagnate in Hispaniola, when, by the rapid decrease of the natives, the Spaniards were deprived of those hands with which they had hitherto carried on their operations, this prompted them to try various expedients for supplying that loss. Considerable numbers of negroes were imported; but on account of their exorbitant price, many of the planters could not afford to purchase them. In order to procure slaves at an easier rate, some of the Spaniards in Hispaniola fitted out vessels to cruise along the coast of the continent. In places where they found themselves inferior in strength, they traded with the natives, and gave European toys in exchange for the plates of gold worn by them as ornaments; but, wherever they could surprise or overpower the Indians, they carried them off by force, and sold them as slaves. In those predatory excursions, such atrocious acts of violence and cruelty had been committed, that the Spanish name was held in detestation all over the continent. Whenever any ships appeared, the inhabitants either fled to the woods, or rushed down to the shore in arms to repel those hated disturbers of their tranquillity. They forced some parties of the Spaniards to retreat with precipitation; they cut off others; and in the violence of their resentment against the whole nation, they murdered two Dominican missionaries, whose zeal had prompted them to settle in the province of Cumana. This outrage against persons revered for their sanctity, excited such indignation among the people of Hispaniola, who, notwithstanding all their licentious and cruel proceedings, were possessed with a wonderful zeal for religion, and a superstitious respect for its ministers, that they determined to inflict exemplary punishment, not only upon the perpetrators of that crime, but upon the whole race. With this view, they gave the command of five ships and three hundred men to Diego Ocampo, with orders to lay waste the country of Cumana with fire and sword, and to transport all the inhabitants as slaves to Hispaniola. This armament Las Casas found at Puerto Rico, in its way to the continent; and as Ocampo refused to defer his voyage, he immediately perceived that it would be impossible to attempt the execution of his pacific plan in a country destined to be the seat of war and desolation.

[April 12.] In order to provide against the effects of this unfortunate incident, he set sail directly for St. Domingo, leaving his followers cantoned out among the planters in Puerto Rico. From many concurring causes, the reception which Las Casas met with in Hispaniola was very unfavourable. In his negotiation for the relief of the Indians, he had censured the conduct of his countrymen settled there

with such honest severity, as rendered him universally odious to them. They considered their own ruin as the inevitable consequence of his success. They were now elated with hope of receiving a large recruit of slaves from Cumana, which must be relinquished if Las Casas were assisted in settling his projected colony there. Figueroa, in consequence of the instructions which he had received in Spain, had made an experiment concerning the capacity of the Indians, that was represented as decisive against the system of Las Casas. He collected in Hispaniola a good number of the natives, and settled them in two villages, leaving them at perfect liberty, and with the uncontrolled direction of their own actions. But that people, accustomed to a mode of life extremely different from that which takes place wherever civilization has made any considerable progress, were incapable of assuming new habits at once. Dejected with their own misfortunes as well as those of their country, they exerted so little industry in cultivating the ground, appeared so devoid of solicitude or foresight in providing for their own wants, and were such strangers to arrangement in conducting their affairs, that the Spaniards pronounced them incapable of being formed to live like men in social life, and considered them as children, who should be kept under the perpetual tutelage of persons superior to themselves in wisdom and sagacity.

Notwithstanding all those circumstances, which alienated the persons in Hispaniola to whom Las Casas applied from himself and from his measures, he, by his activity and perseverance, by some concessions, and many threats, obtained at length a small body of troops to protect him and his colony at their first landing. But upon his return to Puerto Rico, he found that the diseases of the climate had been fatal to several of his people; and that others having got employment in that island refused to follow him. With the handful that remained, he set sail and landed in Cumana. Ocampo had executed his commission in that province with such barbarous rage, having massacred many of the inhabitants, sent others in chains to Hispaniola, and forced the rest to fly for shelter to the woods, that the people of a small colony, which he had planted at a place which he named *Toledo*, were ready to perish for want in a desolated country. There, however, Las Casas was obliged to fix his residence, though deserted both by the troops appointed to protect him, and by those under the command of Ocampo, who foresaw and dreaded the calamities to which he must be exposed in that wretched station. He made the best provision in his power for the safety and subsistence of his followers; but as his utmost efforts availed little towards securing either the one or the other, he returned to Hispaniola, in order to solicit more effectual aid for the preservation of men, who, from confidence in him, had ventured into a post of so much danger. Soon after his departure, the natives, having discovered the feeble and defenceless state of the Spaniards, assembled secretly, attacked them with the fury natural to men exasperated by many injuries, cut off a good number, and compelled the rest to fly in the utmost consternation to the island of Cubagua. The small colony settled there on account of the pearl fishery, catching the panic with which their countrymen had been seized, abandoned the island, and not a Spaniard remained in any part of the continent, or adjacent islands, from the gulf of Paria to the borders of Darien. Astonished at such a succession of disasters, Las Casas was ashamed to show his face after this fatal

termination of all his splendid schemes. He shut himself up in the convent of the Dominicans at St. Domingo, and soon after assumed the habit of that order.

Though the expulsion of the colony from Cumana happened in the year one thousand five hundred and twenty one, I have chosen to trace the progress of Las Casas's negociations from their first rise to their final issue without interruption. His system was the object of long and attentive discussion; and though his efforts in behalf of the oppressed Americans, partly from his own rashness and imprudence, and partly from the malevolent opposition of his adversaries, were not attended with that success which he promised with too sanguine confidence, great praise is due to his humane activity, which gave rise to various regulations that were of some benefit to that unhappy people. I return now to the history of the Spanish discoveries, as they occur in the order of time.

Diego Velasquez, who conquered Cuba in the year one thousand five hundred and eleven, still retained the government of that island, as the deputy of Don Diego Columbus, though he seldom acknowledged his superior, and aimed at rendering his own authority altogether independent. Under his prudent administration, Cuba became one of the most flourishing of the Spanish settlements. The fame of this allured thither many persons from the other colonies, in hopes of finding either some permanent establishment or some employment for their activity. As Cuba lay to the west of all the islands occupied by the Spaniards, and as the ocean, which stretches beyond it towards that quarter, had not hitherto been explored, these circumstances naturally invited the inhabitants to attempt new discoveries. An expedition for this purpose, in which activity and resolution might conduct to sudden wealth, was more suited to the genius of the age, than the patient industry requisite in clearing ground and manufacturing sugar. Instigated by this spirit, several officers, who had served under Pedrarias in Darien, entered into an association to undertake a voyage of discovery. They persuaded Francisco Hernandez Cordova, an opulent planter in Cuba, and a man of distinguished courage, to join with them in the adventure, and chose him to be their commander. Velasquez not only approved of the design, but assisted in carrying it on. As the veterans from Darien were extremely indigent, he and Cordova advanced money for purchasing three small vessels, and furnishing them with every thing requisite either for traffic or for war. A hundred and ten men embarked on board of them, and sailed from St. Jago de Cuba on the eighth of February one thousand five hundred and seventeen. By the advice of their chief pilot, Antonio Alaminos, who had served under the first admiral Columbus, they stood directly west, relying on the opinion of that great navigator, who uniformly maintained that a westerly course would lead to the most important discoveries.

On the twenty-first day after their departure from St. Jago, they saw land, which proved to be *Cape Catoche*, the eastern point of that large peninsula projecting from the continent of America, which still retains its original name of *Yucatan*. As they approached the shore, five canoes came off full of people decently clad in cotton garments; an astonishing spectacle to the Spaniards, who had found every other part of America possessed by naked savages. Cordova endeavoured by small presents to gain the good will of these people. They, though amazed at the strange objects now presented for the first time to

their view, invited the Spaniards to visit their habitations, with an appearance of cordiality. They landed, accordingly, and as they advanced into the country they observed with new wonder some large houses built with stone. But they soon found that, if the people of Yucatan had made progress in improvement beyond their countrymen, they were likewise more artful and warlike. For though the cazique received Cordova with many tokens of friendship, he had posted a considerable body of his subjects in ambush behind a thicket, who, upon a signal given by him, rushed out and attacked the Spaniards with great boldness, and some degree of martial order. At the first flight of their arrows, fifteen of the Spaniards were wounded; but the Indians were struck with such terror by the sudden explosion of the fire-arms, and so surpris'd at the execution done by them, by the cross-bows, and by the other weapons of their new enemies, that they fled precipitately. Cordova quitted a country where he had met with such a fierce reception, carrying off two prisoners, together with the ornaments of a small temple, which he plundered in his retreat.

He continued his course towards the west, without losing sight of the coast, and on the sixteenth day arrived at Campeachy. There the natives received them more hospitably; but the Spaniards were much surprised that on all the extensive coast along which they had sailed, and which they imagined to be a large island, they had not observed any river (26). As their water began to fail, they advanced, in hopes of finding a supply; and at length they discovered the mouth of a river at Potonchan, some leagues beyond Campeachy.

Cordova landed all his troops, in order to protect the sailors while employed in filling the casks; but notwithstanding this precaution, the natives rushed down upon them with such fury, and in such numbers, that forty-seven of the Spaniards were killed upon the spot, and one man only of the whole body escaped unhurt. Their commander, though wounded in twelve different places, directed the retreat with presence of mind equal to the courage with which he had led them on in the engagement, and with much difficulty they regained their ships. After this fatal repulse, nothing remained but to hasten back to Cuba with their shattered forces. In their passage thither they suffered the most exquisite distress for want of water. that men wounded and sickly, shut up in small vessels, and exposed to the heat of the torrid zone, can be supposed to endure. Some of them, sinking under these calamities, died by the way; Cordova, their commander, expired soon after they landed in Cuba.

Notwithstanding the disastrous conclusion of this expedition, it contributed rather to animate than to damp a spirit of enterprise among the Spaniards. They had discovered an extensive country, situated at no great distance from Cuba, fertile in appearance, and possessed by a people far superior in improvement to any hitherto known in America. Though they had carried on little commercial intercourse with the natives, they had brought off some ornaments of gold, not considerable in value, but of singular fabric. These circumstances, related with the exaggeration natural to men desirous of heightening the merit of their own exploits, were more than sufficient to excite romantic hopes and expectations. Great numbers offered to engage in a new expedition. Velasquez, solicitous to distinguish himself by some service so meritorious as might entitle him to claim the government of Cuba independent of the admiral,

not only encouraged their ardour, but at his own expense fitted out four ships for the voyage. Two hundred and forty volunteers, among whom were several persons of rank and fortune, embarked in this enterprise. The command of it was given to Juan de Grijalva, a young man of known merit and courage, with instructions to observe attentively the nature of the countries which he should discover, to barter for gold, and, if circumstances were inviting, to settle a colony in some proper station. [A. D. 1518.] He sailed from St. Jago de Cuba on the eighth of April one thousand five hundred and eighteen. The pilot Alaminos held the same course as in the former voyage; but the violence of the currents carrying the ships to the south, the first land which they made was the island of *Cozumel*, to the east of Yucatan. As all the inhabitants fled to the woods and mountains at the approach of the Spaniards, they made no long stay there, and without any remarkable occurrence they reached Potonchan on the opposite side of the peninsula. The desire of avenging their countrymen who had been slain there, concurred with their ideas of good policy in prompting them to land, that they might chastise the Indians of that district with such exemplary rigour, as would strike terror into all the people around them. But though they disembarked all their troops, and carried ashore some field-pieces, the Indians fought with such courage, that the Spaniards gained the victory with difficulty, and were confirmed in their opinion that the inhabitants of this country would prove more formidable enemies than any they had met with in other parts of America. From Potonchan, they continued their voyage towards the west, keeping as near as possible to the shore, and casting anchor every evening, from dread of the dangerous accidents to which they might be exposed in an unknown sea. During the day their eyes were turned continually towards land, with a mixture of surprise and wonder at the beauty of the country, as well as the novelty of the objects which they beheld. Many villages were scattered along the coast, in which they could distinguish houses of stone that appeared white and lofty at a distance. In the warmth of their admiration, they fancied these to be cities adorned with towers and pinnacles; and one of the soldiers happening to remark that this country resembled Spain in appearance, Grijalva, with universal applause, called it *New Spain*, the name which still distinguishes this extensive and opulent province of the Spanish empire in America (27). They landed in a river which the natives called *Tabasco*, [June 9,] and the fame of their victory at Potonchan having reached this place, the cazique not only received them amicably, but bestowed presents upon them of such value, as confirmed the high ideas which the Spaniards had formed with respect to the wealth and fertility of the country. These ideas were raised still higher by what occurred at the place where they next touched. This was considerably to the west of Tabasco, in the province since known by the name of Guaxaca. There they were received with the respect paid to superior beings. The people perfumed them as they landed, with incense of gum copal, and presented to them as offerings the choicest delicacies of their country. They were extremely fond of trading with their new visitors, and in six days the Spaniards obtained ornaments of gold, of curious workmanship, to the value of fifteen thousand pesos, in exchange for European toys of small price. The two prisoners whom Cordova had brought from Yucatan, had hitherto served as interpreters: but as they did not

understand the language of this country, the Spaniards learned from the natives, by signs, that they were subjects of a great monarch called Montezuma, whose dominion extended over that and many other provinces. Leaving this place, with which he had so much reason to be pleased, Grijalva continued his course towards the west. He landed on a small island, [June 19], which he named the Isle of Sacrifices, because there the Spaniards beheld, for the first time, the horrid spectacle of human victims, which the barbarous superstition of the natives offered to their gods. He touched at another small island which he called St. Juan de Ulua. From this place he despatched Pedro de Alvarado, one of his officers, to Velasquez, with a full account of the important discoveries which he had made, and with all the treasure that he had acquired by trafficking with the natives. After the departure of Alvarado, he himself, with the remaining vessels, proceeded along the coast as far as the river Panuco, the country still appearing to be well peopled, fertile, and opulent.

Several of Grijalva's officers contended, that it was not enough to have discovered those delightful regions, or to have performed, at their different landing-places, the empty ceremony of taking possession of them for the crown of Castile, and that their glory was incomplete, unless they planted a colony in some proper station, which might not only secure the Spanish nation a footing in the country, but, with the reinforcements which they were certain of receiving, might gradually subject the whole to the dominion of their sovereign. But the squadron had now been above five months at sea; the greatest part of their provisions was exhausted, and what remained of their stores so much corrupted by the heat of the climate, as to be almost unfit for use; they had lost some men by death; others were sickly; the country was crowded with people who seemed to be intelligent as well as brave; and they were under the government of one powerful monarch, who could bring them to act against their invaders with united force. To plant a colony under so many circumstances of disadvantage, appeared a scheme too perilous to be attempted. Grijalva, though possessed both of ambition and courage, was destitute of the superior talents capable of forming or executing such a great plan. He judged it more prudent to return to Cuba, having fulfilled the purpose of his voyage, and accomplished all that the armament which he commanded enabled him to perform. He returned to St. Jago de Cuba on the twenty-sixth of October, from which he had taken his departure about six months before.

This was the longest as well as the most successful voyage which the Spaniards had hitherto made in the New World. They had discovered that Yucatan was not an island as they had supposed, but part of the great continent of America. From Potonchan they had pursued their course for many hundred miles along a coast formerly unexplored, stretching at first towards the west, and then turning to the north; all the country which they had discovered appeared to be no less valuable than extensive. As soon as Alvarado reached Cuba, Velasquez, transported with success so far beyond his most sanguine expectations, immediately despatched a person of confidence to carry this important intelligence to Spain, to exhibit the rich productions of the countries which had been discovered by his means, and to solicit such an increase of authority as might enable and encourage him to attempt the conquest of them. Without waiting for the return of his messenger, or for the arrival of

Grijalva, of whom he was become so jealous or distrustful that he was resolved no longer to employ him, he began to prepare such a powerful armament, as might prove equal to an enterprise of so much danger and importance.

But as the expedition upon which Velasquez was now intent, terminated in conquests of greater moment than what the Spaniards had hitherto achieved, and led them to the knowledge of a people, who, if compared with those tribes of America with whom they were hitherto acquainted, may be considered as highly civilized; it is proper to pause before we proceed to the history of events extremely different from those which we have already related, in order to take a view of the state of the New World when first discovered, and to contemplate the policy and manners of the rude uncultivated tribes that occupy all the parts of it with which the Spaniards were at this time acquainted.

BOOK IV.

TWENTY-SIX years had elapsed since Columbus conducted the people of Europe to the New World. During that period the Spaniards had made great progress in exploring its various regions. They had visited all the islands scattered in different clusters through that part of the ocean which flows in between North and South America. They had sailed along the eastern coast of the continent from the river De la Plata to the bottom of the Mexican gulf, and had found that it stretched without interruption through this vast portion of the globe. They had discovered the great Southern ocean, which opened new prospects in that quarter. They had acquired some knowledge of the coast of Florida, which led them to observe the continent as it extended in an opposite direction; and though they pushed their discoveries no further towards the north, other nations had visited those parts which they neglected. The English, in a voyage, the motives and success of which shall be related in another part of this History, had sailed along the coast of America from Labrador to the confines of Florida; and the Portuguese, in quest of a shorter passage to the East Indies, had ventured into the northern seas, and viewed the same regions. Thus at the period where I have chosen to take a view of the state of the New World, its extent was known almost from its northern extremity to thirty-five degrees south of the equator. The countries which stretch from thence to the southern boundary of America, the great empire of Peru, and the interior state of the extensive dominions subject to the sovereigns of Mexico, were still undiscovered.

When we contemplate the New World, the first circumstance that strikes us is its immense extent. It was not a small portion of the earth, so inconsiderable that it might have escaped the observation or research of former ages, which Columbus discovered. He made known a new hemisphere, larger than either Europe, or Asia, or Africa, the three noted divisions of the ancient continent, and not much inferior in dimensions to a third part of the habitable globe.

America is remarkable, not only for its magnitude, but for its position. It stretches from the northern polar circle to a high southern latitude, above fifteen hundred miles beyond the furthest extremity of the old continent on that side of the line. A country of such extent passes through all the climates capable of becoming the habitation of man, and fit for yielding the various productions peculiar either to the temperate or to the torrid regions of the earth.

Next to the extent of the New World, the grandeur of the objects which it presents to view is most apt to strike the eye of an observer. Nature seems here to have carried on her operations upon a larger scale, and with a bolder hand, and to have distinguished the features of this country by a peculiar magnificence.

The mountains in America are much superior in height to those in the other divisions of the globe. Even the plain of Quito, which may be considered as the base of the Andes, is elevated further above the sea than the top of the Pyrenees. This stupendous ridge of the Andes, no less remarkable for extent than elevation, rises in different places more than one-third above the Peak of Teneriffe, the highest land in the ancient hemisphere. The Andes may literally be said to hide their heads in the clouds; the storms often roll, and the thunder bursts below their summits, which, though exposed to the rays of the sun in the centre of the torrid zone, are covered with everlasting snows (28).

From these lofty mountains descend rivers, proportionably large, with which the streams in the ancient continent are not to be compared, either for length of course, or the vast body of water which they roll towards the ocean. The Maragnon, the Orinoco, the Plata in South America, the Mississippi and St. Laurence in North America, flow in such spacious channels, that, long before they feel the influence of tide, they resemble arms of the sea rather than rivers of fresh water (29).

The lakes of the New World are no less conspicuous for grandeur than its mountains and rivers. There is nothing in other parts of the globe which resembles the prodigious chain of lakes in North America. They may properly be termed inland seas of fresh water; and even those of the second or third class in magnitude are of larger circuit (the Caspian sea excepted) than the greatest lake of the ancient continent.

The New World is of a form extremely favourable to commercial intercourse. When a continent is formed, like Africa, of one vast solid mass, unbroken by arms of the sea penetrating into its interior parts, with few large rivers, and those at a considerable distance from each other, the greater part of it seems destined to remain for ever uncivilized, and to be debarred from any active or enlarged communication with the rest of mankind. When, like Europe, a continent is opened by inlets of the ocean of great extent, such as the Mediterranean and Baltic; or when, like Asia, its coast is broken by deep bays advancing far into the country, such as the Black sea, the gulfs of Arabia, of Persia, of Bengal, of Siam, and of Leotang; when the surrounding seas are filled with large and fertile islands, and the continent itself watered with a variety of navigable rivers, those regions may be said to possess whatever can facilitate the progress of their inhabitants in commerce and improvement. In all these respects America may bear a comparison with the other quarters of the globe. The gulf of Mexico, which flows in between North and South America, may be considered as a Mediterranean sea, which opens a maritime commerce with all the fertile countries by which it is encircled. The islands scattered in it are inferior only to those in the Indian Archipelago, in number, in magnitude, and in value. As we stretch along the northern division of the American hemisphere, the bay of Chesapeake presents a spacious inlet, which conducts the navigator far into the interior parts of provinces no less fertile than extensive; and if ever the progress of culture and population shall mitigate

the extreme rigour of the climate in the more northern districts of America, Hudson's bay may become as subservient to commercial intercourse in that quarter of the globe, as the Baltic is in Europe. The other great portion of the New World is encompassed on every side by the sea, except one narrow neck which separates the Atlantic from the Pacific ocean; and though it be not opened by spacious bays or arms of the sea, its interior parts are rendered accessible by a number of large rivers, fed by so many auxiliary streams, flowing in such various directions, that, almost without any aid from the hand of industry and art, an inland navigation can be carried on through all the provinces from the river De la Plata to the gulf of Paria. Nor is this bounty of nature confined to the southern division of America; its northern continent abounds no less in rivers which are navigable almost to their sources, and by its immense chain of lakes provision is made for an inland communication more extensive and commodious than in any quarter of the globe. The countries stretching from the gulf of Darien on one side, to that of California on the other, which form the chain that binds the two parts of the American continent together, are not destitute of peculiar advantages. Their coast on one side is washed by the Atlantic ocean, on the other by the Pacific. Some of their rivers flow into the former, some into the latter, and secure to them all the commercial benefits that may result from a communication with both.

But what most distinguishes America from other parts of the earth, is the peculiar temperature of its climate, and the different laws to which it is subject with respect to the distribution of heat and cold. We cannot determine with precision the portion of heat felt in any part of the globe, merely by measuring its distance from the equator. The climate of a country is affected, in some degree, by its elevation above the sea, by the extent of continent, by the nature of the soil, the height of adjacent mountains, and many other circumstances. The influence of these, however, is, from various causes, less considerable in the greater part of the ancient continent; and from knowing the position of any country there, we can pronounce with greater certainty, what will be the warmth of its climate, and the nature of its productions.

The maxims which are founded upon observation of our hemisphere will not apply to the other. In the New World, cold predominates. The rigour of the frigid zone extends over half those regions, which should be temperate by their position. Countries where the grape and fig should ripen, are buried under snow one-half of the year; and lands situated in the same parallel with the most fertile and best cultivated provinces in Europe, are chilled with perpetual frosts, which almost destroy the power of vegetation (30). As we advance to those parts of America which lie in the same parallel with provinces of Asia and Africa, blessed with an uniform enjoyment of such genial warmth as is most friendly to life and to vegetation, the dominion of cold continues to be felt, and winter reigns, though during a short period, with extreme severity. If we proceed along the American continent into the torrid zone, we shall find the cold prevalent in the New World extending itself also to this region of the globe, and mitigating the excess of its fervour. While the negro on the coast of Africa is scorched with unrelenting heat, the inhabitant of Peru breathes an air equally mild and temperate, and is perpetually shaded under a canopy of grey clouds, which intercepts the fierce

beams of the sun, without obstructing his friendly influence. Along the eastern coast of America, the climate, though more similar to that of the torrid zone in other parts of the earth, is nevertheless considerably milder than in those countries of Asia and Africa which lie in the same latitude. If from the southern tropic we continue our progress to the extremity of the American continent, we meet with frozen seas, and countries horrid, barren, and scarcely habitable for cold, much sooner than in the north.

Various causes combine in rendering the climate of America so extremely different from that of the ancient continent. Though the utmost extent of America towards the north be not yet undiscovered, we know that it advances nearer to the pole than either Europe or Asia. Both these have large seas to the north, which are open during part of the year; and even when covered with ice, the wind that blows over them is less intensely cold than that which blows over land in the same high latitudes. But in America the land stretches from the river St. Laurence towards the pole, and spreads out immensely to the west. A chain of enormous mountains, covered with snow and ice, runs through all this dreary region. The wind in passing over such an extent of high and frozen land, becomes so impregnated with cold, that it acquires a piercing keenness, which it retains in its progress through warmer climates, and it is not entirely mitigated until it reach the gulf of Mexico. Over all the continent of North America, a north-westerly wind and excessive cold are synonymous terms. Even in the most sultry weather, the moment that the wind veers to that quarter, its penetrating influence is felt in a transition from heat to cold no less violent than sudden. To this powerful cause we ascribe the extraordinary dominion of cold and its inroads into the southern provinces in that part of the globe.

Other causes, no less remarkable, diminish the active power of heat in those parts of the American continent which lie between the tropics. In all that portion of the globe, the wind blows in an invariable direction from east to west. As this wind holds its course across the ancient continent, it arrives at the countries which stretch along the western shores of Africa, inflamed with all the fiery particles which it hath collected from the sultry plains of Asia, and the burning sands in the African deserts. The coast of Africa is, accordingly, the region of the earth which feels the most fervent heat, and is exposed to the unmitigated ardour of the torrid zone. But this same wind, which brings such an accession of warmth to the countries lying between the river of Senegal and Cafraria, traverses the Atlantic ocean before it reaches the American shore. It is cooled in its passage over this vast body of water, and is felt as a refreshing gale along the coast of Brazil (31), and Guiana, rendering these countries, though among the warmest in America, temperate, when compared with those which lie opposite to them in Africa (32). As this wind advances in its course across America, it meets with immense plains covered with impenetrable forests, or occupied by large rivers, marshes, and stagnating waters, where it can recover no considerable degree of heat. At length it arrives at the Andes, which run from north to south through the whole continent. In passing over their elevated and frozen summits, it is so thoroughly cooled, that the greater part of the countries beyond them hardly feel the ardour to which they seem exposed by their situation. In the other provinces of America, from Tierra Ferme westward to the Mexican empire, the heat of the climate is

tempered in some places, by the elevation of the land above the sea, in others, by their extraordinary humidity, and in all, by the enormous mountains scattered over this tract. The islands of America in the torrid zone are either small or mountainous, and are fanned alternately by refreshing sea and land breezes.

The causes of the extraordinary cold towards the southern limits of America, and in the seas beyond it, cannot be ascertained in a manner equally satisfying. It was long supposed that a vast continent, distinguished by the name of *Terra Australis Incognita*, lay between the southern extremity of America, and the Antarctic pole. The same principles which account for the extraordinary degree of cold in the northern regions of America, were employed in order to explain that which is felt at Cape Horn and the adjacent countries. The immense extent of the southern continent, and the large rivers which it poured into the ocean, were mentioned and admitted by philosophers, as causes sufficient to occasion the unusual sensation of cold, and the still more uncommon appearances of frozen seas in that region of the globe. But the imaginary continent to which such influence was ascribed, having been searched for in vain, and the space which it was supposed to occupy having been found to be an open sea, new conjectures must be formed with respect to the causes of a temperature of climate, so extremely different from that which we experience in countries removed at the same distance from the opposite pole (33).

After contemplating those permanent and characteristic qualities of the American continent, which arise from the peculiarity of its situation, and the disposition of its parts, the next object that merits attention is its condition when first discovered, as far as that depended upon the industry and operations of man. The effects of human ingenuity and labour are more extensive and considerable, than even our own vanity is apt at first to imagine. When we survey the face of the habitable globe, no small part of that fertility and beauty which we ascribe to the hand of nature, is the work of man. His efforts, when continued through a succession of ages, change the appearance and improve the qualities of the earth. As a great part of the ancient continent has long been occupied by nations far advanced in arts and industry, our eye is accustomed to view the earth in that form which it assumes when rendered fit to be the residence of a numerous race of men, and to supply them with nourishment.

But in the New World, the state of mankind was ruder, and the aspect of nature extremely different. Throughout all its vast regions, there were only two monarchies remarkable for extent of territory, or distinguished by any progress in improvement. The rest of this continent was possessed by small independent tribes, destitute of arts and industry, and neither capable to correct the defects, nor desirous to meliorate the condition, of that part of the earth allotted to them for their habitation. Countries, occupied by such people, were almost in the same state as if they had been without inhabitants. Immense forests covered a great part of the uncultivated earth; and as the hand of industry had not taught the rivers to run in a proper channel, or drained off the stagnating water, many of the most fertile plains were overflowed with inundations, or converted into marshes. In the southern provinces, where the warmth of the sun, the moisture of the climate, and the fertility of the soil, combine in calling forth the most vigorous powers of vegetation, the woods are so choked with its rank luxuriance as to be almost

impervious, and the surface of the ground is hid from the eye under a thick covering of shrubs and herbs and weeds. In this state of wild unassisted nature, a great part of the large provinces in South America, which extend from the bottom of the Andes to the sea, still remain. The European colonies have cleared and cultivated a few spots along the coast, but the original race of inhabitants, as rude and indolent as ever, have done nothing to open or improve a country, possessing almost every advantage of situation and climate. As we advance towards the northern provinces of America, nature continues to wear the same uncultivated aspect, and in proportion as the rigour of the climate increases, appears more desolate and horrid. There the forests, though not encumbered with the same exuberance of vegetation, are of immense extent; prodigious marshes overspread the plains, and few marks appear of human activity in any attempt to cultivate or embellish the earth. No wonder that the colonies sent from Europe were astonished at their first entrance into the New World. It appeared to them waste, solitary, and uninviting. When the English began to settle in America, they termed the countries of which they took possession, *The Wilderness*. Nothing but their eager expectation of finding mines of gold, could have induced the Spaniards to penetrate through the woods and marshes of America, where, at every step, they observed the extreme difference between the uncultivated face of nature, and that which it acquires under the forming hand of industry and art (34).

The labour and operations of man not only improve and embellish the earth, but render it more wholesome and friendly to life. When any region lies neglected and destitute of cultivation, the air stagnates in the woods, putrid exhalations arise from the waters; the surface of the earth, loaded with rank vegetation, feels not the purifying of the sun or of the wind; the malignity of the distempers natural to the climate increases, and new maladies no less noxious are engendered. Accordingly, all the provinces of America, when first discovered, were found to be remarkably unhealthy. This the Spaniards experienced in every expedition into the New World, whether destined for conquest or settlement. Though, by the natural constitution of their bodies, their habitual temperance, and the persevering vigour of their minds, they were as much formed as any people in Europe for active service in a sultry climate, they felt severely the fatal and pernicious qualities of those uncultivated regions through which they marched, or where they endeavoured to plant colonies. Great numbers were cut off by the unknown and violent diseases with which they were infected. Such as survived the destructive rage of those maladies, were not exempted from the noxious influence of the climate. They returned to Europe, according to the description of the early Spanish historians, feeble, emaciated, with languid looks, and complexions of such a sickly yellow colour, as indicated the unwholesome temperature of the countries where they had resided.

The uncultivated state of the New World affected not only the temperature of the air, but the qualities of its productions. The principle of life seems to have been less active and vigorous there, than in the ancient continent. Notwithstanding the vast extent of America, and the variety of its climates, the different species of animals peculiar to it are much fewer in proportion, than those of the other hemisphere. In the islands, there were only four kinds of

quadrupeds known, the largest of which did not exceed the size of a rabbit. On the continent, the variety was greater; and though the individuals of each kind could not fail of multiplying exceedingly, when almost unmolested by men, who were neither so numerous, nor so united in society, as to be formidable enemies to the animal creation, the number of distinct species must still be considered as extremely small. Of two hundred different kinds of animals spread over the face of the earth, about only one-third existed in America at the time of its discovery. Nature was not only less prolific in the New World, but she appears likewise to have been less vigorous in her productions. The animals originally belonging to this quarter of the globe appear to be of an inferior race, neither so robust, nor so fierce, as those of the other continent. America gives birth to no creature of such bulk as to be compared with the elephant or rhinoceros, or that equals the lion and tiger in strength and ferocity (35). The *Tapyr* of Brazil, the largest quadruped of the ravenous tribe in the New World, is not larger than a calf of six months old. The *Puma* and *Jaguar*, its fiercest beast of prey, which Europeans have inaccurately denominated lions and tigers, possess neither the undaunted courage of the former, nor the ravenous cruelty of the latter. They are inactive and timid, hardly formidable to a man, and often turn their backs upon the least appearance of resistance. The same qualities in the climate of America, which stunted the growth, and enfeebled the spirit, of its native animals, have proved pernicious to such as have migrated into it voluntarily from the other continent, or have been transported thither by the Europeans. The bears, the wolves, the deer of America, are not equal in size to those of the Old World. Most of the domestic animals, with which the Europeans have stored the provinces wherein they settled, have degenerated with respect either to bulk or quality, in a country whose temperature and soil seem to be less favourable to the strength and perfection of the animal creation (36).

The same causes which checked the growth and the vigour of the more noble animals, were friendly to the propagation and increase of reptiles and insects. Though this is not peculiar to the New World, and those odious tribes, nourished by heat, moisture, and corruption, infest every part of the torrid zone; they multiply faster, perhaps, in America, and grow to a more monstrous bulk. As this country is, on the whole, less cultivated, and less peopled, than the other quarters of the earth, the active principle of life wastes its force in productions of this inferior form. The air is often darkened with clouds of insects, and the ground covered with shocking and noxious reptiles. The country around Porto Bello swarms with toads in such multitudes, as hide the surface of the earth. At Guayaquil, snakes and vipers are hardly less numerous. Carthagenia is infested with numerous flocks of bats, which annoy not only the cattle, but the inhabitants. In the islands, legions of ants have, at different times, consumed every vegetable production (37), and left the earth entirely bare, as if it had been burnt with fire. The damp forests and rank soil of the countries on the banks of the Orinoco and Maragón, teem with almost every offensive and poisonous creature, which the power of a sultry sun can quicken into life.

The birds of the New World are not distinguished by qualities so conspicuous and characteristic, as those which we have observed in its quadrupeds. Birds are more independent of man, and less affected

by the changes which his industry and labour make upon the state of the earth. They have a greater propensity to migrate from one country to another, and can gratify this instinct of their nature without difficulty or danger. Hence the number of birds common to both continents is much greater than that of quadrupeds; and even such as are peculiar to America nearly resemble those with which mankind were acquainted in similar regions of the ancient hemisphere. The American birds of the torrid zone, like those of the same climate in Asia and Africa, are decked in plumage, which dazzles the eye with the beauty of its colours; but nature, satisfied with clothing them in this gay dress, has denied most of them that melody of sound, and variety of notes, which catch and delight the ear. The birds of the temperate climates there, in the same manner as in our continent, are less splendid in their appearance; but, in compensation for that defect, they have voices of greater compass, and more melodious. In some districts of America, the unwholesome temperature of the air seems to be unfavourable even to this part of the creation. The number of birds is less than in other countries, and the traveller is struck with the amazing solitude and silence of its forests. It is remarkable, however, that America, where the quadrupeds are so dwarfish and dastardly, should produce the *Condor*, which is entitled to pre-eminence over all the flying tribe, in bulk, in strength, and in courage.

The soil in a continent so extensive as America, must of course be extremely various. In each of its provinces, we find some distinguishing peculiarities; the description of which belongs to those who write their particular history. In general, we may observe, that the moisture and cold, which predominates so remarkably in all parts of America, must have great influence upon the nature of its soil; countries lying in the same parallel with those regions which never feel the extreme rigour of winter in the ancient continent, are frozen over in America during a great part of the year. Chilled by this intense cold, the ground never acquires warmth sufficient to ripen the fruits which are found in the corresponding parts of the other continent. If we wish to rear in America the productions which abound in any particular district of the ancient world, we must advance several degrees nearer to the line than in the other hemisphere, as it requires such an increase of heat to counterbalance the natural frigidity of the soil and climate (38). At the Cape of Good Hope, several of the plants and fruits peculiar to the countries within the tropics, are cultivated with success; whereas, at St. Augustine in Florida, and Charlestown, in South Carolina, though considerably nearer the line, they cannot be brought to thrive with equal certainty (39). But, if allowance be made for this diversity in the degree of heat, the soil of America is naturally as rich and fertile as in any part of the earth. As the country was thinly inhabited, and by a people of little industry, who had none of the domestic animals which civilized nations rear in such vast numbers, the earth was not exhausted by their consumption. The vegetable productions, to which the fertility of the soil gave birth, often remained untouched, and being suffered to corrupt on its surface, returned with increase into its bosom. As trees and plants derive a great part of their nourishment from air and water, if they were not destroyed by man and other animals, they would render to the earth more, perhaps, than they take from it, and feed rather than impoverish it.

Thus the unoccupied soil of America may have gone on enriching for many ages. The vast number as well as enormous size of the trees in America, indicate the extraordinary vigour of the soil in its native state. When the Europeans first began to cultivate the New World, they were astonished at the luxuriant power of vegetation in its virgin mould; and in several places the ingenuity of the planter is still employed in diminishing and wasting its superfluous fertility, in order to bring it down to a state fit for profitable culture (40).

Having thus surveyed the state of the New World at the time of its discovery, and considered the peculiar features and qualities which distinguish and characterize it, the next inquiry that merits attention is, How was America peopled? By what course did mankind migrate from the one continent to the other? and in what quarter is it most probable that a communication was opened between them?

We know, with infallible certainty, that all the human race spring from the same source, and that descendants of one man, under the protection as well as in obedience to the command of Heaven, multiplied and replenished the earth. But neither the annals nor the traditions of nations reach back to those remote ages, in which they took possession of the different countries where they are now settled. We cannot trace the branches of this first family, to point out with certainty the time and manner in which they divided and spread over the face of the globe. Even among the most enlightened people, the period of authentic history is extremely short; and every thing prior to that is fabulous or obscure. It is not surprising, then, that the unlettered inhabitants of America, who have no solicitude about futurity, and little curiosity concerning what is past, should be altogether unacquainted with their own original. The people on the two opposite coasts of America, who occupy those countries in America which approach nearest to the ancient continent, are so remarkably rude, that it is altogether vain to search among them for such information as might discover the place from whence they came, or the ancestors of whom they are descended. Whatever light has been thrown on this subject, is derived, not from the natives of America, but from the inquisitive genius of their conquerors.

When the people of Europe unexpectedly discovered a new world, removed at a vast distance from every part of the ancient continent which was then known, and filled with inhabitants whose appearance and manners differed remarkably from the rest of the human species, the question concerning their original became naturally an object of curiosity and attention. The theories and speculations of ingenious men with respect to this subject, would fill many volumes; but are often so wild and chimerical, that I should offer an insult to the understanding of my readers, if I attempted either minutely to enumerate or to refute them. Some have presumptuously imagined that the people of America were not the offspring of the same common parent with the rest of mankind, but that they formed a separate race of men, distinguishable by peculiar features in the constitution of their bodies, as well as in the characteristic qualities of their minds. Others contend, that they are descended from some remnant of the antediluvian inhabitants of the earth, who survived the deluge, which swept away the greatest part of the human species in the days of Noah, and preposterously supposed rude, uncivilized tribes, scattered over an uncultivated continent, to be the

most ancient race of people on the earth. There is hardly any nation from the north to the south pole, to which some antiquary, in the extravagance of conjecture, has not ascribed the honour of peopling America. The Jews, the Canaanites, the Phœnicians, the Carthaginians, the Greeks, the Scythians, in ancient times, are supposed to have settled in this western world. The Chinese, the Swedes, the Norwegians, the Welsh, the Spaniards, are said to have sent colonies thither in later ages, at different periods, and on various occasions. Zealous advocates stand forth to support the respective claims of those people; and though they rest upon no better foundation than the casual resemblance of some customs, or the supposed affinity between a few words in their different languages, much erudition and more zeal have been employed, to little purpose, in defence of the opposite systems. Those regions of conjecture and controversy belong not to the historian. His is a more limited province, confined by what is established by certain or highly probable evidence. Beyond this I shall not venture, in offering a few observations which may contribute to throw some light upon this curious and much agitated question.

1. There are authors who have endeavoured by mere conjecture to account for the peopling of America. Some have supposed that it was originally united to the ancient continent, and disjoined from it by the shock of an earthquake, or the eruption of a deluge. Others have imagined, that some vessel being forced from its course, by the violence of a westerly wind, might be driven by accident towards the American coast, and have given a beginning to population in that desolate continent. But with respect to all those systems, it is vain either to reason or inquire, because it is impossible to come to any decision. Such events as they suppose are barely possible, and may have happened. That they ever did happen, we have no evidence, either from the clear testimony of history, or from the obscure intimations of tradition.

2. Nothing can be more frivolous or uncertain than the attempts to discover the original of the Americans, merely by tracing the resemblance between their manners and those of any particular people in the ancient continent. If we suppose two tribes, though placed in the most remote regions of the globe, to live in a climate nearly of the same temperature, to be in the same state of society, and to resemble each other in the degree of their improvement, they must feel the same wants, and exert the same endeavours to supply them. The same objects will allure, the same passions will animate them, and the same ideas and sentiments will arise in their minds. The character and occupations of the hunter in America must be little different from those of an Asiatic, who depends for subsistence on the chase. A tribe of savages on the banks of the Danube must nearly resemble one upon the plains washed by the Mississippi. Instead then of presuming from this similarity, that there is any affinity between them, we should only conclude, that the dispositions and manners of men are formed by their situation, and arise from the state of society in which they live. The moment that begins to vary, the character of a people must change. In proportion as it advances in improvement, their manners refine, their powers and talents are called forth. In every part of the earth, the progress of man hath been nearly the same; and we can trace him in his career from the rude simplicity of savage life, until he attains the industry, the arts, and the elegance of polished society. There is

nothing wonderful then in the similitude between the Americans and the barbarous nations of our continent. Had Lafitau, Garcia, and many other authors attended to this, they would not have perplexed a subject which they pretend to illustrate, by their fruitless endeavours to establish an affinity between various races of people, in the old and new continents, upon no other evidence than such a resemblance in their manners as necessarily arises from the similarity of their condition. There are, it is true, among every people some customs which, as they do not flow from any natural want or desire peculiar to their situation, may be denominated usages of arbitrary institution. If between two nations settled in remote parts of the earth, a perfect agreement with respect to any of these should be discovered, one might be led to suspect that they were connected by some affinity. If, for example, a nation were found in America that consecrated the seventh day to religious worship and rest, we might justly suppose that it had derived its knowledge of this usage, which is of arbitrary institution, from the Jews. But if it were discovered that another nation celebrated the first appearance of every new moon with extraordinary demonstrations of joy, we should not be entitled to conclude that the observation of this monthly festival was borrowed from the Jews, but ought to consider it merely as the expression of that joy which is natural to man on the return of the planet which guides and cheers him in the night. The instances of customs, merely arbitrary, common to the inhabitants of both hemispheres, are, indeed, so few and so equivocal, that no theory concerning the population of the New World ought to be founded upon them.

3. The theories which have been formed with respect to the original of the Americans, from observations of their religious rites and practices, are no less fanciful, and destitute of solid foundation. When the religious opinions of any people are neither the result of rational inquiry, nor derived from the instructions of revelation, they must needs be wild and extravagant. Barbarous nations are incapable of the former, and have not been blessed with the advantages arising from the latter. Still, however, the human mind, even where its operations appear most wild and capricious, holds a course so regular, that in every age and country the dominion of particular passions will be attended with similar effects. The savage of Europe or America, when filled with superstitious dread of invisible beings, or with inquisitive solicitude to penetrate into the events of futurity, trembles alike with fear, or glows with impatience. He has recourse to rites and practices of the same kind, in order to avert the vengeance which he supposes to be impending over him, or to divine the secret which is the object of his curiosity. Accordingly the ritual of superstition in one continent, seems, in many particulars, to be a transcript of that established in the other, and both authorize similar institutions, sometimes so frivolous as to excite pity, sometimes so bloody and barbarous as to create horror. But without supposing any consanguinity between such distant nations, or imagining that their religious ceremonies were conveyed by tradition from the one to the other, we may ascribe this uniformity, which, in many instances, seems very amazing, to the natural operation of superstition and enthusiasm upon the weakness of the human mind.

4. We may lay it down as a certain principle in this inquiry, that America was not peopled by any nation of the ancient continent, which had

considerable progress in civilization. The inhabitants of the New World were in a state of society so extremely rude, as to be unacquainted with those arts which are the first essays of human ingenuity in its advance towards improvement. Even the most cultivated nations of America were strangers to many of those simple inventions which were almost coeval with society in other parts of the world, and were known in the earliest periods of civil life with which we have any acquaintance. From this it is manifest, that the tribes which originally migrated to America, came off from nations which must have been no less barbarous than their posterity, at the time when they were first discovered by the Europeans. For, although the elegant or refined arts may decline or perish, amidst the violent shocks of those revolutions and disasters to which nations are exposed, the necessary arts of life, when once they have been introduced among any people, are never lost. None of the vicissitudes in human affairs affect these, and they continue to be practised as long as the race of men exists. If ever the use of iron had been known to the savages of America, or to their progenitors; if ever they had employed a plough, a loom, or a forge, the utility of those inventions would have preserved them, and it is impossible that they should have been abandoned or forgotten. We may conclude, then, that the Americans sprung from some people, who were themselves in such an early and unimproved stage of society, as to be unacquainted with all those necessary arts, which continued to be unknown among their posterity when first visited by the Spaniards.

5. It appears no less evident that America was not peopled by any colony from the more southern nations of the ancient continent. None of the rude tribes settled in that part of our hemisphere can be supposed to have visited a country so remote. They possessed neither enterprise, nor ingenuity, nor power, that could prompt them to undertake, or enable them to perform, such a distant voyage. That the more civilized nations in Asia or Africa are not the progenitors of the Americans is manifest, not only from the observations which I have already made concerning their ignorance of the most simple and necessary arts, but from an additional circumstance. Whenever any people have experienced the advantages which men enjoy by their dominion over the inferior animals, they can neither subsist without the nourishment which these afford, nor carry on any considerable operation independent of their ministry and labour. Accordingly, the first care of the Spaniards, when they settled in America, was to stock it with all the domestic animals of Europe; and if, prior to them, the Tyrians, the Carthaginians, the Chinese, or any other polished people, had taken possession of that continent, we should have found there the animals peculiar to those regions of the globe, where they were originally seated. In all America, however, there is not one animal, tame or wild, which properly belongs to the warm or even the more temperate countries of the ancient continent. The camel, the dromedary, the horse, the cow, were as much unknown in America, as the Elephant or the lion. From which it is obvious, that the people who first settled in the western world did not issue from those countries where those animals abound, and where men, from having been long accustomed to their aid, would naturally consider it not only as beneficial, but as indispensably necessary to the improvement, and even the preservation of civil society.

6 From considering the animals with which

America is stored, we may conclude that the nearest point of contact between the old and new continents is towards the northern extremity of both, and that there the communication was opened, and the intercourse carried on between them. All the extensive countries in America which lie within the tropics, or approach near to them, are filled with indigenous animals of various kinds, entirely different from those in the corresponding regions of the ancient continent. But the northern provinces of the New World abound with many of the wild animals which are common in such parts of our hemisphere as lie in a similar situation. The bear, the wolf, the fox, the hare, the deer, the roebuck, the elk, and several other species, frequent the forests of North America, no less than those in the north of Europe and Asia. It seems to be evident, then, that the two continents approach each other in this quarter, and are either united, or so nearly adjacent, that these animals might pass from one to the other.

7. The actual vicinity of the two continents is so clearly established by modern discoveries, that the chief difficulty with respect to the peopling of America is removed. While those immense regions which stretch east-ward from the river Ob to the sea of Kamchatka were unknown or imperfectly explored, the north-east extremities of our hemisphere were supposed to be so far distant from any part of the New World, that it was not easy to conceive how any communication could have been carried on between them. But the Russians have subjected the western part of Siberia to their empire, gradually extended their knowledge of that vast country, by advancing towards the east into unknown provinces. These were discovered by hunters in their excursions after game, or by soldiers employed in levying the taxes; and the court of Moscow estimated the importance of those countries, only by the small addition which they made to its revenue. At length Peter the Great ascended the Russian throne. His enlightened, comprehensive mind, intent upon every circumstance that could aggrandize his empire, or render his reign illustrious, discerned consequences of those discoveries which had escaped the observation of his ignorant predecessors. He perceived that in proportion as the regions of Asia extended towards the east, they must approach nearer to America; that the communication between the two continents, which had long been searched for in vain, would probably be found in this quarter, and that by opening it, some part of the wealth and commerce of the western world might be made to flow into his dominions by a new channel. Such an object suited a genius that delighted in grand schemes. Peter drew up instructions with his own hand for prosecuting this design, and gave orders for carrying it into execution.

His successors adopted his ideas, and pursued his plan. The officers whom the Russian court employed in this service had to struggle with so many difficulties, that their progress was extremely slow. Encouraged by some faint traditions among the people of Siberia, concerning a successful voyage in the year one thousand six hundred and forty-eight, round the north-east promontory of Asia, they attempted to follow the same course. Vessels were fitted out, with this view, at different times, from the rivers Lena and Kolyma; but in a frozen ocean, which nature seems not to have designed for navigation, they were exposed to many disasters, without being able to accomplish their purpose. No vessel fitted out by the Russian court ever doubled this formidable Cape (41): we are indebted for what is known

of those extreme regions of Asia, to the discoveries made in excursions by land. In all those provinces an opinion prevails, that there are countries of great extent and fertility, which lie at no considerable distance from their own coasts. These the Russians imagined to be part of America, and several circumstances concurred not only in confirming them in this belief, but in persuading them that some portion of that continent could not be very remote. Trees of various kinds, unknown in those naked regions of Asia, are driven upon the coast by an easterly wind. By the same wind, floating ice is brought thither in a few days; flights of birds arrive annually from the same quarter; and a tradition obtains among the inhabitants, of an intercourse formerly carried on with some countries situate to the east.

After weighing all these particulars, and comparing the position of the countries in Asia which had been discovered, with such parts in the north-west of America as were already known, the Russian court formed a plan, which would have hardly occurred to a nation less accustomed to engage in arduous undertakings, and to contend with great difficulties. Orders were issued to build two vessels at the small village of Ochotz, situate on the sea of Kamchatka, to sail on a voyage of discovery. Though that dreary uncultivated region furnished nothing that could be of use in constructing them, but some larch trees: though not only the iron, the cordage, the sails, and all the numerous articles requisite for their equipment, but the provisions for victualling them, were to be carried through the immense deserts of Siberia, down rivers difficult of navigation, and along roads almost impassable, the mandate of the sovereign, and the perseverance of the people, at last surmounted every obstacle. Two vessels were finished [A. D. 1741, June 4], and, under the command of the Captains Behring and Tschirikow, sailed from Kamchatka, in quest of the New World, in a quarter where it had never been approached. They shaped their course towards the east; and though a storm soon separated the vessels, which never rejoined, and many disasters befell them, the expectations from the voyage were not altogether frustrated. Each of the commanders discovered land, which to them appeared to be part of the American continent; and, according to their observations, it seems to be situated within a few degrees of the north-west coast of California. Each sent some of his people ashore: but in one place the inhabitants fled as the Russians approached; in another, they carried off those who landed, and destroyed their boats. The violence of the weather, and the distress of their crews, obliged both captains to quit this inhospitable coast. In their return they touched at several islands, which stretch in a chain from east to west between the country which they had discovered and the coast of Asia. They had some intercourse with the natives, who seemed to them to resemble the North Americans. They presented to the Russians the *calumet*, or pipe of peace, which is a symbol of friendship universal among the people of North America, and an usage of arbitrary institution, peculiar to them.

Though the islands of this New Archipelago have been frequented since that time by the Russian hunters, the court of St. Petersburg, during a period of more than forty years, seems to have relinquished every thought of prosecuting discoveries in that quarter. But in the year one thousand seven hundred and sixty-eight, it was unexpectedly resumed. The Sovereign, who had been lately seated on the throne of Peter the Great, possessed the genius and

talents of her illustrious predecessor. During the operations of the most arduous and extensive war in which the Russian empire was ever engaged, she formed schemes and executed undertakings, to which more limited abilities would have been incapable of attending but amidst the leisure of pacific times. A new voyage of discovery from the eastern extremity of Asia was planned, and Captain Krenitzin and Lieutenant Levasheff were appointed to command the two vessels fitted out for that purpose. In their voyage onward they held nearly the same course with the former navigators, they touched at the same islands, observed their situations and productions more carefully, and discovered several new islands, with which Behring and Tschirikow had not fallen in. Though they did not proceed so far to the east as to revisit the country which Behring and Tschirikow supposed to be part of the American continent, yet, by returning in a course considerably to the north of theirs, they corrected some capital mistakes into which their predecessors had fallen, and have contributed to facilitate the progress of future navigators in those seas (42).

Thus the possibility of a communication between the continents in this quarter rests no longer upon mere conjecture, but is established by undoubted evidence. Some tribe or some families of wandering Tartars, from the restless spirit peculiar to their race, might migrate to the nearest islands, and, rude as their knowledge of navigation was, might, by passing from one to the other, reach at length the coast of America, and give a beginning to population in that continent. The distance between the Marian or Ladrone islands and the nearest land in Asia, is greater than that between the part of America which the Russians discovered, and the coast of Kamchatka; and yet the inhabitants of those islands are manifestly of Asiatic extract. If, notwithstanding their remote situation, we admit that the Marian islands were peopled from our continent, distance alone is no reason why we should hesitate about admitting that the Americans may derive their original from the same source. It is probable that future navigators in those seas, by steering further to the north, may find that the continent of America approaches still nearer to Asia. According to the information of the barbarous people who inhabit the country about the north-east promontory of Asia, there lies, off the coast, a small island, to which they sail in less than a day. From that they can descry a large continent, which according to their description, is covered with forests, and possessed by people whose language they do not understand. By them they are supplied with the skins of martens, an animal unknown in the northern parts of Siberia, and which is never found but in countries abounding with trees. If we could rely on this account, we might conclude, that the American continent is separated from ours only by a narrow strait, and all the difficulties with respect to the communication between them would vanish. What could be offered only as a conjecture when this History was first published, is now known to be certain. The near approach of the two continents to each other has been discovered and traced in a voyage undertaken upon principles so pure and so liberal, and conducted with so much professional skill, as reflect lustre upon the reign of the sovereign by whom it was planned, and do honour to the officers intrusted with the execution of it (43).

It is likewise evident from recent discoveries, that an intercourse between our continent and America might be carried on with no less facility from the

north-west extremities of Europe. As early as the ninth century, the Norwegians discovered Greenland, [A. D. 830,] and planted colonies there. The communication with that country, after a long interruption, was renewed in the last century. Some Lutheran and Moravian missionaries, prompted by zeal for propagating the christian faith, have ventured to settle in this frozen and uncultivated region. To them we are indebted for much curious information with respect to its nature and inhabitants. We learn, that the north-west coast of Greenland is separated from America by a very narrow strait; that, at the bottom of the bay into which this strait conducts, it is highly probable that they are united; that the inhabitants of the two countries have some intercourse with one another; that the Esquimaux of America perfectly resemble the Greenlanders in their aspect, dress, and mode of living; that some sailors who had acquired the knowledge of a few words in the Greenlandish language, reported that these were understood by the Esquimaux; that, at length, [A. D. 1764,] a Moravian missionary, well acquainted with the language of Greenland, having visited the country of the Esquimaux, found, to his astonishment, that they spoke the same language with the Greenlanders; that they were in every respect the same people, and he was accordingly received and entertained by them as a friend and a brother.

By these decisive facts, not only the consanguinity of the Esquimaux and Greenlanders is established, but the possibility of peopling America from the north of Europe is demonstrated. If the Norwegians, in a barbarous age, when science had not begun to dawn in the north of Europe, possessed such naval skill as to open a communication with Greenland, their ancestors, as much addicted to roving by sea as the Tartars are to wandering by land, might, at some more remote period, accomplish the same voyage, and settle a colony there, whose descendants might, in progress of time, migrate into America. But if, instead of venturing to sail directly from their own coast to Greenland, we suppose that the Norwegians held a more cautious course, and advanced from Shetland to the Feroe Islands, and from them to Iceland, in all which they had planted colonies; their progress may have been so gradual, that this navigation cannot be considered as either longer or more hazardous, than those voyages which that hardy and enterprising race of men is known to have performed in every age.

8. Though it be possible that America may have received its first inhabitants from our continent, either by the north-west of Europe or the north-east of Asia, there seems to be good reason for supposing that the progenitors of all the American nations, from Cape Horn to the southern confines of Labrador, migrated from the latter rather than the former. The Esquimaux are the only people in America, who, in their aspect or character, bear any resemblance to the northern Europeans. They are manifestly a race of men distinct from all the nations of the American continent, in language, in disposition, and in habits of life. Their original, then, may warrantably be traced up to that source which I have pointed out. But among all the other inhabitants of America, there is such a striking similitude in the form of their bodies and the qualities of their minds, that, notwithstanding the diversities occasioned by the influence of climate, or unequal progress in improvement, we must pronounce them to be descended from one source. There may be a variety in the shades, but we can every where trace the same

original colour. Each tribe has something peculiar which distinguishes it, but in all of them we discern certain features common to the whole race. It is remarkable, that in every peculiarity, whether in their persons or dispositions, which characterise the Americans, they have some resemblance to the rude tribes scattered over the north-east of Asia, but almost none to the nations settled in the northern extremities of Europe. We may, therefore, refer them to the former origin, and conclude that their Asiatic progenitors, having settled in those parts of America where the Russians have discovered the proximity of the two continents, spread gradually over its various regions. This account of the progress of population in America coincides with the traditions of the Mexicans concerning their own origin, which, imperfect as they are, were preserved with more accuracy, and merit greater credit, than those of any people in the New World. According to them, their ancestors came from a remote country, situated to the north-west of Mexico. The Mexicans point out their various stations as they advanced from this into the interior provinces, and it is precisely the same route which they must have held, if they had been emigrants from Asia. The Mexicans, in describing the appearance of their progenitors, their manners and habits of life at that period, exactly delineate those of the rude Tartars, from whom I suppose them to have sprung.

Thus have I finished a disquisition which has been deemed of so much importance, that it would have been improper to omit it in writing the history of America. I have ventured to inquire, but without presuming to decide. Satisfied with offering conjectures, I pretend not to establish any system. When an investigation is, from its nature, so intricate and obscure, that it is impossible to arrive at conclusions which are certain, there may be some merit in pointing out such as are probable.

The condition and character of the American nations at the time when they became known to the Europeans, deserve more attentive consideration than the inquiry concerning their original. The latter is merely an object of curiosity; the former is one of the most important as well as instructive researches which can occupy the philosopher or historian. In order to complete the history of the human mind, and attain to a perfect knowledge of its nature and operations, we must contemplate man in all those various situations wherein he has been placed. We must follow him in his progress through the different stages of society, as he gradually advances from the infant state of civil life towards its maturity and decline. We must observe, at each period, how the faculties of his understanding unfold; we must attend to the efforts of his active power, watch the various movements of desire and affection, as they rise in his breast, and mark whither they tend, and with what ardour they are exerted. The philosophers and historians of ancient Greece and Rome, our guides in this as well as every other disquisition, had only a limited view of this subject, as they had hardly any opportunity of surveying man in his rudest and most early state. In all those regions of the earth with which they were well acquainted, civil society had made considerable advances, and nations had finished a good part of their career before they began to observe them. The Scythians and Germans, the rudest people of whom any ancient author has transmitted to us an authentic account, possessed flocks and herds, had acquired property of various kinds, and, when compared with mankind in their primitive

state, may be reckoned to have attained to a great degree of civilization.

But the discovery of the New World enlarged the sphere of contemplation, and presented nations to our view, in stages of their progress much less advanced than those wherein they have been observed in our continent. In America, man appears under the rudest form in which we can conceive him to subsist. We behold communities just beginning to unite, and may examine the sentiments and actions of human beings in the infancy of social life, while they feel but imperfectly the force of its ties, and have scarcely relinquished their native liberty. That state of primæval simplicity, which was known in our continent, only by the fanciful description of poets, really existed in the other. The greater part of its inhabitants were strangers to industry and labour, ignorant of arts, imperfectly acquainted with the nature of property, and enjoying almost without restriction or control the blessings which flowed spontaneously from the bounty of nature. There were only two nations in this vast continent which had emerged from this rude state, and had made any considerable progress in acquiring the ideas, and adopting the institutions, which belong to polished societies. Their government and manners will fall naturally under our review in relating the discovery and conquest of the Mexican and Peruvian empires; and we shall have there an opportunity of contemplating the Americans in the state of highest improvement to which they ever attained.

At present, our attention and researches shall be turned to the small independent tribes which occupied every other part of America. Among these, though with some diversity in their character, their manners, and institutions, the state of society was nearly similar, and so extremely rude, that the denomination of *savage* may be applied to them all. In a general history of America, it would be highly improper to describe the condition of each petty community, or to investigate every minute circumstance which contributes to form the character of its members. Such an inquiry would lead to details of immeasurable and tiresome extent. The qualities belonging to the people of all the different tribes have such a near resemblance, that they may be painted with the same features. Where any circumstances seem to constitute a diversity in their character and manners worthy of attention, it will be sufficient to point these out as they occur, and to inquire into the cause of such peculiarities.

It is extremely difficult to procure satisfying and authentic information concerning nations while they remain uncivilized. To discover their true character under this rude form, and to select the features by which they are distinguished, requires an observer possessed of no less impartiality than discernment. For, in every state of society, the faculties, the sentiments, and desires of men, are so accommodated to their own state, that they become standards of excellence to themselves, they affix the idea of perfection and happiness to those attainments which resemble their own, and wherever the objects and enjoyments to which they have been accustomed are wanting, confidently pronounce a people to be barbarous and miserable. Hence the mutual contempt with which the members of communities, unequal in their degrees of improvement, regard each other. Polished nations, conscious of the advantages which they derive from their knowledge and arts, are apt to view rude nations with peculiar scorn, and, in the pride of superiority, will hardly allow either their occupations, their feelings, or their pleasures, to be worthy of men. It

has seldom been the lot of communities, in their early and unpolished state, to fall under the observation of persons endowed with force of mind superior to vulgar prejudices, and capable of contemplating man, under whatever aspect he appears, with a candid and discerning eye.

The Spaniards, who first visited America, and who had opportunity of beholding its various tribes while entire and unsubdued, and before any change had been made in their ideas or manners by intercourse with a race of men much advanced beyond them in improvement, were far from possessing the qualities requisite for observing the striking spectacle presented to their view. Neither the age in which they lived, nor the nation to which they belonged, had made such progress in true science, as inspires enlarged and liberal sentiments. The conquerors of the New World were mostly illiterate adventurers, destitute of all the ideas which should have directed them in contemplating objects so extremely different from those with which they were acquainted. Surrounded continually with danger, or struggling with hardships, they had little leisure, and less capacity, for any speculative inquiry. Eager to take possession of a country of such extent and opulence, and happy in finding it occupied by inhabitants so incapable to defend it, they hastily pronounced them to be a wretched order of men, formed merely for servitude; and were more employed in computing the profits of their labour, than inquiring into the operations of their minds, or the reasons of their customs and institutions. The persons who penetrated at subsequent periods into the interior provinces, to which the knowledge and devastations of the first conquerors did not reach, were generally of a similar character; brave and enterprising in a high degree, but so uninformed as to be little qualified either for observing or describing what they beheld.

Not only the incapacity, but the prejudices of the Spaniards, render their accounts of the people of America extremely defective. Soon after they planted colonies in their new conquests, a difference in opinion arose with respect to the treatment of the natives. One party solicitous to render their servitude perpetual, represented them as a brutish, obstinate race, incapable of either acquiring religious knowledge, or of being trained to the functions of social life. The other full of pious concern for their conversion, contended that, though rude and ignorant, they were gentle, affectionate, docile, and by proper instructions and regulations might be formed gradually into good christians and useful citizens. This controversy, as I have already related, was carried on with all the warmth which is natural when attention to interest on the one hand, and religious zeal on the other, animate the disputants. Most of the laity espoused the former opinion; all the ecclesiastics were advocates for the latter; and we shall uniformly find, that, accordingly as an author belonged to either of these parties, he is apt to magnify the virtues or aggravate the defects of the Americans far beyond truth. Those repugnant accounts increase the difficulty of attaining a perfect knowledge of their character, and render it necessary to peruse all the descriptions of them by Spanish writers with distrust, and to receive their information with some grains of allowance.

Almost two centuries elapsed after the discovery of America, before the manners of its inhabitants attracted in any considerable degree, the attention of philosophers. At length they discovered, that the contemplation of the condition and character of the

Americans, in their original state, tended to complete our knowledge of the human species; might enable us to fill up a considerable chasm in the history of its progress; and lead to speculations no less curious than important. They entered upon this new field of study with great ardour; but, instead of throwing light upon the subject, they have contributed in some degree to involve it in additional obscurity. Too impatient to inquire, they hastened to decide; and began to erect systems, when they should have been searching for facts on which to establish their foundations. Struck with the appearance of degeneracy in the human species throughout the New World, and astonished at beholding a vast continent occupied by a naked, feeble, and ignorant race of men, some authors of great name have maintained that this part of the globe had but lately emerged from the sea, and become fit for the residence of man; that every thing in it bore marks of a recent original; and that its inhabitants, lately called into existence, and still at the beginning of their career, were unworthy to be compared with the people of a more ancient and improved continent. Others have imagined, that, under the influence of an unkindly climate, which checks and enervates the principle of life, man never attained in America the perfection which belongs to his nature, but remained an animal of an inferior order, defective in the vigour of his bodily frame, and destitute of sensibility, as well as of force, in the operations of his mind. In opposition to both these, other philosophers have supposed that man arrives at his highest dignity and excellence long before he reaches a state of refinement; and, in the rude simplicity of savage life, displays an elevation of sentiment, an independence of mind, and a warmth of attachment, for which it is vain to search among the members of polished societies. They seem to consider that as the most perfect state of man which is the least civilized. They describe the manners of the rude Americans with such rapture, as if they proposed them for models to the rest of the species. These contradictory theories have been proposed with equal confidence, and uncommon powers of genius and eloquence have been exerted in order to clothe them with an appearance of truth.

As all those circumstances concur in rendering an inquiry into the state of the rude nations in America intricate and obscure, it is necessary to carry it on with caution. When guided in our researches by the intelligent observations of the few philosophers who have visited this part of the globe we may venture to decide. When obliged to have recourse to the superficial remarks of vulgar travellers, of sailors, traders, buccaneers, and missionaries, we must often pause and, comparing detached facts, endeavour to discover what they wanted sagacity to observe. Without indulging conjecture, or betraying a propensity to either system, we must study with equal care to avoid the extremes of extravagant admiration or of supercilious contempt for those manners which we describe.

In order to conduct this inquiry with greater accuracy, it should be rendered as simple as possible. Man existed as an individual before he became the member of a community; and the qualities which belong to him under his former capacity should be known, before we proceed to examine those which rise from the latter relation. This is peculiarly necessary in investigating the manners of rude nations. Their political union is so incomplete, their civil institutions and regulations so few, so simple, and of such slender authority, that men in

this state ought to be viewed rather as independent agents, than as members of a regular society. The character of a savage results almost entirely from his sentiments or feelings as an individual, and is but little influenced by his imperfect subjection to government and order. I shall conduct my researches concerning the manners of the Americans in this natural order, proceeding gradually from what is simple to what is more complicated.

I shall consider, I. The bodily constitution of the Americans in those regions now under review. II. The qualities of their minds. III. Their domestic state. IV. Their political state and institutions. V. Their system of war, and public security. VI. The arts with which they were acquainted. VII. Their religious ideas and institutions. VIII. Such singular detached customs as are not reducible to any of the former heads. IX. I shall conclude with a general review and estimate of their virtues and defects.

I. The bodily constitution of the Americans.—The human body is less affected by climate than that of any other animal. Some animals are confined to a particular region of the globe, and cannot exist beyond it; others though they may be brought to bear the injuries of a climate foreign to them, cease to multiply when carried out of that district which nature destined to be their mansion. Even such as seem capable of being naturalized in various climates, feel the effect of every remove from their proper station, and gradually dwindle and degenerate from the vigour and perfection peculiar to their species. Man is the only living creature whose frame is at once so hardy and so flexible, that he can spread over the whole earth, become the inhabitant of every region, and thrive and multiply under every climate. Subject, however, to the general law of nature, the human body is not entirely exempt from the operation of climate; and when exposed to the extremes either of heat or cold, its size or vigour diminishes.

The first appearance of the inhabitants of the New World filled the discoverers with such astonishment, that they were apt to imagine them a race of men different from those of the other hemisphere. Their complexion is of a reddish brown, nearly resembling the colour of copper. The hair of their heads is always black, long, coarse, and uncurled. They have no beard, and every part of their body is perfectly smooth. Their persons are of a full size, extremely straight, and well proportioned (44). Their features are regular, though often distorted by absurd endeavours to improve the beauty of their natural form, or to render their aspect more dreadful to their enemies. In the islands, where four-footed animals were both few and small, and the earth yielded her productions almost spontaneously, the constitution of the natives, neither braced by the active exercises of the chase, nor invigorated by the labour of cultivation, was extremely feeble and languid. On the continent, where the forests abound with game of various kinds, and the chief occupation of many tribes was to pursue it, the human frame acquired greater firmness. Still however, the Americans were more remarkable for agility than strength. They resembled beasts of prey, rather than animals formed for labour (45). They were not only averse to toil, but incapable of it; and when roused by force from their native indolence, and compelled to work, they sunk under tasks which the people of the other continent would have performed with ease. This feebleness of constitution was universal among the inhabitants of those regions in America which we are surveying, and may be considered as characteristic of the species there.

The beardless countenance and smooth skin of the American seems to indicate a defect of vigour, occasioned by some vice in his frame. He is destitute of one sign of manhood and of strength. This peculiarity, by which the inhabitants of the New World are distinguished from the people of all other nations, cannot be attributed, as some travellers have supposed, to their mode of subsistence. For though the food of many Americans be extremely insipid, as they are altogether unacquainted with the use of salt, rude tribes in other parts of the earth have subsisted on aliments equally simple, without this mark of degradation, or any apparent symptom of a diminution in their vigour.

As the external form of the Americans leads us to suspect that there is some natural debility in their frame, the smallness of their appetite for food has been mentioned by many authors as a confirmation of this suspicion. The quantity of food which men consume varies according to the temperature of the climate in which they live, the degree of activity which they exert, and the natural vigour of their constitutions. Under the enervating heat of the torrid zone, and when men pass their days in indolence and ease, they require less nourishment than the active inhabitants of temperate or cold countries. But neither the warmth of their climate, nor their extreme laziness, will account for the uncommon defect of appetite among the Americans. The Spaniards were astonished with observing this, not only in the islands, but in several parts of the continent. The constitutional temperance of the natives far exceeded, in their opinion, the abstinence of the most mortified hermits; while on the other hand, the appetite of the Spaniards appeared to the Americans insatiably voracious; and they affirmed, that one Spaniard devoured more food in a day than was sufficient for ten Americans.

A proof of some feebleness in their frame, still more striking, is the insensibility of the Americans to the charms of beauty and the power of love. That passion, which was destined to perpetuate life, to be the bond of social union, and the source of tenderness and joy, is the most ardent in the human breast. Though the perils and hardships of the savage state, though excessive fatigue, on some occasions, and the difficulty at all times of procuring subsistence, may seem to be adverse to this passion, and to have a tendency to abate its vigour, yet the rudest nations in every other part of the globe seem to feel its influence more powerfully than the inhabitants of the New World. The negro glows with all the warmth of desire natural to his climate; and the most uncultivated Asiatics discover that sensibility which, from their situation on the globe, we should expect them to have felt. But the Americans are, in an amazing degree, strangers to the force of this first instinct of nature. In every part of the New World the natives treat their women with coldness and indifference. They are neither the objects of that tender attachment which takes place in civilized society, nor of that ardent desire conspicuous among rude nations. Even in climates where this passion usually acquires its greatest vigour, the savage of America views his female with disdain, as an animal of a less noble species. He is at no pains to win her favour by the assiduity of courtship, and still less solicitous to preserve it by indulgence and gentleness. Missionaries themselves, notwithstanding the austerity of monastic ideas, cannot refrain from expressing their astonishment at the dispassionate coldness of the American young men in their inter-

course with the other sex. Nor is this reserve to be ascribed to any opinion which they entertain with respect to the merit of female chastity. That is an idea too refined for a savage, and suggested by a delicacy of sentiment and affection to which he is a stranger.

But in inquiries concerning either the bodily or mental qualities of particular races of men, there is not a more common or more seducing error, than that of ascribing to a single cause those characteristic peculiarities, which are the effect of the combined operation of many causes. The climate and soil of America differ, in so many respects, from those of the other hemisphere, and this difference is so obvious and striking, that philosophers of great eminence have laid hold on this as sufficient to account for what is peculiar in the constitution of its inhabitants. They rest on physical causes alone, and consider the feeble frame and languid desire of the Americans, as consequences of the temperament of that portion of the globe which they occupy. But the influences of political and moral causes ought not to have been overlooked. These operate with no less effect than that on which many philosophers rest as a full explanation of the singular appearances which have been mentioned. Wherever the state of society is such as to create many wants and desires, which cannot be satisfied without regular exertions of industry, the body accustomed to labour becomes robust and patient of fatigue. In a more simple state, where the demands of men are so few and so moderate, that they may be gratified, almost without any effort, by the spontaneous productions of nature, the powers of the body are not called forth, nor can they attain their proper strength. The natives of Chili and of North America, the two temperate regions in the New World, who live by hunting, may be deemed an active and vigorous race, when compared with the inhabitants of the isles, or of those parts of the continent where hardly any labour is requisite to procure subsistence. The exertions of a hunter are not, however, so regular, or so continued, as those of persons employed in the culture of the earth, or in the various arts of civilized life; and though his agility may be greater than theirs, his strength is on the whole inferior. If another direction were given to the active powers of man in the New World, and his force augmented by exercise, he might acquire a degree of vigour which he does not in his present state possess. The truth of this is confirmed by experience. Wherever the Americans have been gradually accustomed to hard labour, their constitutions become robust, and they have been found capable of performing such tasks as seemed not only to exceed the powers of such a feeble frame as has been deemed peculiar to their country, but to equal any effort of the natives either of Africa or of Europe (46).

The same reasoning will apply to what has been observed concerning their slender demand for food. As a proof that this should be ascribed as much to their extreme indolence, and often total want of occupation, as to anything peculiar in the physical structure of their bodies, it has been observed, that in those districts where the people of America are obliged to exert any unusual effort of activity, in order to procure subsistence, or wherever they are employed in severe labour, their appetite is not inferior to that of other men, and, in some places, it has struck observers as remarkably voracious.

The operation of political and moral causes is still more conspicuous, in modifying the degree of attachment between the sexes. In a state of high

civilization, this passion, inflamed by restraint, refined by delicacy, and cherished by fashion, occupies and engrosses the heart. It is no longer a simple instinct of nature; sentiment heightens the ardour of desire, and the most tender emotions of which our frame is susceptible, soothe and agitate the soul. This description, however, applies only to those, who, by their situation, are exempted from the cares and labours of life. Among persons of inferior order, who are doomed by their condition to incessant toil, the dominion of this passion is less violent; their solicitude to procure subsistence, and to provide for the first demand of nature, leaves little leisure for attending to its second call. But if the nature of the intercourse between the sexes varies so much in persons of different rank in polished societies, the condition of man, while he remains uncivilized, must occasion a variation still more apparent. We may well suppose, that amidst the hardships, the dangers, and the simplicity of savage life, where subsistence is always precarious, and often scanty, where men are almost continually engaged in the pursuit of their enemies, or in guarding against their attacks, and where neither dress nor reserve are employed as arts of female allurements, that the attention of the Americans to their women would be extremely feeble, without imputing this solely to any physical defect or degradation in their frame.

It is accordingly observed, that in those countries of America, where, from the fertility of the soil, the mildness of the climate, or some further advances which the natives have made in improvement, the means of subsistence are more abundant, and the hardships of savage life are less severely felt, the animal passion of the sexes becomes more ardent. Striking examples of this occur among some tribes seated on the banks of great rivers well stored with food, among others who are masters of hunting grounds abounding so much with game, that they have a regular and plentiful supply of nourishment with little labour. The superior degree of security and affluence which these tribes enjoy, is followed by their natural effects. The passions implanted in the human frame by the hand of nature acquire additional force; new tastes and desires are formed; the women, as they are more valued and admired, become more attentive to dress and ornament; the men, beginning to feel how much of their own happiness depends upon them, no longer disdain the arts of winning their favour and affection. The intercourse of the sexes becomes very different from that which takes place among their ruder countrymen; and as hardly any restraint is imposed on the gratification of desire, either by religion, or laws, or decency, the dissolution of their manners is excessive.

Notwithstanding the feeble make of the Americans, hardly any of them are deformed, or mutilated, or defective in any of their senses. All travellers have been struck with this circumstance, and have celebrated the uniform symmetry and perfection of their external figure. Some authors search for the cause of this appearance in their physical condition. As the parents are not exhausted or over-fatigued with hard labour, they suppose that their children are born vigorous and sound. They imagine, that in the liberty of savage life, the human body, naked and unconfined from its earliest age, preserves its natural form; and that all its limbs and members acquire a juster proportion, than when fettered with artificial restraints, which stint its growth and distort its shape. Something, without doubt, may be

ascribed to the operation of these causes; but the true reasons of this apparent advantage, which is common to all savage nations, lie deeper, and are closely interwoven with the nature and genius of that state. The infancy of man is so long and so helpless, that it is extremely difficult to rear children among rude nations. Their means of subsistence are not only scanty, but precarious. Such as live by hunting must range over extensive countries, and shift often from place to place. The care of children, as well as every other laborious task, is devolved upon the women. The distresses and hardships of the savage life, which are often such as can hardly be supported by persons in full vigour, must be fatal to those of more tender age. Afraid of undertaking a task so laborious, and of such long duration, as that of rearing their offspring, the women, in some parts of America, procure frequent abortions by the use of certain herbs, and extinguish the first sparks of that life which they are unable to cherish. Sensible that only stout and well formed children have force of constitution to struggle through such a hard infancy, other nations abandon and destroy such of their progeny as appear feeble or defective, as unworthy of attention. Even when they endeavour to rear all their children without distinction, so great a proportion of the whole number perishes under the rigorous treatment which must be their lot in the savage state, that few of those who laboured under any original frailty attain the age of manhood. Thus, in polished societies, where the means of subsistence are secured with certainty, and acquired with ease; where the talents of the mind are often of more importance than the powers of the body; children are preserved notwithstanding their defects or deformity, and grow up to be useful citizens. In rude nations, such persons are either cut off as soon as they are born, or, becoming a burden to themselves and to the community, cannot long protract their lives. But in those provinces of the New World, where, by the establishment of the Europeans, more regular provision has been made for the subsistence of its inhabitants, and they are restrained from laying violent hands on their children, the Americans are so far from being eminent for any superior perfection in their form, that one should rather suspect some peculiar imbecility in their race, from the extraordinary number of individuals who are deformed, dwarfish, mutilated, blind, or deaf.

How feeble soever the constitution of the Americans may be, it is remarkable, that there is less variety in the human form throughout the New World, than in the ancient continent. When Columbus and the other discoverers first visited the different countries of America which lie within the torrid zone, they naturally expected to find people of the same complexion with those in the corresponding regions of the other hemisphere. To their amazement, however, they discovered that America contained no negroes; and the cause of this singular appearance became as much the object of curiosity, as the fact itself was of wonder. In what part or membrane of the body that humour resides which tinges the complexion of the negro with a deep black, it is the business of anatomists to inquire and describe. The powerful operation of heat appears manifestly to be the cause which produces this striking variety in the human species. All Europe, a great part of Asia, and the temperate countries of Africa, are inhabited by men of a white complexion. All the torrid zone in Africa, some of the warmer regions adjacent to it, and several countries in Asia,

are filled with people of a deep black colour. If we survey the nations of our continent, making our progress from cold and temperate countries towards those parts which are exposed to the influence of vehement and unremitting heat, we shall find, that the extreme whiteness of their skin soon begins to diminish; that its colour gradually deepens as we advance; and after passing through all the successive gradations of shade, terminates in an uniform unvarying black. But in America, where the agency of heat is checked and abated by various causes, which I have already explained, the climate seems to be destitute of that force which produces such wonderful effects on the human frame. The colour of the natives of the torrid zone in America is hardly of a deeper hue than that of the people in the more temperate parts of their continent. Accurate observers who had an opportunity of viewing the Americans in very different climates, and in provinces far removed from each other, have been struck with the amazing similarity of their figure and aspect (47).

But though the hand of nature has deviated so little from one standard in fashioning the human form in America, the creation of fancy hath been various and extravagant. The same fables that were current in the ancient continent, have been revived with respect to the New World, and America too has been peopled with human beings of monstrous and fantastic appearance. The inhabitants of certain provinces were described to be pigmies of three feet high; those of others to be giants of an enormous size. Some travellers published accounts of people with only one eye; others pretended to have discovered men without heads, whose eyes and mouths were planted in their breasts. The variety of nature in her productions is indeed so great, that it is presumptuous to set bounds to her fertility, and to reject indiscriminately every relation that does not perfectly accord with our own limited observation and experience. But the other extreme, of yielding a hasty assent, on the slightest evidence, to whatever has the appearance of being strange and marvellous, is still more unbecoming a philosophical inquirer; as, in every period, men are more apt to be betrayed into error, by their weakness in believing too much, than by their arrogance in believing too little. In proportion as science extends, and nature is examined with a discerning eye, the wonders which amused ages of ignorance disappear. The tales of credulous travellers concerning America are forgotten; the monsters which they describe have been searched for in vain; and those provinces where they pretend to have found inhabitants of singular forms, are now known to be possessed by people nowise different from the other Americans.

Though those relations may, without discussion, be rejected as fabulous, there are other accounts of varieties in the human species in some parts of the New World, which rest upon better evidence, and merit more attentive examination. This variety has been particularly observed in three different districts. The first of these is situated in the isthmus of Darien, near the centre of America. Lionel Wafer, a traveller possessed of more curiosity and intelligence than we should have expected to find in an associate of buccaneers, discovered there a race of men, few in number, but of a singular make. They are of low stature, according to his description, of a feeble frame, incapable of enduring fatigue. Their colour is a dead milk white; not resembling that of fair people among Europeans, but without any tincture of a blush or sanguine complexion. The

skin is covered with a fine hairy down of a chalky white; the hair of their heads, their eye-brows, and eye-lashes are of the same hue. Their eyes are of a singular form, and so weak, that they can hardly bear the light of the sun; but they see clearly by moon-light, and are most active and gay in the night. No race similar to this has been discovered in any other part of America. Cortes, indeed, found some persons exactly resembling the white people of Darien, among the rare and monstrous animals which Montezuma had collected. But as the power of the Mexican empire extended to the provinces bordering on the isthmus of Darien, they were probably brought thence. Singular as the appearance of those people may be, they cannot be considered as constituting a distinct species. Among the negroes of Africa, as well as the natives of the Indian islands, nature sometimes produces a small number of individuals, with all the characteristic features and qualities of the white people of Darien. The former are called *Albinos* by the Portuguese, the latter *Kackerlakes* by the Dutch. In Darien the parents of those *Whites* are of the same colour with the other natives of the country; and this observation applies equally to the anomalous progeny of the negroes and Indians. The same mother who produces some children of a colour that does not belong to the race, brings forth the rest with the complexion peculiar to the country. One conclusion may then be formed with respect to the people described by Wafer, the *Albinos* and the *Kackerlakes*; they are a degenerate breed, not a separate class of men; and from some disease or defect of their parents, the peculiar colour and debility which mark their degradation are transmitted to them. As a decisive proof of this, it has been observed, that neither the white people of Darien, nor the *Albinos* of Africa, propagate their race; their children are of the colour and temperament peculiar to the natives of their respective countries (48).

The second district that is occupied by inhabitants differing in appearance from the other people of America, is situated in a high northern latitude, extending from the coast of Labrador towards the pole, as far as the country is habitable. The people scattered over those dreary regions, are known to the Europeans by the name of *Esquimaux*. They themselves, with that idea of their own superiority which consoles the rudest and most wretched nations, assume the name of *Keralit* or *Men*. They are of a middle size, and robust, with heads of a disproportioned bulk, and feet as remarkably small. Their complexion, though swarthy, by being continually exposed to the rigour of a cold climate, inclines to the European white, rather than to the copper colour of America, and the men have beards which are sometimes bushy and long. From these marks of distinction, as well as from one still less equivocal, the affinity of their language to that of the Greenlanders, which I have already mentioned, we may conclude, with some degree of confidence, that the *Esquimaux* are a race different from the rest of the Americans.

We cannot decide with equal certainty concerning the inhabitants of the third district, situated at the southern extremity of America. These are the famous *Patagonians*, who, during two centuries and a half, have afforded a subject of controversy to the learned, and an object of wonder to the vulgar. They are supposed to be one of the wandering tribes, which occupy the vast but least known region of America, which extends from the river de la Plata to

the straits of Magellan. Their proper station is in that part of the interior country which lies on the banks of the river Negro; but in the hunting season, they often roam as far as the straits which separate Tierra del Fuego from the main land. The first accounts of this people were brought to Europe by the companions of Magellan, who described them as a gigantic race, above eight feet high, and of strength in proportion to their enormous size. Among several tribes of animals, a disparity in bulk as considerable may be observed. Some large breeds of horses and dogs exceed the more diminutive races in stature and strength, as far as the Patagonian is supposed to rise above the usual standard of the human body. But animals attain the highest perfection of their species only in mild climates, or where they find the most nutritive food in greatest abundance. It is not then in the uncultivated waste of the Magellanic regions, and among a tribe of improvident savages, that we should expect to find a man possessing the highest honours of his race, and distinguished by a superiority of size and vigour, far beyond what he has reached in any other part of the earth. The most explicit and unexceptionable evidence is requisite, in order to establish a fact repugnant to those general principles and laws, which seem to affect the human frame in every other instance, and to decide with respect to its nature and qualities. Such evidence has not hitherto been produced. Though several persons, to whose testimony great respect is due, have visited this part of America since the time of Magellan, and have had interviews with the natives; though some have affirmed that such as they saw were of gigantic stature, and others have formed the same conclusion from measuring their footsteps, or from viewing the skeletons of their dead; yet their accounts vary from each other in so many essential points, and are mingled with so many circumstances manifestly false or fabulous, as detract much from their credit. On the other hand, some navigators, and those among the most eminent of their order for discernment and accuracy, have asserted that the natives of Patagonia, with whom they had intercourse, though stout and well made, are not of such extraordinary size as to be distinguished from the rest of the human species (49). The existence of this gigantic race of men seems, then, to be one of those points in natural history, with respect to which a cautious inquirer will hesitate, and will choose to suspend his assent, until more complete evidence shall decide, whether he ought to admit a fact, seemingly inconsistent with what reason and experience have discovered concerning the structure and condition of man, in all the various situations in which he has been observed.

In order to form a complete idea with respect to the constitution of the inhabitants of this and the other hemisphere, we should attend not only to the make and vigour of their bodies, but consider what degree of health they enjoy, and to what period of longevity they usually arrive. In the simplicity of the savage state, when man is not oppressed with labour, or enervated by luxury, or disquieted with care, we are apt to imagine that his life will flow on almost untroubled by disease or suffering, until his days be terminated, in extreme old age, by the gradual decays of nature. We find, accordingly, among the Americans, as well as among other rude people, persons whose decrepitude and shrivelled form seems to indicate an extraordinary length of life. But as most of them are unacquainted with the art of numbering, and allow them as forgetful of what is past,

as they are improvident of what is to come, it is impossible to ascertain their age with any degree of precision. It is evident that the period of their longevity must vary considerably, according to the diversity of climates, and their different modes of subsistence. They seem, however, to be every where exempt from many of the distempers which afflict polished nations. None of the maladies, which are the immediate offspring of luxury, ever visited them; and they have no names in their languages, by which to distinguish this numerous train of adventitious evils.

But whatever be the situation in which man is placed, he is born to suffer; and his diseases, in the savage state, though fewer in number, are like those of the animals whom he nearly resembles in his mode of life, more violent and more fatal. If luxury engenders and nourishes distempers of one species, the rigour and distresses of savage life bring on those of another. As men in this state are wonderfully improvident, and their means of subsistence precarious, they often pass from extreme want to exuberant plenty, according to the vicissitudes of fortune in the chase, or in consequence of the various degrees of abundance with which the earth affords to them its productions in different seasons. Their inconsiderate gluttony in the one situation, and their severe abstinence in the other, are equally pernicious. For though the human constitution may be accustomed by habit, like that of animals of prey, to tolerate long famine, and then to gorge voraciously, it is not a little affected by such sudden and violent transitions. The strength and vigour of savages are at some seasons impaired by what they suffer from a scarcity of food; at others, they are afflicted with disorders arising from indigestion and a superfluity of gross aliment. These are so common, that they may be considered as the unavoidable consequence of their mode of subsisting, and cut off considerable numbers in the prime of life. They are likewise extremely subject to consumptions, to pleuritic, asthmatic, and paralytic disorders, brought on by the immoderate hardships and fatigue which they endure in hunting and in war; or owing to the inclemency of the seasons to which they are continually exposed. In the savage state, hardships and fatigue violently assault the constitution. In polished societies, intemperance undermines it. It is not easy to determine which of them operates with most fatal effect, or tends most to abridge human life. The influence of the former is certainly most extensive. The pernicious consequences of luxury reach only a few members in any community; the distresses of savage life are felt by all. As far as I can judge, after very minute inquiry, the general period of human life is shorter among savages, than in well regulated and industrious societies.

One dreadful malady, the severest scourge with which, in this life, offended Heaven chastens the indulgence of criminal desire, seems to have been peculiar to the Americans. By communicating it to their conquerors, they have not only amply avenged their own wrongs, but by adding this calamity to those which formerly embittered human life, they have, perhaps, more than counterbalanced all the benefits which Europe has derived from the discovery of the New World. This distemper, from the country in which it first raged, or from the people by whom it was supposed to have been spread over Europe, has sometimes been called the Neapolitan, and sometimes the French disease. At its first appearance, the infection was so malignant, its symptoms so violent, its operation so rapid and fatal, as to baffle all

the efforts of medical skill. Astonishment and terror accompanied this unknown affliction in its progress, and men began to dread the extinction of the human race by such a cruel visitation. Experience, and the ingenuity of physicians, gradually discovered remedies of such virtue as to cure or to mitigate the evil. During the course of two centuries and a half, its virulence seems to have abated considerably. At length, in the same manner with the leprosy, which raged in Europe for some centuries, it may waste its force and disappear; and in some happier age, this western infection, like that from the East, may be known only by description (50).

II. After considering what appears to be peculiar in the bodily constitution of the Americans, our attention is naturally turned towards the powers and qualities of their minds. As the individual advances from the ignorance and imbecility of the infant state to vigour and maturity of understanding, something similar to this may be observed in the progress of the species. With respect to it too, there is a period of infancy, during which several powers of the mind are not unfolded, and all are feeble and defective in their operation. In the early ages of society, while the condition of man is simple and rude, his reason is but little exercised, and his desires move within a very narrow sphere. Hence arise two remarkable characteristics of the human mind in this state. Its intellectual powers are extremely limited; its emotions and efforts are few and languid. Both these distinctions are conspicuous among the rudest and most unimproved of the American tribes, and constitute a striking part of their description.

What, among polished nations, is called speculative reasoning or research, is altogether unknown in the rude state of society, and never becomes the occupation or amusement of the human faculties, until man be so far improved as to have secured, with certainty, the means of subsistence, as well as the possession of leisure and tranquillity. The thoughts and attention of a savage are confined within the small circle of objects immediately conducive to his preservation or enjoyment. Every thing beyond that, escapes his observation, or is perfectly indifferent to him. Like a mere animal, what is before his eyes interests and affects him; what is out of sight, or at a distance, makes little impression. There are several people in America whose limited understandings seem not to be capable of forming an arrangement for futurity; neither their solicitude nor their foresight extend so far. They follow blindly the impulse of the appetite which they feel, but are entirely regardless of distant consequences, and even of those removed in the least degree from immediate apprehension. While they highly prize such things as serve for present use, or minister to present enjoyment, they set no value upon those which are not the object of some immediate want. When, on the approach of the evening, a Caribbee feels himself disposed to go to rest, no consideration will tempt him to sell his hammock. But, in the morning, when he is sallying out to the business or pastime of the day, he will part with it for the slightest toy that catches his fancy. At the close of winter, while the impression of what he has suffered from the rigour of the climate is fresh in the mind of the North American, he sets himself with vigour to prepare materials for erecting a comfortable hut to protect him against the inclemency of the succeeding season; but, as soon as the weather becomes mild, he forgets what is past, abandons his work, and never thinks of it more, until the return of cold compels him, when too late, to resume it.

If, in concerns the most interesting, and seemingly the most simple, the reason of man, while rude and destitute of culture, differs so little from the thoughtless levity of children, or the improvident instinct of animals, its exertions, in other directions, cannot be very considerable. The objects towards which reason turns, and the disquisitions in which it engages, must depend upon the state in which man is placed, and are suggested by his necessities and desires. Disquisitions, which appear the most necessary and important to men in one state of society, never occur to those in another. Among civilized nations, arithmetic, or the art of numbering, is deemed an essential and elementary science; and in our continent, the invention and use of it reaches back to a period so remote as is beyond the knowledge of history. But among savages, who have no property to estimate, no hoarded treasures to count, no variety of objects or multiplicity of ideas to enumerate, arithmetic is a superfluous and useless art. Accordingly, among some tribes in America it seems to be quite unknown. There are many who cannot reckon further than three; and have no denomination to distinguish any number above it. Several can proceed as far as ten, others to twenty. When they would convey an idea of any number beyond these, they point to the hair of their head, intimating that it is equal to them, or with wonder declare it to be so great that it cannot be reckoned. Not only the Americans, but all nations, while extremely rude, seem to be unacquainted with the art of computation. As soon, however, as they acquire such acquaintance or connexion with a variety of objects that there is frequent occasion to combine or divide them, their knowledge of numbers increases, so that the state of this art among any people may be considered as one standard, by which to estimate the degree of their improvement. The Iroquois, in North America, as they are much more civilized than the rude inhabitants of Brazil, Paraguay, or Guiana, have likewise made greater advances in this respect; though even their arithmetic does not extend beyond a thousand, as in their petty transactions, they have no occasion for any higher number. The Cherokee, a less considerable nation on the same continent, can reckon only as far as a hundred, and to that extent have names for the several numbers; the smaller tribes in their neighbourhood can rise no higher than ten (51).

In other respects, the exercise of the understanding among rude nations is still more limited. The first ideas of every human being must be such as he receives by the senses. But in the mind of man, while in the savage state, there seem to be hardly any ideas but what enter by this avenue. The objects around him are presented to his eye. Such as may be subservient to his use, or can gratify any of his appetites, attract his notice; he views the rest without curiosity or attention. Satisfied with considering them under that simple mode in which they appear to him, as separate and detached, he neither combines them so as to form general classes, nor contemplates their qualities apart from the subject in which they inhere, nor bestows a thought upon the operations of his own mind concerning them. Thus he is unacquainted with all the ideas which have been denominated *universal*, or *abstract*, or of *reflection*. The range of his understanding must, of course, be very confined, and his reasoning powers be employed merely on what is sensible. This is so remarkably the case with the ruder nations of America, that their language (as we shall afterwards find) have not a word to express any thing but what is material or corporeal.

Time, space, substance, and a thousand other terms which represent abstract and universal ideas, are altogether unknown to them. A naked savage, cowering over the fire in his miserable cabin, or stretched under a few branches which afford him a temporary shelter, has as little inclination as capacity for useless speculation. His thoughts extend not beyond what relates to animal life; and when they are not directed towards some of its concerns, his mind is totally inactive. In situations where no extraordinary effort either of ingenuity or labour is requisite, in order to satisfy the simple demands of nature, the powers of the mind are so seldom roused to any exertion, that the rational faculties continue almost dormant and unexercised. The numerous tribes scattered over the rich plains of South America, the inhabitants of some of the islands, and of several fertile regions on the continent, come under this description. Their vacant countenance, their staring inexpressive eye, their listless inattention, and total ignorance of subjects, which seemed to be the first which should occupy the thoughts of rational beings, made such impression upon the Spaniards, when they first beheld those rude people, that they considered them as animals of an inferior order, and could not believe that they belonged to the human species. It required the authority of a papal bull to counteract this opinion, and to convince them that the Americans were capable of the functions, and entitled to the privileges of humanity. Since that time, persons more enlightened and impartial than the discoverers or conquerors of America, have had an opportunity of contemplating the most savage of its inhabitants, and they have been astonished and humbled, with observing how nearly man, in this condition, approaches to the brute creation. But in severer climates, where subsistence cannot be procured with the same ease, where men must unite more closely, and act with greater concert, necessity calls forth their talents, and sharpens their invention, so that the intellectual powers are more exercised and improved. The North American tribes and the natives of Chili, who inhabit the temperate regions in the two great districts of America, are people of cultivated and enlarged understandings, when viewed in comparison with some of those seated in the islands, or on the banks of the Maragnon and Orinoco. Their occupations are more various, their system of policy, as well as of war, more complex, their arts more numerous. But even among them, the intellectual powers are extremely limited in their operations, and unless when turned directly to those objects which interest a savage, are held in no estimation. Both the North Americans and the Chileses, when not engaged in some of the functions belonging to a warrior or hunter, loiter away their time in thoughtless indolence, unacquainted with any other subject worthy of their attention, or capable of occupying their minds. If even among them reason is so much circumscribed in its exertions, and never arrives, in its highest attainments, at the knowledge of those general principles and maxims which serve as the foundation of science, we may conclude, that the intellectual powers of man in the savage state are destitute of their proper object, and cannot acquire any considerable degree of vigour and enlargement.

From the same causes, the active efforts of the mind are few, and on most occasions, languid. If we examine into the motives which rouse men to activity in civilized life, and prompt them to persevere in fatiguing exertions of their ingenuity or strength, we shall find that they arise chiefly from acquired wants and appetites. These are numerous and importunate;

they keep the mind in perpetual agitation, and, in order to gratify them, invention must be always on the stretch, and industry must be incessantly employed. But the desires of simple nature are few, and where a favourable climate yields almost spontaneously what suffices to gratify them, they scarcely stir the soul, or excite any violent emotion. Hence the people of several tribes in America waste their life in a listless indolence. To be free from occupation, seems to be all the enjoyment towards which they aspire. They will continue whole days stretched out in their hammocks, or seated on the earth in perfect idleness, without changing their posture, or raising their eyes from the ground, or uttering a single word.

Such is their aversion to labour, that neither the hope of future good, nor the apprehension of future evil, can surmount it. They appear equally indifferent to both, discovering little solicitude, and taking no precautions to avoid the one, or to secure the other. The cravings of hunger may arouse them; but as they devour, with little distinction, whatever will appease its instinctive demands, the exertions which these occasion are of short duration. Destitute of ardour, as well as variety of desire, they feel not the force of those powerful springs which give vigour to the movements of the mind, and urge the patient hand of industry to persevere in its efforts. Man, in some parts of America, appears in a form so rude, that we can discover no effects of his activity, and the principle of understanding which should direct it seems hardly to be unfolded. Like the other animals, he has no fixed residence; he has erected no habitation to shelter him from the inclemency of the weather; he has taken no measures for securing certain subsistence; he neither sows nor reaps; but roams about as led in search of the plants and fruits which the earth brings forth in succession; and in quest of the game which he kills in the forests, or of the fish which he catches in the rivers.

This description, however, applies only to some tribes. Man cannot continue long in this state of feeble and uninformed infancy. He was made for industry and action, and the powers of his nature, as well as the necessity of his condition, urge him to fulfil his destiny. Accordingly, among most of the American nations, especially those seated in rigorous climates, some efforts are employed, and some previous precautions are taken, for securing subsistence. The career of regular industry is begun, and the laborious arm has made the first essays of its power. Still, however, the improvident and slothful genius of the savage state predominates. Even among those more improved tribes, labour is deemed ignominious and degrading. It is only to work of a certain kind that a man will deign to put his hand. The greater part is devolved entirely upon the women. One half of the community remains inactive, while the other is oppressed with the multitude and variety of its occupations. Thus their industry is partial, and the foresight which regulates it is no less limited. A remarkable instance of this occurs in the chief arrangement with respect to their manner of living. They depend for their subsistence, during one part of the year, on fishing; during another on hunting; during a third, on the produce of their agriculture. Though experience has taught them to foresee the return of those various seasons, and to make some provision for the respective exigencies of each, they either want sagacity to proportion this provision to their consumption, or are so incapable of any command over their appe-

tites, that from their inconsiderate waste, they often feel the calamities of famine as severely as the rudest of the savage tribes. What they suffer one year does not augment their industry, or render them more provident to prevent similar distresses. This inconsiderate thoughtlessness about futurity, the effect of ignorance and the cause of sloth, accompanies and characterizes man in every stage of savage life; and by a capricious singularity in his operations, he is then least solicitous about supplying his wants, when the means of satisfying them are most precarious, and procured with the greatest difficulty (52).

III. After viewing the bodily constitution of the Americans, and contemplating the powers of their minds, we are led, in the natural order of inquiry, to consider them as united together in society. Hitherto our researches have been confined to the operations of understanding respecting themselves as individuals, now they will extend to the degree of their sensibility and affection towards their species.

The domestic state is the first and most simple form of human association. The union of the sexes, among different animals, is of longer or shorter duration in proportion to the ease or difficulty of rearing their offspring. Among those tribes where the season of infancy is short, and the young soon acquire vigour or agility, no permanent union is formed. Nature commits the care of training up the offspring to the mother alone, and her tenderness, without any other assistance, is equal to the task. But where the state of infancy is long and helpless, and the joint assiduity of both parents is requisite in tending their feeble progeny, there a more intimate connection takes place, and continues until the purpose of nature be accomplished, and the new race grow up to full maturity. As the infancy of man is more feeble and helpless than that of any other animal, and he is dependent, during a much longer period, on the care and foresight of his parents, the union between husband and wife came early to be considered, not only as a solemn, but as a permanent, contract. A general state of promiscuous intercourse between the sexes never existed but in the imagination of poets. In the infancy of society, when men, destitute of arts and industry, lead a hard precarious life, the rearing of their progeny demands the attention and efforts of both parents; and if their union had not been formed and continued with this view, the race could not have been preserved. Accordingly, in America, even among the rudest tribes, a regular union between husband and wife was universal, and the rights of marriage were understood and recognised. In those districts where subsistence was scanty, and the difficulty of maintaining a family was great, the man confined himself to one wife. In warmer and more fertile provinces, the facility of procuring food concurred with the influence of climate in inducing the inhabitants to increase the number of their wives. In some countries, the marriage union subsisted during life; in others, the impatience of the Americans under restraint of any species, together with their natural levity and caprice, prompted them to dissolve it on very slight pretexts, and often without assigning any cause.

But in whatever light the Americans considered the obligation of this contract, either as perpetual, or only as temporary, the condition of women was equally humiliating and miserable. Whether man has been improved by the progress of arts and civilization in society, is a question which, in the wantonness of dispute, has been agitated among philosophers.

That women are indebted to the refinements of polished manners for a happy change in their state, is a point which can admit of no doubt. To despise and to degrade the female sex, is the characteristic of the savage state in every part of the globe. Man, proud of excelling in strength and in courage, the chief marks of pre-eminence among rude people, treats woman, as an inferior, with disdain. The Americans, perhaps from that coldness and insensibility which has been considered as peculiar to their constitution, add neglect and harshness to contempt. The most intelligent travellers have been struck with this inattention of the Americans to their women. It is not, as I have already observed, by a studied display of tenderness and attachment, that the American endeavours to gain the heart of the woman whom he wishes to marry. Marriage itself, instead of being an union of affection and interests between equals, becomes, among them, the unnatural conjunction of a master with his slave. It is the observation of an author, whose opinions are deservedly of great weight, that wherever wives are purchased, their condition is extremely depressed. They become the property and the slaves of those who buy them. In whatever part of the globe this custom prevails, the observation holds. In countries where refinement has made some progress, women, when purchased, are excluded from society, shut up in sequestered apartments, and kept under the vigilant guard of their masters. In ruder nations, they are degraded to the meanest functions. Among many people of America, the marriage-contract is properly a purchase. The man buys his wife of her parents. Though unacquainted with the use of money, or with such commercial transactions as take place in more improved society, he knows how to give an equivalent for any object which he desires to possess. In some places, the suitor devotes his service for a certain time to the parents of the maid whom he courts; in others, he hunts for them occasionally, or assists in cultivating their fields, and forming their canoes; in others, he offers presents of such things as are deemed most valuable on account of their usefulness or rarity. In return for these he receives his wife; and this circumstance, added to the low estimation of women among savages, leads him to consider her as a female servant whom he has purchased, and whom he has a title to treat as an inferior. In all unpolished nations, it is true, the functions in domestic economy, which fall naturally to the share of women, are so many, that they are subjected to hard labour, and must bear more than their full portion of the common burthen. But in America their condition is so peculiarly grievous, and their depression so complete, that servitude is a name too mild to describe their wretched state. A wife, among most tribes, is no better than a beast of burden destined to every office of labour and fatigue. While the men loiter out the day in sloth, or spend it in amusement, the women are condemned to incessant toil. Tasks are imposed upon them without pity, and services are received without complaisance or gratitude. Every circumstance reminds women of this mortifying inferiority. They must approach their lords with reverence; they must regard them as more exalted beings, and are not permitted to eat in their presence. There are districts in America where this dominion is so grievous, and so sensibly felt, that some women, in a wild emotion of maternal tenderness, have destroyed their female children in their infancy in order to deliver them from that intolerable bondage to which they knew they were doomed. Thus the first institution of social life is perverted. That state

of domestic union towards which nature leads the human species, in order to soften the heart to gentleness and humanity, is rendered so unequal, as to establish a cruel distinction between the sexes, which forms the one to be harsh and unfeeling, and humbles the other to servility and subjection.

It is owing, perhaps, in some measure to this state of depression, that women in rude nations are far from being prolific. The vigour of their constitution is exhausted by excessive fatigue, and the wants and distresses of savage life are so numerous, as to force them to take various precautions in order to prevent too rapid an increase of their progeny. Among wandering tribes, or such as depend chiefly upon hunting for subsistence, the mother cannot attempt to rear a second child, until the first has attained such a degree of vigour as to be in some measure independent of her care. From this motive it is the universal practice of the American women to suckle their children during several years; and as they seldom marry early, the period of their fertility is over before they can finish the long but necessary attendance upon two or three children. Among some of the least polished tribes, whose industry and foresight do not extend so far as to make any regular provision for their own subsistence, it is a maxim not to burthen themselves with rearing more than two children; and no such numerous families, as are frequent in civilized societies, are to be found among men in the savage state. When twins are born, one of them commonly is abandoned, because the mother is not equal to the task of rearing both (53). When a mother dies while she is nursing a child, all hope of preserving its life fails, and it is buried together with her in the same grave. As the parents are frequently exposed to want by their own improvident indolence, the difficulty of sustaining their children becomes so great, that it is not uncommon to abandon or destroy them. Thus their experience of the difficulty of training up an infant to maturity, amidst the hardships of savage life, often stifles the voice of nature among the Americans, and suppresses the strong emotions of parental tenderness.

But, though necessity compels the inhabitants of America thus to set bounds to the increase of their families, they are not deficient in affection and attachment to their offspring. They feel the power of this instinct in its full force, and as long as their progeny continue feeble and helpless, no people exceed them in tenderness and care. But in rude nations, the dependence of children upon their parents is of shorter continuance than in polished societies. When men must be trained to the various functions of civil life by previous discipline and education, when the knowledge of abstruse sciences must be taught, and dexterity in intricate arts must be acquired, before a young man is prepared to begin his career of action, the attentive feelings of a parent are not confined to the years of infancy, but extend to what is more remote, the establishment of his child in the world. Even then his solicitude does not terminate. His protection may still be requisite, and his wisdom and experience still prove useful guides. Thus a permanent connexion is formed; parental tenderness is exercised, and filial respect returned, throughout the whole course of life. But in the simplicity of the savage state, the affection of parents, like the instinctive fondness of animals, ceases almost entirely as soon as their offspring attain maturity. Little instruction fits them for that mode of life to which they are destined. The parents, as if their duty were accomplished, when they have conducted their children through the helpless years

of infancy, leave them afterwards at entire liberty. Even in their tender age, they seldom advise or admonish, they never chide or chastise them. They suffer them to be absolute masters of their own actions. In an American hut, a father, a mother, and their posterity, live together like persons assembled by accident, without seeming to feel the obligation of the duties mutually arising from this connexion. As filial love is not cherished by the continuance of attention or good offices, the recollection of benefits received in early infancy is too faint to excite it. Conscious of their own liberty, and impatient of restraint, the youth of America are accustomed to act as if they were totally independent. Their parents are not objects of greater regard than other persons. They treat them always with neglect, and often with such harshness and insolence, as to fill those who have been witnesses of their conduct with horror. Thus the ideas which seem to be natural to man in his savage state, as they result necessarily from his circumstances and condition in that period of his progress, affect the two capital relations in domestic life. They render the union between husband and wife unequal. They shorten the duration, and weaken the force, of the connexion between parents and children.

IV. From the domestic state of the Americans, the transition to the consideration of their civil government and political institutions is natural. In every inquiry concerning the operations of men when united together in society, the first object of attention should be their mode of subsistence. Accordingly as that varies, their laws and policy must be different. The institution suited to the ideas and exigences of tribes, which chiefly subsist by fishing or hunting, and which have as yet acquired but an imperfect conception of any species of property, will be much more simple than those which must take place when the earth is cultivated with regular industry, and a right of property, not only in its productions, but in the soil itself, is completely ascertained.

All the people of America, now under review, belong to the former class. But though they may all be comprehended under the general denomination of savage, the advances which they had made in the art of procuring to themselves a certain and plentiful subsistence, were very unequal. On the extensive plains of South America, man appears in one of the rudest states in which he has been ever observed, or, perhaps can exist. Several tribes depend entirely upon the bounty of nature for subsistence. They discover no solicitude, they employ little foresight, they scarcely exert any industry, to secure what is necessary for their support. The *Topayers* of Brazil, the *Guaxeros* of Tierra Firme, the *Caiguas*, the *Moxos*, and several other people of Paraguay, are unacquainted with every species of cultivation. They neither sow nor plant. Even the culture of the manioc, of which cassada bread is made, is an art too intricate for their ingenuity, or too fatiguing to their indolence. The roots which the earth produces spontaneously, the fruits, the berries, and the seeds which they gather in the woods, together with lizards and other reptiles, which multiply amazingly with the heat of the climate in a fat soil, moistened by frequent rains, supply them with food during some part of the year. At other times they subsist by fishing; and nature seems to have indulged the laziness of the South American tribes by the liberality with which she ministers, in this way, to their wants. The vast rivers of that region in America abound with an infinite variety of the

most delicate fish. The lakes and marshes formed by the annual overflowing of the waters, are filled with all the different species, where they remain shut up, as in natural reservoirs, for the use of the inhabitants. They swarm in such shoals, that in some places they are caught without art or industry (54). In others the natives have discovered a method of infecting the water with the juice of certain plants, by which the fish become intoxicated, that they float on the surface, and are taken with the hand (55). Some tribes have ingenuity enough to preserve them without salt, by drying or smoking them upon hurdles over a slow fire. The prolific quality of the rivers in South America induces many of the natives to resort to their banks, and to depend almost entirely for nourishment on what their waters supply with such profusion. In this part of the globe, hunting seems not to have been the first employment of men, or the first effort of their invention and labour to obtain food. They were fishers before they became hunters; and as the occupations of the former do not call for equal exertions of activity or talents with those of the latter, people in that state appear to possess neither the same degree of enterprise nor of ingenuity. The petty nations, adjacent to the Maragnon and Orinoco, are manifestly the most inactive and least intelligent of all the Americans.

None but tribes contiguous to great rivers can sustain themselves in this manner. The greater part of the American nations, dispersed over the forests with which their country is covered, do not procure subsistence with the same facility. For although these forests, especially in the southern continent of America, are stored plentifully with game, considerable efforts of activity and ingenuity are requisite in pursuit of it. Necessity incited the natives to the one, and taught them the other. Hunting became their principal occupation; and as it called forth strenuous exertions of courage, of force, and of invention, it was deemed no less honourable than necessary. This occupation was peculiar to the men. They were trained to it from their earliest youth. A bold and dexterous hunter ranked next in fame to the distinguished warrior, and an alliance with the former is often courted in preference to one with the latter. Hardly any device, which the ingenuity of man has discovered for ensnaring or destroying wild animals, was unknown to the Americans. While engaged in this favorite exercise, they shake off the indolence peculiar to their nature, the latent powers and vigour of their minds are roused, and they become active, persevering, and indefatigable. Their sagacity in finding their prey, and their address in killing it, are equal. Their reason and their senses being constantly directed towards this one object, the former displays such fertility of invention, and the latter acquire such a degree of acuteness, as appear almost incredible. They discern the footsteps of a wild beast, which escape every other eye, and can follow them with certainty through the pathless forest. If they attack their game openly, their arrow seldom errs from the mark; if they endeavour to circumvent it by art, it is almost impossible to avoid their toils. Among several tribes, their young men were not permitted to marry, until they had given such proofs of their skill in hunting as put it beyond doubt that they were capable of providing for a family. Their ingenuity, always on the stretch, and sharpened by emulation, as well as necessity, has struck out many inventions, which greatly facilitate success in the chase. The most singular of these is the discovery of a poison in which they dip the arrows

employed in hunting. The slightest wound with those envenomed shafts is mortal. If they only pierce the skin the blood fixes and congeals in a moment, and the strongest animal falls motionless to the ground. Nor does this poison, notwithstanding its violence and subtlety infect the flesh of the animal which it kills. That may be eaten with perfect safety, and retain its native relish and qualities. All the nations situated upon the banks of the Maragnon and Orinoco are acquainted with this composition, the chief ingredient in which is the juice extracted from the root of the *curare*, a species of *Withe*. In other parts of America, they employ the juice of the *manchenille* for the same purpose, and it operates with no less fatal activity. To people possessed of those secrets, the bow is a more destructive weapon than the musket, and in their skilful hands, does great execution among the birds and beasts which abound in the forests of America.

But the life of a hunter gradually leads man to a state more advanced. The chase, even where prey is abundant, and the dexterity of the hunter much improved, affords but an uncertain maintenance, and at some seasons it must be suspended altogether. If a savage trusts to his bow alone for food, he and his family will be often reduced to extreme distress (56). Hardly any region of the earth furnishes man spontaneously with what his wants require. In the mildest climates, and most fertile soils, his own industry and foresight must be exerted, in some degree, to secure a regular supply of food. Their experience of this surmounts the abhorrence of labour natural to savage nations, and compels them to have recourse to culture, as subsidiary to hunting. In particular situations, some small tribes may subsist by fishing, independent of any production of the earth raised by their own industry. But throughout all America, we scarcely meet with any nation of hunters, which does not practise some species of cultivation.

The agriculture of the Americans, however, is neither extensive nor laborious. As game and fish are their principal food, all they aim at, by cultivation, is to supply any occasional defect of these. In the southern continent of America, the natives confine their industry to rearing a few plants, which in a rich soil and warm climate were easily trained to maturity. The chief of these is *maize*, well known in Europe by the name of Turkey or Indian wheat, a grain extremely prolific, of simple culture, agreeable to the taste, and affording a strong hearty nourishment. The second is the *manioc*, which grows to the size of a large shrub, or small tree, and produces roots somewhat resembling parsnips. After carefully squeezing out the juice, these roots are grated down to a fine powder, and formed into thin cakes, called *cassada* bread, which, though insipid to the taste, proves no contemptible food. As the juice of the manioc is a deadly poison, some authors have celebrated the ingenuity of the Americans in converting a noxious plant into wholesome nourishment. But it should rather be considered as one of the desperate expedients for procuring subsistence, to which necessity reduces rude nations; or perhaps, men were led to the use of it by a progress, in which there is nothing marvellous. One species of manioc is altogether free of any poisonous quality, and may be eaten without any preparation but that of roasting it in the embers. This, it is probable, was first used by the Americans as food; and necessity having gradually taught them the art of separating its pernicious juice from the other species, they have by

experience found it to be more prolific as well as more nourishing (37). The third is the *plantain*, which, though it rises to the height of a tree, it is of such quick growth, that in less than a year it rewards the industry of the cultivator with its fruit. This, when roasted, supplies the place of bread, and is both palatable and nourishing (38). The fourth is the *potato*, whose culture and qualities are too well known to need any description. The fifth is *pimento*, a small tree yielding a strong aromatic spice. The Americans, who, like other inhabitants of warm climates, delight in whatever is hot and of poignant flavour, deem this seasoning a necessary of life, and mingle it copiously with every kind of food they take.

Such are the various productions, which were the chief object of culture among the hunting tribes on the continent of America; and with a moderate exertion of active and provident industry, these might have yielded a full supply to the wants of a numerous people. But men, accustomed to the free and vagrant life of hunters, are incapable of regular application to labour, and consider agriculture as a secondary and inferior occupation. Accordingly, the provision for subsistence, arising from cultivation, was so limited and scanty among the Americans, that, upon any accidental failure of their usual success in hunting, they were often reduced to extreme distress.

In the islands, the mode of subsisting was considerably different. None of the large animals which abound on the continent were known there. Only four species of quadrupeds, besides a kind of small dumb dog, existed in the islands, the biggest of which did not exceed the size of a rabbit. To hunt such diminutive prey, was an occupation which required no effort either of activity or courage. The chief employment of a hunter in the isles was to kill birds, which on the continent are deemed ignoble game, and left chiefly to the pursuit of boys. This want of animals, as well as their peculiar situation, led the islanders to depend principally upon fishing for their subsistence. Their rivers, and the sea with which they are surrounded, supplied them with this species of food. At some particular seasons, turtle, crabs, and other shell-fish, abounded in such numbers, that the natives could support themselves with a facility in which their indolence delighted. At other times they ate lizards, and various reptiles of odious forms. To fishing, the inhabitants of the islands added some degree of agriculture. Maize (59), manioc, and other plants, were cultivated in the same manner as on the continent. But all the fruits of their industry, together with what their soil and climate produced spontaneously, afforded them but a scanty maintenance. Though their demands for food were very sparing, they hardly raised what was sufficient for their own consumption. If a few Spaniards settled in any district, such a small addition of supernumerary mouths soon exhausted their scanty stores, and brought on a famine.

Two circumstances, common to all the savage nations of America, concurred with those which I have already mentioned, not only in rendering their agriculture imperfect, but in circumscribing their power in all their operations. They had no tame animals; and they were unacquainted with the useful metals.

In other parts of the globe, man, in his rudest state, appears as lord of the creation, giving law to various tribes of animals, which he has tamed, and reduced to subjection. The Tartar follows his prey on the horse which he has reared; or tends his numerous herds, which furnish him both with food and clothing: the Arab has rendered the camel docile, and avails

himself of its persevering strength: the Laplander has formed the rein-deer to be subservient to his will; and even the people of Kamchatka have trained their dogs to labour. This command over the inferior creatures is one of the noblest prerogatives of man, and among the greatest efforts of his wisdom and power. Without this, his dominion is incomplete. He is a monarch who has no subjects; a master without servants, and must perform every operation by the strength of his own arm. Such was the condition of all the rude nations in America. Their reason was so little improved, or their union so incomplete, that they seem not to have been conscious of the superiority of their nature, and suffered all the animal creation to retain its liberty, without establishing their own authority over any one species. Most of the animals, indeed, which have been rendered domestic in our continent, do not exist in the New World; but those peculiar to it are neither so fierce nor so formidable, as to have exempted them from servitude. There are some animals of the same species in both continents. But the rein-deer, which has been tamed and broken to the yoke in the one hemisphere, runs wild in the other. The *bison* of America is manifestly of the same species with the horned cattle of the other hemisphere. The latter, even among the rudest nations in our continent, have been rendered domestic; and, in consequence of his dominion over them, man can accomplish works of labour with greater facility, and has made a great addition to his means of subsistence. The inhabitants of many regions of the New World, where the bison abounds, might have derived the same advantages from it. It is not of a nature so indocile, but that it might have been trained to be as subservient to man as our cattle. But a savage, in that uncultivated state wherein the Americans were discovered, is the enemy of the other animals, not their superior. He wastes and destroys, but knows not how to multiply or to govern them.

This, perhaps, is the most notable distinction between the inhabitants of the Ancient and New Worlds, and a high pre-eminence of civilized men above such as continue rude. The greatest operations of man, in changing and improving the face of nature, as well as his most considerable efforts in cultivating the earth, are accomplished by means of the aid which he receives from the animals that he has tamed, and employs in labour. It is by their strength that he subdues the stubborn soil, and converts the desert or marsh into a fruitful field. But man, in his civilized state, is so accustomed to the service of the domestic animals, that he seldom reflects upon the vast benefits which he derives from it. If we were to suppose him, even when most improved, to be deprived of their useful ministry, his empire over nature must in some measure cease, and he would remain a feeble animal, at a loss how to subsist, and incapable of attempting such arduous undertakings as their assistance enables him to execute with ease.

It is a doubtful point, whether the dominion of man over the animal creation, or his acquiring the useful metals, has contributed most to extend his power. The era of this important discovery is unknown, and in our hemisphere very remote. It is only by tradition, or by digging up some rude instruments of our forefathers, that we learn that mankind were originally unacquainted with the use of metals, and endeavoured to supply the want of them by employing flints, shells, bones, and other hard substances,

for the same purposes which metals serve among polished nations. Nature completes the formation of some metals. Gold, silver, and copper, are found in their perfect state in the clefts of rocks, in the sides of mountains, or the channels of rivers. These were accordingly the metals first known, and first applied to use. But iron, the most serviceable of all, and to which man is most indebted, is never discovered in its perfect form; its gross and stubborn ore must feel twice the force of fire, and go through two laborious processes, before it can become fit for use. Man was long acquainted with the other metals before he acquired the art of fabricating iron, or attained such ingenuity as to perfect an invention, to which he is indebted for those instruments wherewith he subdues the earth, and commands all its inhabitants. But in this, as well as in many other respects, the inferiority of the Americans was conspicuous. All the savage tribes, scattered over the continent and islands, were totally unacquainted with the metals which their soil produces in great abundance, if we except some trifling quantity of gold, which they picked up in the torrents that descended from their mountains, and formed into ornaments. Their devices to supply this want of the serviceable metals, were extremely rude and awkward. The most simple operation was to them an undertaking of immense difficulty and labour. To fell a tree with no other instruments than hatchets of stone, was employment for a month. To form a canoe into shape, and to hollow it, consumed years; and it frequently began to rot before they were able to finish it. Their operations in agriculture were equally slow and defective. In a country covered with woods of the hardest timber, the clearing of a small field destined for culture required the united efforts of a tribe, and was a work of much time and great toil. This was the business of the men, and their indolence was satisfied with performing it in a very slovenly manner. The labour of cultivation was left to the women, who, after digging, or rather stirring, the field, with wooden mattocks, and stakes hardened in the fire, sowed or planted it; but they were more indebted for the increase to the fertility of the soil, than to their own rude industry.

Agriculture, even when the strength of man is seconded by that of the animals which he has subjected to the yoke, and his power augmented by the use of various instruments with which the discovery of metals has furnished him, is still a work of great labour; and it is with the sweat of his brow that he renders the earth fertile. It is not wonderful, then, that people destitute of both these advantages should have made so little progress in cultivation, that they must be considered as depending for subsistence on fishing and hunting, rather than on the fruits of their own labour.

From this description of the mode of subsisting among the rude American tribes, the form and genius of their political institutions may be deduced, and we are enabled to trace various circumstances of distinction between them and more civilized nations.

1. They were divided into small independent communities. While hunting is the chief source of subsistence, a vast extent of territory is requisite for supporting a small number of people. In proportion as men multiply and unite, the wild animals, on which they depend for food, diminish, or fly at a greater distance from the haunts of their enemy. The increase of a society in this state is limited by

its own nature, and the members of it must either disperse like the game which they pursue, or fall upon some better method of procuring food than by hunting. Beasts of prey are by nature solitary and unsocial; they go not forth to the chase in herds, but delight in those recesses of the forest where they can roam and destroy undisturbed. A nation of hunters resembles them both in occupation and in genius. They cannot form into large communities, because it would be impossible to find subsistence; and they must drive to a distance every rival who may encroach on those domains, which they consider as their own. This was the state of all the American tribes; the numbers in each were inconsiderable, though scattered over countries of great extent; they were far removed from one another, and engaged in perpetual hostilities or rivalry. In America the word *nation* is not of the same import as in other parts of the globe. It is applied to small societies, not exceeding perhaps, two or three hundred persons, but occupying provinces greater than some kingdoms in Europe. The country of Guiana, though of larger extent than the kingdom of France, and divided among a greater number of nations, did not contain above twenty-five thousand inhabitants. In the provinces which border on the Orinoco, one may travel several hundred miles in different directions, without finding a single hut, or observing footsteps of a human creature. In North America, where the climate is more rigorous, and the soil less fertile, the desolation is still greater. There, journeys of some hundred leagues have been made through uninhabited plains and forests (60). As long as hunting continues to be the chief employment of man, to which he trusts for subsistence, he can hardly be said to have occupied the earth (61).

2. Nations which depend upon hunting are, in a great measure, strangers to the idea of property. As the animals on which the hunter feeds are not bred under his inspection, nor nourished by his care, he can claim no right to them, while they run wild in the forest. Where game is so plentiful that it may be caught with little trouble, men never dream of appropriating what is of small value, or of easy acquisition. Where it is so rare, that the labour or danger of the chase requires the united efforts of a tribe, or village, what is killed is a common stock, belonging equally to all, who by their skill or their courage have contributed to the success of the excursion. The forest, or hunting-grounds, are deemed the property of the tribe, from which it has a title to exclude every rival nation. But no individual arrogates a right to any district of these, in preference to his fellow citizens. They belong alike to all; and thither, as to a general and undivided store, all repair in quest of sustenance. The same principles by which they regulate their chief occupation, extend to that which is subordinate. Even agriculture has not introduced among them a complete idea of property. As the men hunt, the women labour together, and after they have shared the toils of the seed-time, they enjoy the harvest in common. Among some tribes, the increase of their cultivated lands is deposited in a public granary, and divided among them at stated times, according to their wants (62). Among others, though they lay up separate stores, they do not acquire such an exclusive right of property, that they can enjoy superfluity, while those around them suffer want. Thus the distinctions arising from the inequality of possessions are unknown. The terms rich or poor enter not into their language, and being strangers to property, they are

unacquainted with what is the great object of laws and policy, as well as the chief motive which induced mankind to establish the various arrangements of regular government.

3. People in this state retain a high sense of equality and independence. Wherever the idea of property is not established, there can be no distinction among men, but what arises from personal qualities. These can be conspicuous only on such occasions as call them forth into exertion. In times of danger, or in affairs of intricacy, the wisdom and experience of age are consulted, and prescribe the measures which ought to be pursued. When a tribe of savages takes the field against the enemies of their country, the warrior of most approved courage leads the youth to the combat. If they go forth in a body to the chase, the most expert and adventurous hunter is foremost, and directs their motions. But during seasons of tranquillity and inaction, when there is no occasion to display those talents, all pre-eminence ceases. Every circumstance indicates that all the members of the community are on a level. They are clothed in the same simple garb. They feed on the same plain fare. Their houses and furniture are exactly similar. No distinction can arise from the inequality of possessions. Whatever forms dependence on one part, or constitutes superiority on the other, is unknown. All are free-men, all feel themselves to be such, and assert with firmness the rights which belong to that condition. This sentiment of independence is imprinted so deeply in their nature, that no change of condition can eradicate it, and bend their minds to servitude. Accustomed to be absolute masters of their own conduct, they disdain to execute the orders of another; and having never known controul, they will not submit to correction (63). Many of the Americans, when they found that they were treated as slaves by the Spaniards, died of grief; many destroyed themselves in despair.

4. Among people in this state, government can assume little authority, and the sense of civil subordination must remain very imperfect. While the idea of property is unknown, or incompletely conceived; while the spontaneous productions of the earth, as well as the fruits of industry, are considered as belonging to the public stock, there can hardly be any such subject of difference or discussion among the members of the same community, as will require the hand of authority to interpose in order to adjust it. Where the right of separate and exclusive possession is not introduced, the great object of law and jurisdiction does not exist. When the members of a tribe are called into the field, either to invade the territories of their enemies or to repel their attacks, when they are engaged together in the toil and dangers of the chase, they then perceive that they are part of a political body. They are conscious of their own connexion with the companions in conjunction with whom they act; and they follow and reverence such as excel in conduct and valour. But, during the intervals between such common efforts, they seem scarcely to feel the ties of political union (64). No visible form of government is established. The names of *magistrate* and *subject* are not in use. Every one seems to enjoy his natural independence almost entire. If a scheme of public utility be proposed, the members of the community are left at liberty to choose whether they will or will not assist in carrying it into execution. No statute imposes any service as a duty, no compulsory laws oblige them to perform it. All their resolutions are volun-

tary, and flow from the impulse of their own minds. The first step towards establishing a public jurisdiction has not been taken in those rude societies. The right of revenge is left in private hands. If violence is committed, or blood is shed, the community does not assume the power either of inflicting or of moderating the punishment. It belongs to the family and friends of the person injured or slain to avenge the wrong, or to accept the reparation offered by the aggressor. If the elders interpose, it is to advise, not to decide, and it is seldom their counsels are listened to: for as it is deemed pusillanimous to suffer an offender to escape with impunity, resentment is implacable and everlasting. The object of government among savages is rather foreign than domestic. They do not aim at maintaining interior order and police by public regulations, or the exertions of any permanent authority, but labour to preserve such union among the members of their tribe, that they may watch the motions of their enemies, and act against them with concert and vigour.

Such was the form of political order established among the greater part of the American nations. In this state were almost all the tribes spread over the provinces extending eastward of the Mississippi, from the mouth of the St. Laurence to the confines of Florida. In a similar condition were the people of Brazil, the inhabitants of Chili, several tribes in Paraguay and Guiana, and in the countries which stretch from the mouth of the Orinoco to the peninsula of Yucatan. Among such an infinite number of petty associations, there may be peculiarities which constitute a distinction, and mark the various degrees of their civilization and improvement. But an attempt to trace and enumerate these would be vain, as they have not been observed by persons capable of discerning the minute and delicate circumstances which serve to discriminate nations resembling one another in their general character and features. The description which I have given of the political institutions that took place among those rude tribes in America, concerning which we have received most complete information, will apply with little variation, to every people, both in its northern and southern division, who have advanced no further in civilization, than to add some slender degree of agriculture to fishing and hunting.

Imperfect as those institutions may appear, several tribes were not so far advanced in their political progress. Among all those petty nations which trusted for subsistence entirely to fishing and hunting without any species of cultivation, the union was so incomplete, and their sense of mutual dependence so feeble, that hardly any appearance of government or order can be discerned in their proceedings. Their wants are few, their objects of pursuit simple, they form into separate tribes, and act together, from instinct, habit, or conveniency, rather than from any formal concert and association. To this class belong the Californians, several of the small nations in the extensive country of Paraguay, some of the people on the banks of the Orinoco and on the river St. Magdalena, in the new kingdom of Granada.

But though among these last mentioned tribes there was hardly any shadow of regular government, and even among those which I first described its authority is slender and confined within narrow bounds, there were, however, some places in America, where government was carried far beyond the degree of perfection which seems natural to rude nations. In surveying the political operations of man, either in his savage or civilized state, we discover singular and

eccentric institutions, which start as it were from their station, and fly off so wide, that we labour in vain to bring them within the general laws of any system, or to account for them by those principles which influence other communities in a similar situation. Some instances of this occur among those people of America, whom I have included under the common denomination of savage. These are so curious and important that I shall describe them, and attempt to explain their origin.

In the New World, as well as in other parts of the globe, cold or temperate countries appear to be the favourite seat of freedom and independence. There the mind, like the body, is firm and vigorous. There men, conscious of their own dignity, and capable of the greatest efforts in asserting it, aspire to independence, and their stubborn spirits stoop with reluctance to the yoke of servitude. In warmer climates, by whose influence the whole frame is so much enervated, that present pleasure is the supreme felicity, and mere repose is enjoyment, men acquiesce, almost without a struggle, in the dominion of a superior. Accordingly, if we proceed from north to south along the continent of America, we shall find the power of those vested with authority gradually increasing, and the spirit of the people becoming more tame and passive. In Florida, the authority of the sachems, caziques, or chiefs, was not only permanent, but hereditary. They were distinguished by peculiar ornaments, they enjoyed prerogatives of various kinds, and were treated by their subjects with that reverence, which people accustomed to subjection pay to a master. Among the Natchez, a powerful tribe now extinct, formerly situated on the banks of the Mississippi, a difference of rank took place, with which the northern tribes were altogether unacquainted. Some families were reputed noble, and enjoyed hereditary dignity. The body of the people was considered as vile, and formed only for subjection. This distinction was marked by appellations which intimated the high elevation of the one state, and the ignominious depression of the other. The former were called *Respectable*; the latter, the *Stinkards*. The great Chief, in whom the supreme authority was vested, is reputed to be a being of superior nature, the brother of the sun, the sole object of their worship. They approach this great Chief with religious veneration, and honour him as the representative of their deity. His will is a law, to which all submit with implicit obedience. The lives of his subjects are so absolutely at his disposal, that if any one has incurred his displeasure, the offender comes with profound humility and offers him his head. Nor does the dominion of the Chiefs end with their lives; their principal officers, their favourite wives, together with many domestics of inferior rank, are sacrificed at their tombs, that they may be attended in the next world by the same persons who served them in this; and such is the reverence in which they are held, that those victims welcome death with exultation, deeming it a recompense of their fidelity, and a mark of distinction, to be selected to accompany their deceased master. Thus a perfect despotism, with its full train of superstition, arrogance, and cruelty, is established among the Natchez, and by a singular fatality, that people has tasted of the worst calamities incident to polished nations, though they themselves are not far advanced beyond the tribes around them in civility and improvement. In Hispaniola, Cuba, and the larger islands, their caziques or chiefs possessed extensive power. The dignity was transmitted by hereditary right from father to son. Its honours and

prerogatives were considerable. Their subjects paid great respect to the caziques, and executed their orders without hesitation or reserve. They were distinguished by peculiar ornaments, and in order to preserve or augment the veneration of the people, they had the address to call in the aid of superstition to uphold their authority. They delivered their mandates as the oracles of heaven, and pretended to possess the power of regulating the seasons, and of dispensing rain or sunshine, according as their subjects stood in need of them.

In some parts of the southern continent, the power of the caziques seems to have been as extensive as in the isles. In Bogota, which is now a province of the new kingdom of Granada, there was settled a nation, more considerable in number, and more improved in the various arts of life, than any in America, except the Mexicans and Peruvians. The people of Bogota subsisted chiefly by agriculture. The idea of property was introduced among them, and its rights secured by laws, handed down by tradition, and observed with great care. They lived in towns which may be termed large when compared with those in other parts of America. They were clothed in a decent manner, and their houses may be termed commodious, when compared with those of the small tribes around them. The effects of this uncommon civilization were conspicuous. Government had assumed a regular form. A jurisdiction was established, which took cognizance of different crimes, and punished them with rigour. A distinction of ranks was known; their chief, to whom the Spaniards gave the title of monarch, and who merited that name on account of his splendour as well as power, reigned with absolute authority. He was attended by officers of various conditions; he never appeared in public without a numerous retinue; he was carried in a sort of palanquin with much pomp, and harbingers went before him to sweep the road and strew it with flowers. This uncommon pomp was supported by presents or taxes received from his subjects, to whom their prince was such an object of veneration, that none of them presumed to look him directly in the face, or ever approached him but with an averted countenance. There were other tribes on the same continent, among which, though far less advanced than the people of Bogota in their progress towards refinement, the freedom and independence, natural to man in his savage state, was much abridged, and their caziques had assumed extensive authority.

It is not easy to point out the circumstances, or to discover the causes, which contributed to introduce and establish among each of those people a form of government so different from that of the tribes around them, and so repugnant to the genius of rude nations. If the persons who had an opportunity of observing them in their original state had been more attentive and more discerning, we might have received information from their conquerors sufficient to guide us in this inquiry. If the transactions of people, unacquainted with the use of letters, were not involved in impenetrable obscurity, we might have derived some information from this domestic source. But as nothing satisfactory can be gathered either from the accounts of the Spaniards, or from their own traditions, we must have recourse to conjectures, in order to explain the irregular appearances in the political state of the people whom I have mentioned. As all those tribes which had lost their native liberty and independence were seated in the torrid zone, or in countries approaching to it, the climate may be sup-

posed to have had some influence in forming their minds to that servitude, which seems to be the destiny of man in those regions of the globe. But though the influence of climate, more powerful than that of any other natural cause, is not to be overlooked, that alone cannot be admitted as a solution of the point in question. The operations of men are so complex, that we must not attribute the form which they assume to the force of a single principle or cause. Although despotism be confined in America to the torrid zone, and to the warm regions bordering upon it, I have already observed that these countries contain various tribes, some of which possess a high degree of freedom, and others are altogether unacquainted with the restraints of government. The indolence and timidity peculiar to the inhabitants of the islands, render them so incapable of the sentiments or efforts necessary for maintaining independence, that there is no occasion to search for any other cause of their tame submission to the will of a superior. The subjection of the Natchez, and of the people of Bogota, seems to have been the consequence of a difference in their state from that of the other Americans. They were settled nations, residing constantly in one place. Hunting was not the chief occupation of the former, and the latter seem hardly to have trusted to it for any part of their subsistence. Both had made such progress in agriculture and arts, that the idea of property was introduced in some degree in the one community, and fully established in the other. Among people in this state avarice and ambition have acquired objects, and have begun to exert their power; views of interest allure the selfish; the desire of pre-eminence excites the enterprising; dominion is courted by both; and passions unknown to man in his savage state, prompt the interested and ambitious to encroach on the rights of their fellow-citizens. Motives, with which rude nations are equally unacquainted, induce the people to submit tamely to the usurped authority of their superiors. But even among nations in this state, the spirit of subjects could not have been rendered so obsequious, or the power of rulers so unbounded, without the intervention of superstition. By its fatal influence, the human mind, in every stage of its progress, is depressed, and its native vigour and independence subdued. Whoever can acquire the direction of this formidable engine, is secure of dominion over his species. Unfortunately for the people whose institutions are the subject of inquiry, this power was in the hands of their chiefs. The caziques of the isles could put what responses they pleased into the mouths of their *Cemis* or gods; and it was by their interposition, and in their name, that they imposed any tribute or burden on their people. The same power and prerogative was exercised by the great chief of the Natchez, as the principal minister as well as the representative of the sun, their deity. The respect which the people of Bogota paid to their monarchs was likewise inspired by religion, and the heir-apparent to the kingdom was educated in the innermost recess of their principal temple, under such austere discipline, and with such peculiar rites, as tended to fill his subjects with high sentiments concerning the sanctity of his character, and the dignity of his station. Thus superstition, which, in the rudest period of society, is either altogether unknown, or wastes its force in childish unmeaning practices, had acquired such an ascendancy over those people of America who had made some little progress towards refinement, that it became the chief instrument of bending their minds to an untimely servitude,

and subjected them in the beginning of their political career, to a despotism hardly less rigorous than that which awaits nations in the last stage of their corruption and decline.

V. After examining the political institutions of the rude nations in America, the next object of attention is their art of war, or their provision for public security and defence. The small tribes dispersed over America, are not only independent and unconnected, but engaged in perpetual hostilities with one another. Though mostly strangers to the idea of separate property, vested in any individual, the rudest of the American nations are well acquainted with the rights of each community to its own domains. This right they hold to be perfect and exclusive, entitling the possessor to oppose the encroachment of neighbouring tribes. As it is of the utmost consequence to prevent them from destroying or disturbing the game in their hunting grounds, they guard this national property with a jealous attention. But as their territories are extensive, and the boundaries of them not exactly ascertained, innumerable subjects of dispute arise, which seldom terminate without bloodshed. Even in this simple and primitive state of society, interest is a source of discord, and often prompts savage tribes to take arms, in order to repel or punish such as encroach on the forests or plains, to which they trust for subsistence.

But interest is not either the most frequent or the most powerful motive of the incessant hostilities among rude nations. These must be imputed to the passion of revenge; which rages with such violence in the breast of savages, that eagerness to gratify it may be considered as the distinguishing characteristic of men in their uncivilized state. Circumstances of powerful influence, both in the interior government of rude tribes, and in their external operations against foreign enemies, concur in cherishing and adding strength to a passion fatal to the general tranquillity. When the right of redressing his own wrongs is left in the hands of every individual, injuries are felt with exquisite sensibility, and vengeance exercised with unrelenting rancour. No time can obliterate the memory of an offence, and it is seldom that it can be expiated but by the blood of the offender. In carrying on their public wars, savage nations are influenced by the same ideas, and animated with the same spirit, as in prosecuting private vengeance. In small communities, every man is touched with the injury or affront offered to the body of which he is a member, as if it were a personal attack upon his own honour or safety. The desire of revenge is communicated from breast to breast, and soon kindles into rage. As feeble societies can take the field only in small parties, each warrior is conscious of the importance of his own arm, and feels that to it is committed a considerable portion of the public vengeance. War, which between extensive kingdoms is carried on with little animosity, is prosecuted by small tribes with all the rancour of a private quarrel. The resentment of nations is as implacable as that of individuals. It may be dissembled or suppressed, but is never extinguished; and often, when least expected or dreaded, it bursts out with redoubled fury. When polished nations have obtained the glory of victory, or have acquired an addition of territory, they may terminate a war with honour. But savages are not satisfied until they extirpate the community which is the object of their hatred. They fight not to conquer, but to destroy. If they engage in hostilities, it is with a resolution never to see the face of the enemy in peace, but to prosecute the quarrel with immortal

enmity. The desire of vengeance is the first and almost the only principle which a savage instils into the minds of his children. This grows up with him as he advances in life; and as his attention is directed to few objects, it requires a degree of force unknown among men whose passions are dissipated and weakened by the variety of their occupations and pursuits. The desire of vengeance, which takes possession of the heart of savages, resembles the instinctive rage of an animal, rather than the passion of a man. It turns, with undiscerning fury, even against inanimate objects. If hurt accidentally by a stone, they often seize it in a transport of anger, and endeavour to wreak their vengeance upon it. If struck with an arrow in a battle, they will tear it from the wound, break and bite it with their teeth, and dash it on the ground. With respect to their enemies, the rage of vengeance knows no bounds. When under the dominion of this passion, man becomes the most cruel of all animals. He neither pities, nor forgives, nor spares.

The force of this passion is so well understood by the Americans themselves, that they always apply to it, in order to excite their people to take arms. If the elders of any tribe attempt to rouse their youth from sloth, if a chief wishes to allure a band of warriors to follow him in invading an enemy's country, the most persuasive topics of their martial eloquence are drawn from revenge. "The bones of our countrymen," say they, "lie uncovered; their bloody bed has not been washed clean. Their spirits cry against us; they must be appeased. Let us go and devour the people by whom they were slain. Sit no longer inactive upon your mats; lift the hatchet, console the spirits of the dead, and tell them that they shall be avenged."

Animated with such exhortations, the youth snatch their arms in a transport of fury, raise the song of war, and burn with impatience to imbrue their hands in the blood of their enemies. Private chiefs often assemble small parties, and invade a hostile tribe, without consulting the rulers of the community. A single warrior, prompted by caprice or revenge, will take the field alone, and march several hundred miles to surprise and cut off a straggling enemy (65). The exploits of a noted warrior, in such solitary excursions, often form the chief part in the history of an American campaign (66); and their elders connive at such irregular sallies, as they tend to cherish a martial spirit, and accustom their people to enterprise and danger. But when a war is national, and undertaken by public authority, the deliberations are formal and slow. The elders assemble, they deliver their opinions in solemn speeches, they weigh with maturity the nature of the enterprise, and balance its beneficial or disadvantageous consequences with no inconsiderable portion of political discernment or sagacity. Their priests and soothsayers are consulted, and sometimes they ask the advice even of their women. If the determination be for war, they prepare for it with much ceremony. A leader offers to conduct the expedition, and is accepted. But no man is constrained to follow him; the resolution of the community to commence hostilities imposes no obligation upon any member to take part in the war. Each individual is still master of his own conduct, and his engagement in the service is perfectly voluntary.

The maxims by which they regulate their military operations, though extremely different from those which take place among more civilized and populous nations, are well suited to their own political state,

and the nature of the country in which they act. They never take the field in numerous bodies, as it would require a greater effort of foresight and industry, than is usual among savages, to provide for their subsistence, during a march of some hundred miles through dreary forests, or during a long voyage upon their lakes and rivers. Their armies are not encumbered with baggage or military stores. Each warrior, besides his arms, carries a mat and a small bag of pounded maize, and with these is completely equipped for any service. While at a distance from the enemy's frontier, they disperse through the woods, and support themselves with the game which they kill, or the fish which they catch. As they approach nearer to the territories of the nation which they intend to attack, they collect their troops, and advance with greater caution. Even in their hottest and most active wars, they proceed wholly by stratagem and ambuscade. They place not their glory in attacking their enemies with open force. To surprise and destroy is the greatest merit of a commander, and the highest pride of his followers. War and hunting are their only occupations, and they conduct both with the same spirit and the same arts. They follow the track of their enemies through the forest. They endeavour to discover their haunts, they lurk in some thicket near to these, and, with the patience of a sportsman lying in wait for game, will continue in their station day after day, until they can rush upon their prey when most secure, and least able to resist them. If they meet no straggling party of the enemy, they advance towards their villages, but with such solicitude to conceal their own approach, that they often creep on their hands and feet through the woods, and paint their skins of the same colour with the withered leaves, in order to avoid detection. If so fortunate as to remain unobserved, they set on fire the enemies' huts in the dead of night, and massacre the inhabitants, as they fly naked and defenceless from the flames. If they hope to effect a retreat without being pursued, they carry off some prisoners, whom they reserve for a more dreadful fate. But if, notwithstanding all their address and precautions, they find that their motions are discovered, that the enemy has taken the alarm, and is prepared to oppose them, they usually deem it most prudent to retire. They regard it as extreme folly to meet an enemy who is on his guard, upon equal terms, or to give battle in an open field. The most distinguished success is a disgrace to a leader, if it has been purchased with any considerable loss of his followers (67), and they never boast of a victory, if stained with the blood of their own countrymen. To fall in battle, instead of being reckoned an honourable death, is a misfortune which subjects the memory of a warrior to the imputation of rashness or imprudence (68).

This system of war was universal in America; and the small uncivilized tribes, dispersed through all its different regions and climates, display more craft than boldness in carrying on their hostilities. Struck with this conduct, so opposite to the ideas and maxims of Europeans, several authors contend that it flows from a feeble and dastardly spirit peculiar to the Americans, which is incapable of any generous or manly exertion. But when we reflect that many of these tribes, on occasions which call for extraordinary efforts, not only defend themselves with obstinate resolution, but attack their enemies with the most daring courage, and that they possess fortitude of mind superior to the sense of danger or the fear of death, we must ascribe their habitual caution to

some other cause than constitutional timidity. The number of men in each tribe is so small, the difficulty of rearing new members amidst the hardships and dangers of savage life so great, that the life of a citizen is extremely precious, and the preservation of it becomes a capital object in their policy. Had the point of honour been the same among the feeble American tribes as among the powerful nations of Europe, had they been taught to court fame or victory in contempt of danger and death, they must have been ruined by maxims so ill adapted to their condition. But wherever their communities are more populous, so that they can act with considerable force, and can sustain the loss of several of their members, without being sensibly weakened, the military operations of the Americans more nearly resemble those of other nations. The Brazilians, as well as the tribes situated upon the banks of the river De la Plata, often take the field in such numerous bodies as deserve the name of armies. They defy their enemies to the combat, engage in regular battles, and maintain the conflict with that desperate ferocity, which is natural to men who, having no idea of war but that of exterminating their enemies, never give or take quarter. In the powerful empires of Mexico and Peru, great armies were assembled, frequent battles were fought, and the theory as well as practice of war were different from what took place in those petty societies which assume the name of nations.

But though vigilance and attention are the qualities chiefly requisite, where the object of war is to deceive and to surprise; and though the Americans, when acting singly, display an amazing degree of address in concealing their own motions, and discovering those of an enemy, yet it is remarkable, that, when they take the field in parties, they can seldom be brought to observe the precautions most essential to their own security. Such is the difficulty of accustoming savages to subordination, or to act in concert; such is their impatience under restraint, and such their caprice and presumption, that it is rarely they can be brought to conform themselves to the counsels and directions of their leaders. They never station sentinels around the place where they rest at night, and after marching some hundred miles to surprise an enemy, are often surprised themselves, and cut off, while sunk in as profound sleep as if they were not within reach of danger.

If, notwithstanding this negligence and security, which often frustrate their most artful schemes, they catch the enemy unprepared, they rush upon them with the utmost ferocity, and tearing off the scalps of all those who fall victims to their rage (70), they carry home those strange trophies in triumph. These they preserve as monuments, not only of their own prowess, but of the vengeance which their arm has inflicted upon the people who were objects of public resentment. They are still more solicitous to seize prisoners. During their retreat, if they hope to effect it unmolested, the prisoners are commonly exempt from any insult, and treated with some degree of humanity, though guarded with the most strict attention.

But after this temporary suspension, the rage of the conquerors rekindles with new fury. As soon as they approach their own frontier, some of their number are dispatched to inform their countrymen with respect to the success of the expedition. Then the prisoners begin to feel the wretchedness of their condition. The women of the village, together with the youth who have not attained to the age of bearing

arms, assemble, and forming themselves into two lines, through which the prisoners must pass, beat and bruise them with sticks or stones in a cruel manner. After this first gratification of their rage against their enemies, follow lamentations for the loss of such of their own countrymen as have fallen in the service, accompanied with words and actions which seem to express the utmost anguish and grief. But in a moment, upon a signal given, their tears cease; they pass, with a sudden and unaccountable transition, from the depths of sorrow to the transports of joy; and begin to celebrate their victory with all the wild exultation of a barbarous triumph. The fate of the prisoners remains still undecided. The old men deliberate concerning it. Some are destined to be tortured to death, in order to satiate the revenge of the conquerors; some to replace the members which the community has lost in that or former wars. They who are reserved for this milder fate, are led to the huts of those whose friends have been killed. The women meet them at the door, and if they receive them, their sufferings are at an end. They are adopted into the family, and, according to their phrase, are seated upon the mat of the deceased. They assume his name, they hold the same rank, and are treated thenceforward with all the tenderness due to a father, a brother, a husband, or a friend. But if, either from caprice or an unrelenting desire of revenge, the women of any family refuse to accept of the prisoner who is offered to them, his doom is fixed: no power can then save him from torture and death.

While their lot is in suspense, the prisoners themselves appear altogether unconcerned about what may befall them. They talk, they eat, they sleep, as if they were perfectly at ease, and no danger impending. When the fatal sentence is intimated to them, they receive it with an unaltered countenance, raise their death-song, and prepare to suffer like men. Their conquerors assemble as to a solemn festival, resolved to put the fortitude of the captive to the utmost proof. A scene ensues, the bare description of which is enough to chill the heart with horror, wherever men have been accustomed, by milder institutions, to respect their species, and melt with tenderness at the sight of human sufferings. The prisoners are tied naked to a stake, but so as to be at liberty to move round it. All who are present, men, women, and children, rush upon them like furies. Every species of torture is applied that the rancour of revenge can invent. Some burn their limbs with red-hot irons, some mangle their bodies with knives, others tear their flesh from their bones, pluck out their nails by the roots, and rend and twist their sinews. They vie with one another in refinements of torture. Nothing sets bounds to their rage but the dread of abridging the duration of their vengeance by hastening the death of the sufferers; and such is their cruel ingenuity in tormenting, that, by avoiding industriously to hurt any vital part, they often prolong this scene of anguish for several days. In spite of all that they suffer, the victims continue to chant their death-song with a firm voice, they boast of their own exploits, they insult their tormentors for their want of skill in avenging their friends and relations, they warn them of the vengeance which awaits them on account of what they are now doing, and excite their ferocity by the most provoking reproaches and threats. To display undaunted fortitude in such dreadful situations, is the noblest triumph of a warrior. To avoid the trial by a voluntary death, or to shrink under it, is deemed infamous and cowardly. If any one betray symptoms

of timidity, his tormentors often dispatch him at once with contempt, as unworthy of being treated like a man. Animated with those ideas, they endure, without a groan, what it seems almost impossible that human nature should sustain. They appear to be not only insensible of pain, but to court it, "Forbear," said an aged chief of the Iroquois, when his insults had provoked one of his tormentors to wound him with a knife, "forbear these stabs of your knife, and rather let me die by fire, that those dogs, your allies, from beyond the sea, may learn by my example to suffer like men." This magnanimity, of which there are frequent instances among the American warriors, instead of exciting admiration, or calling forth sympathy, exasperates the fierce spirits of their torturers to fresh acts of cruelty. Weary, at length, of contending with men whose constancy of mind they cannot vanquish, some chief, in a rage, puts a period to their sufferings, by dispatching them with his dagger or club.

This barbarous scene is often succeeded by one no less shocking. As it is impossible to appease the fell spirit of revenge which rages in the heart of a savage, this frequently prompts the Americans to devour those unhappy persons, who have been the victims of their cruelty. In the ancient world, tradition has preserved the memory of barbarous nations of cannibals, who fed on human flesh. But in every part of the New World there were people to whom this custom was familiar. It prevailed in the southern continent, in several of the islands, and in various districts of North America. Even in those parts, where circumstances, with which we are unacquainted, had in a great measure abolished this practice, it seems formerly to have been so well known, that it is incorporated into the idiom of their language. Among the Iroquois, the phrase by which they express their resolution of making war against an enemy is, "Let us go and eat that nation." If they solicit the aid of a neighbouring tribe, they invite it to "eat broth made of the flesh of their enemies (71)." Nor was the practice peculiar to rude unpolished tribes; the principle from which it took rise is so deeply rooted in the minds of the Americans, that it subsisted in Mexico, one of the civilized empires in the New World, and relics of it may be discovered among the more mild inhabitants of Peru. It was not scarcity of food, as some authors imagine, and the importunate cravings of hunger, which forced the Americans to those horrid repasts on their fellow-creatures. Human flesh was never used as common food in any country, and the various relations concerning people who reckoned it among the stated means of subsistence, flow from the credulity and mistakes of travellers. The rancour of revenge first prompted men to this barbarous action. The fiercest tribes devoured none but prisoners taken in war, or such as they regarded as enemies (72). Women and children, who were not the objects of enmity, if not cut off in the fury of their first inroad into an hostile country, seldom suffered by the deliberate effects of their revenge.

The people of South America gratify their revenge in a manner somewhat different, but with no less unrelenting rancour. Their prisoners, after meeting at their first entrance with the same rough reception as among the North Americans, are not only exempt from injury, but treated with the greatest kindness. They are feasted and caressed, and some beautiful young women are appointed to attend and solace them. It is not easy to account for this part of their conduct, unless we impute it to a refinement in cruelty. For, while they seem studious to attach the captives

to life, by supplying them with every enjoyment that can render it agreeable, their doom is irrevocably fixed. On a day appointed, the victorious tribe assembles, the prisoner is brought forth with great solemnity, he views the preparations for the sacrifice with as much indifference as if he himself were not the victim, and, meeting his fate with undaunted firmness, is despatched with a single blow. The moment he falls, the women seize the body, and dress it for the feast. They besmear their children with the blood, in order to kindle in their bosoms a hatred of their enemies, which is never extinguished; and all join in feeding upon the flesh with amazing greediness and exultation. To devour the body of a slaughtered enemy, they deem the most complete and exquisite gratification of revenge. Wherever this practice prevails, captives never escape death, but they are not tortured with the same cruelty as among tribes which are less accustomed to such horrid feasts (73).

As the constancy of every American warrior may be put to such severe proof, the great object of military education and discipline in the New World is to form the mind to sustain it. When nations carry on war with open force, defy their enemies to the combat, and vanquish them by the superiority of their skill or courage, soldiers are trained to be active, vigorous, and enterprising. But in America, where the genius and maxims of war are extremely different, passive fortitude is the quality in highest estimation. Accordingly, it is early the study of the Americans to acquire sentiments and habits, which will enable them to behave like men, when their resolution shall be put to the proof. As the youth of other nations exercise themselves in feats of activity and force, those of America vie with one another in exhibitions of their patience under sufferings. They harden their nerves by those voluntary trials, and gradually accustom themselves to endure the sharpest pain without complaining. A boy and girl will bind their naked arms together, and place a burning coal between them, in order to try who first discovers such impatience as to shake it off. All the trials, customary in America, when a youth is admitted into the class of warriors, or when a warrior is promoted to the dignity of captain or chief, are accommodated to this idea of manliness. They are not displays of valour, but of patience; they are not exhibitions of their ability to offend, but of their capacity to suffer. Among the tribes on the banks of the Orinoco, if a warrior aspires to the rank of captain, his probation begins with a long fast, more rigid than any ever observed by the most abstemious hermit. At the close of this the chiefs assemble, each gives him three lashes with a large whip, applied so vigorously, that his body is almost flayed, and if he betrays the least symptoms of impatience or even sensibility, he is disgraced for ever, and rejected as unworthy of the honour to which he aspires. After some interval, the constancy of the candidate is proved by a more excruciating trial. He is laid in a hammock with his hands bound fast, and an innumerable multitude of venomous ants, whose bite occasions exquisite pain, and produces a violent inflammation, are thrown upon him. The judges of his merit stand around the hammock, and, while these cruel insects fasten upon the most sensible parts of his body, a sigh, a groan, an involuntary motion expressive of what he suffers, would exclude him for ever from the rank of captain. Even after this evidence of his fortitude, it is not deemed to be completely ascertained, but must stand another test

more dreadful than any he has hitherto undergone. He is again suspended in his hammock, and covered with leaves of the palmetto. A fire of stinking herbs is kindled underneath, so as he may feel its heat, and be involved in its smoke. Though scorched and almost suffocated, he must continue to endure with the same patient insensibility. Many perish in this rude essay of their firmness and courage, but such as go through it with applause, receive the ensigns of their new dignity with much solemnity, and are ever after regarded as leaders of approved resolution, whose behaviour, in the most trying situations, will do honour to their country. In North America, the previous trial of a warrior is neither so formal, nor so severe. Though even there, before a youth is permitted to bear arms, his patience and fortitude are proved by blows, by fire and by insults, more intolerable to a haughty spirit than both.

The amazing steadiness with which the Americans endure the most exquisite torments, has induced some authors to suppose that, from the peculiar feebleness of their frame, their sensibility is not so acute as that of other people; as women, and persons of a relaxed habit, are observed to be less affected with pain than robust men, whose nerves are more firmly braced. But the constitution of the Americans is not so different, in its texture, from that of the rest of the human species, as to account for this diversity in their behaviour. It flows from a principle of honour, instilled early, and cultivated with such care, as to inspire man in his rudest state with an heroic magnanimity, to which philosophy hath endeavoured, in vain, to form him, when more highly improved and polished. This invincible constancy he has been taught to consider as the chief distinction of a man, and the highest attainment of a warrior. The ideas which influence his conduct, and the passions which take possession of his heart, are few. They operate of course with more decisive effect, than when the mind is crowded with a multiplicity of objects, or distracted by the variety of its pursuits; and when every motive that acts with any force in forming the sentiments of a savage, prompts him to suffer with dignity, he will bear what might seem to be impossible for human patience to sustain. But wherever the fortitude of the Americans is not roused to exertion by their ideas of honour, their feelings of pain are the same with those of the rest of mankind (74). Nor is that patience under sufferings for which the Americans have been so justly celebrated an universal attainment. The constancy of many of the victims is overcome by the agonies of torture. Their weakness and lamentations complete the triumph of their enemies, and reflect disgrace upon their own country.

The perpetual hostilities carried on among the American tribes are productive of very fatal effects. Even in seasons of public tranquillity, their imperfect industry does not supply them with any superfluous store of provisions; but when the irruption of an enemy desolates their cultivated lands, or disturbs them in their hunting excursions, such a calamity reduces a community, naturally improvident and destitute of resources, to extreme want. All the people of the district that is invaded, are frequently forced to take refuge in woods or mountains, which can afford them little subsistence, and where many of them perish. Notwithstanding their excessive caution in conducting their military operations, and the solicitude of every leader to preserve the lives of

his followers, as the rude tribes in America seldom enjoy any interval of peace, the loss of men among them is considerable in proportion to the degree of population. Thus famine and the sword combine in thinning their numbers. All their communities are feeble, and nothing now remains of several nations, which were once considerable, but the name.

Sensible of this continual decay, there are tribes which endeavour to recruit their national force when exhausted, by adopting prisoners taken in war, and by this expedient prevent their total extinction. The practice, however, is not universally received. Resentment operates more powerfully among savages, than considerations of policy. Far the greater part of their captives was anciently sacrificed to their vengeance, and it is only since their numbers began to decline fast, that they have generally adopted milder maxims. But such as they do naturalize, renounce for ever their native tribe, and assume the manners as well as passions of the people by whom they are adopted so entirely, that they often join them in expeditions against their own countrymen. Such a sudden transition, and so repugnant to one of the most powerful instincts implanted by nature, would be deemed strange among many people: but among the members of small communities, where national enmity is violent and deep-rooted, it has the appearance of being still more unaccountable. It seems, however, to result naturally from the principles upon which war is carried on in America. When nations aim at exterminating their enemies, no exchange of prisoners can ever take place. From the moment one is made a prisoner, his country and his friends consider him as dead (75). He has incurred indelible disgrace by suffering himself to be surprised or to be taken by an enemy; and were he to return home, after such a stain upon his honour, his nearest relations would not receive or even acknowledge that they knew him (76). Some tribes were still more rigid, and if a prisoner returned, the infamy which he had brought on his country was expiated by putting him instantly to death. As the unfortunate captive is thus an outcast from his own country, and the ties which bound him to it are irreparably broken, he feels less reluctance in forming a new connexion with people, who, as an evidence of their friendly sentiments, not only deliver him from a cruel death, but offer to admit him to all the rights of a fellow-citizen. The perfect similarity of manners among savage nations facilitates and completes the union, and induces a captive to transfer not only his allegiance, but his affection, to the community into the bosom of which he is received.

But though war be the chief occupation of men in their rude state, and to excel in it their highest distinction and pride, their inferiority is always manifest when they engage in competition with polished nations. Destitute of that foresight which discerns and provides for remote events, strangers to the union and mutual confidence requisite in forming any extensive plan of operations, and incapable of the subordination no less requisite in carrying such plans into execution, savage nations may astonish a disciplined enemy by their valour, but seldom prove formidable to him by their conduct; and whenever the contest is of long continuance, must yield to superior art. The empires of Peru and Mexico, though their progress in civilization, when measured by the European or Asiatic standards, was considerable, acquired such an ascendancy over the rude

tribes around them, that they subjected most of them with great facility to their power. When the people of Europe overran the various provinces of America, this superiority was still more conspicuous. Neither the courage nor number of the natives could repel a handful of invaders. The alienation and enmity, prevalent among barbarians, prevented them from uniting in any common scheme of defence, and while each tribe fought separately, all were subdued.

VI. The arts of rude nations unacquainted with the use of metals, hardly merit any attention on their own account, but are worthy of some notice, as far as they serve to display the genius and manners of man in this stage of his progress. The first distress a savage must feel, will arise from the manner in which his body is affected, by the heat, or cold, or moisture, of the climate under which he lives; and his first care will be to provide some covering for his own defence. In the warmer and more mild climates of America, none of the rude tribes were clothed. To most of them nature had not even suggested any idea of impropriety in being altogether uncovered. As under a mild climate there was little need of any defence from the injuries of the air, and their extreme indolence shunned every species of labour to which it was not urged by absolute necessity, all the inhabitants of the isles, and a considerable part of the people on the continent, remained in this state of naked simplicity. Others were satisfied with some slight covering, such as decency required. But though naked, they were not unadorned. They dressed their hair in many different forms. They fastened bits of gold, or shells, or shining stones, in their ears, their noses, and cheeks. They stained their skins with a great variety of figures; and they spent much time, and submitted to great pain, in ornamenting their persons in this fantastic manner. Vanity, however, which finds endless occupation for ingenuity and invention, in nations where dress has become a complex and intricate, art is circumscribed within so narrow bounds, and confined to so few articles among naked savages, that they are not satisfied with those simple decorations, and have a wonderful propensity to alter the natural form of their bodies, in order to render it (as they imagine) more perfect and beautiful. This practice was universal among the rudest of the American tribes. Their operations for that purpose begin as soon as an infant is born. By compressing the bones of the skull, while still soft and flexible, some flatten the crown of their heads; some squeeze them into the shape of a cone; others mould them as much as possible into a square figure: and they often endanger the lives of their posterity by their violent and absurd efforts to derange the plan of nature, or to improve upon her designs. But in all their attempts either to adorn or new-model their persons, it seems to have been less the object of the Americans to please, or to appear beautiful, than to give an air of dignity and terror to their aspect. Their attention to dress had more reference to war than to gallantry. The difference in rank and estimation between the two sexes was so great, as seems to have extinguished, in some measure, their solicitude to appear mutually amiable. The man deemed it beneath him to adorn his person, for the sake of one on whom he was accustomed to look down as a slave. It was when the warrior had in view to enter the council of his nation, or to take the field against his enemies, that he assumed his choicest ornaments, and decked his person with the nicest care. The decorations of the women were few and

simple; whatever was precious or splendid was reserved for the men. In several tribes the women were obliged to spend a considerable part of their time every day in adorning and painting their husbands, and could bestow but little attention in ornamenting themselves. Among a race of men so haughty as to despise, or so cold as to neglect them, the women naturally became careless and slovenly, and the love of finery and show, which has been deemed their favourite passion, was confined chiefly to the other sex. To deck his person was the distinction of a warrior, as well as one of his most serious occupations (77). In one part of their dress, which, at first sight, appears the most singular and capricious, the Americans have discovered considerable sagacity in providing against the chief inconveniences of their climate, which is often sultry and moist to excess. All the different tribes, which remain unclothed, are accustomed to anoint and rub their bodies with the grease of animals, with viscous gums, and with oils of different kinds. By this they check that profuse perspiration, which, in the torrid zone, wastes the vigour of the frame, and abridges the period of human life. By this, too, they provide a defence against the extreme moisture during the rainy season (78). They likewise, at certain seasons, temper paint of different colours with those unctuous substances, and bedaub themselves plentifully with that composition. Sheathed with this impenetrable varnish, their skins are not only protected from the penetrating heat of the sun, but as all the innumerable tribes of insects have an antipathy to the smell or taste of that mixture, they are delivered from their teasing persecution, which amidst forests and marshes, especially in the warmer regions, would have been altogether intolerable in a state of perfect nakedness.

The next object to dress that will engage the attention of a savage, is to prepare some habitation which may afford him shelter by day, and a retreat at night. Whatever is connected with his ideas of personal dignity, whatever bears any reference to his military character, the savage warrior deems an object of importance. Whatever relates only to peaceable and inactive life, he views with indifference. Hence, though finically attentive to dress, he is little solicitous about the elegance or disposition of his habitation. Savage nations, far from that state of improvement, in which the mode of living is considered as a mark of distinction, and unacquainted with those wants which require a variety of accommodation, regulate the construction of their houses according to their limited ideas of necessity. Some of the American tribes were so extremely rude, and had advanced so little beyond the primeval simplicity of nature, that they had no houses at all. During the day, they take shelter from the scorching rays of the sun under thick trees; at night they form a shed with their branches and leaves (79). In the rainy season they retire into coves, formed by the hand of nature, or hollowed out by their own industry. Others, who have no fixed abode, and roam through the forest in quest of game, sojourn in temporary huts, which they erect with little labour, and abandon without any concern. The inhabitants of those vast plains, which are deluged by the overflowing of rivers during the heavy rains that fall periodically between the tropics, raise houses upon piles fastened in the ground, or place them among the boughs of trees, and are thus safe amidst that wide extended inundation which surrounds them. Such were the first essays of the rudest Americans towards providing themselves with habitations. But even among tribes



which are more improved, and whose residence is become altogether fixed, the structure of their houses is extremely mean and simple. They are wretched huts, sometimes of an oblong and sometimes of a circular form, intended merely for shelter, with no view to elegance, and little attention to convenience. The doors are so low that it is necessary to bend or creep on the hands and feet in order to enter them. They are without windows, and have a large hole in the middle of the roof, to convey out the smoke. To follow travellers in other minute circumstances of their descriptions, is not only beneath the dignity of history, but would be foreign to the object of my researches. One circumstance merits attention, as it is singular, and illustrates the character of the people. Some of their houses are so large as to contain accommodation for fourscore or a hundred persons. These are built for the reception of different families, which dwell together under the same roof (80), and often around a common fire, without separate apartments, or any kind of screen or partition between the spaces which they respectively occupy. As soon as men have acquired distinct ideas of property; or when they are so much attached to their females, as to watch them with care and jealousy; families of course divide and settle in separate houses, where they can secure and guard whatever they wish to preserve. This singular mode of habitation among several people of America, may therefore be considered, not only as the effect of their imperfect notions concerning property, but as a proof of inattention and indifference towards their women. If they had not been accustomed to perfect equality, such an arrangement could not have taken place. If their sensibility had been apt to have taken alarm, they would not have trusted the virtue of their women amidst the temptations and opportunities of such a promiscuous intercourse. At the same time, the perpetual concord which reigns in habitations where so many families are crowded together, is surprising, and affords a striking evidence that they must be people of either a very gentle or of a very phlegmatic temper, who, in such a situation, are unacquainted with animosity, brawling, and discord.

After making some provision for his dress and habitation, a savage will perceive the necessity of preparing proper arms with which to assault or repel an enemy. This, accordingly, has early exercised the ingenuity and invention of all rude nations. The first offensive weapons were doubtless such as chance presented, and the first efforts of art to improve upon these, were extremely awkward and simple. Clubs made of some heavy wood, stakes hardened in the fire, lances whose heads were armed with flint or the bones of some animal, are weapons known to the rudest nations. All these, however, were of use only in close encounter. But men wished to annoy their enemies while at a distance, and the bow and arrow is the most early invention for this purpose. This weapon is in the hands of people, whose advances in improvement are extremely inconsiderable, and is familiar to the inhabitants of every quarter of the globe. It is remarkable, however, that some tribes in America were so destitute of art and ingenuity, that they had not attained to the discovery of this simple invention, and seem to have been unacquainted with the use of any missile weapon. The sling, though in its construction not more complex than the bow, and among many nations of equal antiquity, was little known to the people of North America, or the islands, but appears to have been used by a few tribes in the southern continent (81). The people in

some provinces of Chili, and those of Pantagonia, towards the southern extremity of America, use a weapon peculiar to themselves. They fasten stones, about the size of a fist, to each end of a leather thong of eight feet in length, and swing these round their heads, throw them with such dexterity, that they seldom miss the object at which they aim.

Among people who had hardly any occupation but war or hunting, the chief exertions of their invention (82), as well as industry, were naturally directed towards these objects. With respect to every thing else, their wants and desires were so limited, that their invention was not upon the stretch. As their food and habitations are perfectly simple, their domestic utensils are few and rude. Some of the southern tribes had discovered the art of forming vessels of earthenware, and baking them in the sun, so as they could endure the fire. In North America, they hollowed a piece of hard wood into the form of a kettle, and filling it with water, brought it to boil by putting red-hot stones into it. These vessels they used in preparing part of their provisions; and this may be considered as a step towards refinement and luxury, for men in their rudest state were not acquainted with any method of dressing their victuals but by roasting them on the fire; and among several tribes in America, this is the only species of cookery yet known (83). But the masterpiece of art, among the savages of America, is the construction of the canoes. An Esquimaux, shut up in his boat of whalebone, covered with the skins of seals, can brave that stormy ocean, on which the barrenness of his country compels him to depend for the chief part of his subsistence. The people of Canada venture upon their rivers and lakes in boats made of the bark of trees, and so light that two men can carry them, wherever shallows or cataracts obstruct the navigation (84). In these frail vessels they undertake and accomplish long voyages. The inhabitants of the isles and of the southern continent form their canoes by hollowing the trunk of a large tree, with infinite labour; and though in appearance they are extremely awkward and unwieldy, they paddle and steer them with such dexterity, that Europeans, well acquainted with all the improvements in the science of navigation, have been astonished at the rapidity of their motion, and the quickness of their evolutions. Their *pirogues*, or war-boats, are so large as to carry forty or fifty men; their canoes employed in fishing and in short voyages are less capacious. The form as well as materials of all these various kinds of vessels is well adapted to the service for which they are destined; and the more minutely they are examined, the mechanism of their structure, as well as neatness of their fabric, will appear the more surprising.

But in every attempt towards industry among the Americans, one striking quality in their character is conspicuous. They apply to work without ardour, carry it on with little activity, and, like children, are easily diverted from it. Even in operations which seem the most interesting, and where the most powerful motives urge them to vigorous exertions, they labour with a languid listlessness. Their work advances under their hand with such slowness, that an eye-witness compares it to the imperceptible progress of vegetation. They will spend so many years in forming a canoe, that it often begins to rot with age before they finish it. They will suffer one part of a roof to decay and perish, before they complete the other. The slightest manual operation consumes an amazing length of time, and what in polished nations would hardly be an effort of industry, is among

savages an arduous undertaking. This slowness of the Americans in executing works of every kind may be imputed to various causes. Among savages, who do not depend for subsistence upon the efforts of regular industry, time is of so little importance, that they set no value upon it; and provided they can finish a design, they never regard how long they are employed about it. The tools which they employ are so awkward and defective, that every work in which they engage must necessarily be tedious. The hand of the most industrious and skilful artist, were it furnished with no better instrument than a stone hatchet, a shell, or the bone of some animal, would find it difficult to perfect the most simple work. It is by length of labour that he must endeavour to supply his defect of power. But above all, the cold phlegmatic temper peculiar to the Americans renders their operations languid. It is almost impossible to rouse them from that habitual indolence to which they are sunk; and unless when engaged in war or hunting, they seem incapable of exerting any vigorous effort. Their ardour of application is not so great as to call forth that inventive spirit which suggests expedients for facilitating and abridging labour. They will return to a task day after day, but all their methods of executing it are tedious and operose (85.) Even since the Europeans have communicated to them the knowledge of their instruments, and taught them to imitate their arts, the peculiar genius of the Americans is conspicuous in every attempt they make. They may be patient and assiduous in labour, they can copy with a servile and minute accuracy, but discover little invention and no talents for despatch. In spite of instruction and example, the spirit of the race predominates; their motions are naturally tardy, and it is in vain to urge them to quicken their pace.

Among the Spaniards in America, *the work of an Indian* is a phrase by which they describe any thing, in the execution of which an immense time has been employed, and much labour wasted.

VII. No circumstance respecting rude nations has been the object of greater curiosity than their religious tenets and rites; and, none, perhaps, has been so imperfectly understood, or represented with so little fidelity. Priests and missionaries are the persons who have had the best opportunities of carrying on this enquiry, among the most uncivilized of the American tribes. Their minds, engrossed by the doctrines of their own religion, and habituated to its institutions, are apt to discover something which resembles those objects of their veneration, in the opinions and rites of every people. Whatever they contemplate, they view through one medium, and draw and accommodate it to their own system. They study to reconcile the institutions, which fall under their observation, to their own creed, not to explain them according to the rude notions of the people themselves. They ascribe to them ideas which they are incapable of forming, and suppose them to be acquainted with principles and facts, which it is impossible that they should know. Hence, some missionaries have been induced to believe, that even among the most barbarous nations in America, they had discovered traces, no less distinct than amazing, of their acquaintance with the sublime mysteries and peculiar institutions of christianity. From their own interpretation of certain expressions and ceremonies, they have concluded that these people had some knowledge of the doctrine of the Trinity, of the incarnation of the Son of God, of his expiatory sacrifice, of the virtue of the cross, and of the efficacy of the sacraments. In such unintelligent and credulous *avides*, we can place little confidence.

But even when we make our choice of conductors with the greatest care, we must not follow them with implicit faith. An enquiry into the religious notions of rude nations is involved in peculiar intricacies, and we must often pause in order to separate the facts which our informers relate from the reasonings with which they are accompanied, or the theories which they build upon them. Several pious writers, more attentive to the importance of the subject than to the condition of the people whose sentiments they were endeavouring to discover, have bestowed much unprofitable labour in researches of this nature (86.)

There are two fundamental doctrines upon which the whole system of religion, as far as it can be discovered by the light of nature, is established. The one respects the being of a God, the other the immortality of the soul. To discover the ideas of the uncultivated nations under our review with regard to those important points, is not only an object of curiosity, but may afford instruction. To these two articles I shall confine my researches, leaving subordinate opinions, and the detail of local superstitions, to more minute inquirers. Whoever has had any opportunity of examining into the religious opinions of persons in the inferior ranks of life, even in the most enlightened and civilized nations, will find that their system of belief is derived from instruction, not discovered by inquiry. That numerous part of the human species whose lot is labour, whose principal and almost sole occupation is to secure subsistence, views the arrangement and operations of nature with little reflection, and has neither leisure nor capacity for entering into that path of refined and intricate speculation which conducts to the knowledge of the principles of natural religion. In the early and most rude periods of savage life, such disquisitions are altogether unknown. When the intellectual powers are just beginning to unfold, and their first feeble exertions are directed towards a few objects of primary necessity and use; when the faculties of the mind are so limited, as not to have formed abstract or general ideas; when language is so barren, as to be destitute of names to distinguish any thing that is not perceived by some of the senses; it is preposterous to expect that man should be capable of tracing with accuracy the relation between cause and effect; or to suppose that he should rise from the contemplation of the one to the knowledge of the other, and form just conceptions of a Deity, as the Creator and Governor of the universe. The idea of creation is so familiar wherever the mind is enlarged by science, and illuminated with revelation, that we seldom reflect how profound and abstruse this idea is, or consider what progress man must have made in observation and research, before he could arrive at any knowledge of this elementary principle in religion. Accordingly, several tribes have been discovered in America, which have no idea whatever of a Supreme Being, and no rites of religious worship. Inattentive to that magnificent spectacle of beauty and order presented to their view, unaccustomed to reflect either upon what they themselves are, or to inquire who is the author of their existence, men, in their savage state, pass their days like the animals around them, without knowledge or veneration of any superior power. Some rude tribes have not in their language any name for the Deity, nor have the most accurate observers been able to discover any practice or institution which seemed to imply that they recognised his authority, or were solicitous to obtain his favour (87). It is however only among men in the most uncultivated state of nature, and while their

intellectual faculties are so feeble and limited as hardly to elevate them above the irrational creation, that we discover this total insensibility to the impressions of any invisible power.

But the human mind, formed for religion, soon opens to the reception of ideas, which are destined, when corrected and refined, to be the great source of consolation amidst the calamities of life. Among some of the American tribes, still in the infancy of improvement, we discern apprehensions of some invisible and powerful beings. These apprehensions are originally indistinct and perplexed, and seem to be suggested rather by the dread of impending evils, than to flow from gratitude for blessings received. While nature holds on her course with uniform and undisturbed regularity, men enjoy the benefits resulting from it, without enquiring concerning its cause. But every deviation from this regular course rouses and astonishes them. When they behold events to which they are not accustomed, they search for the reasons of them with eager curiosity. Their understanding is unable to penetrate into these; but imagination, a more forward and ardent faculty of the mind, decides without hesitation. It ascribes the extraordinary occurrences in nature to the influence of invisible beings, and supposes that the thunder, the hurricane, and the earthquake, are effects of their interposition. Some such confused notion of spiritual or invisible power, superintending over those natural calamities which frequently desolate the earth, and terrify its inhabitants, may be traced among many rude nations (88). But besides this, the disasters and dangers of savage life are so many, and men often find themselves in situations so formidable, that the mind, sensible of its own weakness, has no resource but in the guidance and protection of wisdom and power superior to what is human. Dejected with calamities which oppress him, and exposed to dangers which he cannot repel, the savage no longer relies upon himself; he feels his own impotence, and sees no prospect of being extricated, but by the interposition of some unseen arm. Hence, in all unenlightened nations, the first rites or practices which bear any resemblance to acts of religion, have it for their object to avert evils which men suffer or dread. The *Manitous* or *Okkis* of the North Americans were amulets or charms, which they imagined to be of such virtue, as to preserve the persons who reposed confidence in them from every disastrous event; or they were considered as tutelar spirits, whose aid they might implore in circumstances of distress. The *Cemis* of the islanders were reputed by them to be the authors of every calamity that afflicts the human race; they were represented under the most frightful forms, and religious homage was paid to them with no other view than to appease these furious deities. Even among those tribes whose religious system was more enlarged, and who had formed some conception of benevolent beings, which delighted in conferring benefits, as well as of malicious powers prone to inflict evil, superstition still appears as the offspring of fear, and all its efforts were employed to avert calamities. They were persuaded that their good deities, prompted by the beneficence of their nature, would bestow every blessing in their power, without solicitation or acknowledgment; and their only anxiety was to soothe and deprecate the wrath of the powers whom they regarded as the enemies of mankind.

Such were the imperfect conceptions of the greater part of the Americans with respect to the interpositions of invisible agents, and such, almost universally,

was the mean and iliberal object of their superstitions. Were we to trace back the ideas of other nations to that rude state in which history first presents them to our view, we should discover a surprising resemblance in their tenets and practices; and should be convinced, that, in similar circumstances, the faculties of the human mind hold nearly the same course in their progress, and arrive at almost the same conclusions. The impressions of fear are conspicuous in all the systems of superstition formed in this situation. The most exalted notions of men rise no higher than to a perplexed apprehension of certain beings, whose power, though supernatural, is limited as well as partial.

But, among other tribes, which have been longer united, or have made greater progress in improvement, we discern some feeble pointing towards more just and adequate conceptions of the power that presides in nature. They seem to perceive that there must be some universal cause to whom all things are indebted for their being. If we may judge by some of their expressions, they appear to acknowledge a divine power to be the maker of the world, and the disposer of all events. They denominate him the *Great Spirit*. But these ideas are faint and confused, and when they attempt to explain them it is manifest, that among them the word *spirit* has a meaning very different from that in which we employ it, and that they have no conception of any deity but what is corporeal. They believe their gods to be of the human form, though of a nature more excellent than man, and retail such wild incoherent fables concerning their functions and operations, as are altogether unworthy of a place in history. Even among these tribes, there is no established form of public worship; there are no temples erected in honour of their deities; and no ministers peculiarly consecrated to their service. They have the knowledge, however of several superstitious ceremonies and practices handed down to them by tradition, and to these they have recourse with a childish credulity, when roused by any emergence from their usual insensibility, and excited to acknowledge the power, and to implore the protection, of superior beings.

The tribe of the Natchez, and the people of Bogota, had advanced beyond the other uncultivated nations of America in their ideas of religion, as well as in their political institutions; and it is no less difficult to explain the cause of this distinction than of that which we have already considered. The sun was the chief object of religious worship among the Natchez. In their temples, which were constructed with some magnificence, and decorated with various ornaments, according to their mode of architecture, they preserved a perpetual fire, as the purest emblem of their divinity. Ministers were appointed to watch and feed this sacred flame. The first function of the great chief of the nation, every morning, was an act of obeisance to the sun; and festivals returned at stated seasons, which were celebrated by the whole community with solemn but unbloody rites. This is the most refined species of superstition known in America, and, perhaps, one of the most natural as well as most seducing. The sun is the apparent source of the joy, fertility, and life, diffused through nature; and while the human mind, in its earliest essays towards inquiry, contemplates and admires his universal and animating energy, its admiration is apt to stop short at what is visible, without reaching to the unseen cause; and pays that adoration to the most glorious and beneficial work of God, which is due only to him who formed

it. As fire is the most pure and active of the elements, and in some of its qualities and effects resembles the sun, it was, not improperly, chosen to be the emblem of his powerful operation. The ancient Persians, a people far superior, in every respect, to that rude tribe whose rites I am describing, founded their religious system on similar principles, and established a form of public worship, less gross and exceptionable than that of any people destitute of guidance from revelation. This surprising coincidence in sentiment between two nations, in such different states of improvement, is one of the many singular and unaccountable circumstances which occur in the history of human affairs.

Among the people of Bogota, the sun and moon were, likewise, the chief objects of veneration. Their system of religion was more pure and complete, though less pure than that of the Natchez. They had temples, altars, priests, sacrifices, and that long train of ceremonies, which superstition introduces wherever she has fully established her dominion over the minds of men. But the rites of their worship were cruel and bloody. They offered human victims to their deities, and many of their practices nearly resembled the barbarous institutions of the Mexicans, the genius of which we shall have an opportunity of considering more attentively in its proper place.

With respect to the other great doctrine of religion, concerning the immortality of the soul, the sentiments of the Americans were more united: the human mind, even when least improved and invigorated by culture, shrinks from the thought of annihilation and looks forward with hope and expectation to a state of future existence. This sentiment, resulting from a secret consciousness of its own dignity, from an instinctive longing after immortality, is universal, and may be deemed natural. Upon this are founded the most exalted hopes of man in his highest state of improvement; nor has nature withheld from him this soothing consolation, in the most early and rude period of its progress. We can trace this opinion from one extremity of America to the other, in some regions more faint and obscure, in others more perfectly developed, but nowhere unknown. The most uncivilized of its savage tribes do not apprehend death as the extinction of being. All entertain hopes of a future and more happy state, where they shall be for ever exempt from the calamities which embitter human life in its present condition. This future state they conceive to be a delightful country, blessed with perpetual spring, whose forests abound with game, whose rivers swarm with fish, where famine is never felt, and uninterrupted plenty shall be enjoyed without labour or toil. But as men, in forming their first imperfect ideas concerning the invisible world, suppose that there they shall continue to feel the same desires, and to be engaged in the same occupations, as in the present world; they naturally ascribe eminence and distinction in that state, to the same qualities and talents which are here the object of their esteem. The Americans, accordingly, allotted the highest place in their country of spirits, to the skilful hunter, to the adventurous and successful warrior, and to such as had tortured the greatest number of captives, and devoured their flesh. These notions were so prevalent, that they gave rise to an universal custom, which is at once the strongest evidence that the Americans believe in a future state, and the best illustration of what they expect there. As they imagine, that departed spirits begin their career anew in the world whither they are gone, that their friends may not enter upon it

defenceless and unprovided, they bury together with the bodies of the dead, their bow, their arrows, and other weapons used in hunting or war; they deposit in their tombs the skins or stuffs of which they make garments, Indian corn, manioc, venison, domestic utensils, and whatever is reckoned among the necessaries in their simple mode of life. In some provinces, upon the decease of a cazique or chief, a certain number of his wives, of his favorites, and of his slaves, were put to death, and interred together with him, that he might appear with the same dignity in his future station, and be waited upon by the same attendants. This persuasion is so deep-rooted, that many of the deceased person's retainers offer themselves as voluntary victims, and court the privilege of accompanying their departed master, as a high distinction. It has been found difficult, on some occasions, to set bounds to this enthusiasm of affectionate duty, and to reduce the train of a favourite leader to such a number as the tribe could afford to spare (89).

Among the Americans, as well as other uncivilized nations, many of the rites and observances which bear some resemblance to acts of religion, have no connexion with devotion, but proceed from a fond desire of prying into futurity. The human mind is most apt to feel and to discover this vain curiosity when its own powers are most feeble and uninformed. Astonished with occurrences, of which it is unable to comprehend the cause, it naturally fancies, that there is something mysterious and wonderful in their origin. Alarmed at events of which it cannot discern the issue or the consequences, it has recourse to other means of discovering them, than the exercise of its own sagacity. Wherever superstition is so established as to form a regular system, this desire of penetrating into the secrets of futurity is connected with it. Divination becomes a religious act. Priests, as the ministers of Heaven, pretend to deliver its oracles to men. They are the only soothsayers, augurs, and magicians, who profess the sacred and important art of disclosing what is hid from other eyes.

But among rude nations, who pay no veneration to any superintending power, and who have no established rites or ministers of religion, their curiosity to discover what is future and unknown, is cherished by a different principle, and derives strength from another alliance. As the diseases of men in a savage state are, as has been already observed, like those of the animal creation, few, but extremely violent, their impatience under what they suffer, and solicitude for the recovery of health, soon inspired them with extraordinary reverence for such as pretended to understand the nature of their maladies, and to be possessed of knowledge sufficient to preserve or deliver them from their sudden and fatal effects. These ignorant pretenders, however, were such utter strangers to the structure of the human frame, as to be equally unacquainted with the causes of its disorders, and the manner in which they will terminate. Superstition, mingled frequently with some portion of craft, supplied what they wanted in science. They imputed the organ of diseases to supernatural influence, and prescribed or performed a variety of mysterious rites, which they gave out to be of such efficacy as to remove the most dangerous and inveterate maladies. The credulity and love of the marvellous, natural to uninformed men, favoured the deception, and prepared them to be the dupes of those impostors. Among savages, their first physicians are a kind of conjurers or wizards, who boast that they know what is past, and can foretell what is to come. Incan-

tations, sorcery, and mummeries of diverse kinds, no less strange than frivolous, are the means which they employ to expel the imaginary causes of malignity; and, relying upon the efficacy of these, they predict with confidence what will be the fate of their deluded patients. Thus superstition, in its earliest form, flowed from the solicitude of man to be delivered from present distress, not from his dread of evils awaiting him in a future life, and was originally ingrafted on medicine, not on religion. One of the first and most intelligent historians of America was struck with this alliance between the art of divination and that of physic, among the people of Hispaniola. But this was not peculiar to them. The *Alexis*, the *Piaycas*, the *Autmoins*, or whatever was the distinguishing name of their diviners and charmers in other parts of America, were all the physicians of their respective tribes, in the same manner as the *Bubitos* of Hispaniola. As their function led them to apply to the human mind when enfeebled by sickness, and as they found it, in that season of dejection, prone to be alarmed with imaginary fears, or amused with vain hopes, they easily induced it to rely with implicit confidence on the virtue of their spells, and the certainty of their predictions.

Whenever men acknowledge the reality of supernatural power and discernment in one instance, they have a propensity to admit it in others. The Americans did not long suppose the efficacy of conjuration to be confined to one subject. They had recourse to it in every situation of danger or distress. When the events of war were peculiarly disastrous, when they met with unforeseen disappointment in hunting, when inundations or drought threatened their crops with destruction, they called upon their conjurers to begin their incantations, in order to discover the causes of those calamities, or to foretell what would be their issue. Their confidence in this delusive art gradually increased, and manifested itself in all the occurrences of life. When involved in any difficulty, or about to enter upon any transaction of moment, every individual regularly consulted the sorcerer, and depended upon his instructions to extricate him from the former, as well as to direct his conduct in the latter. Even among the rudest tribes in America, superstition appears in this form, and divination is an art in high esteem. Long before man had acquired such knowledge of a deity as inspires reverence and leads to adoration, we observe him stretching out a presumptuous hand to draw aside that veil with which Providence kindly conceals its purpose from human knowledge; and we find him labouring with fruitless anxiety to penetrate into the mysteries of the divine administration. To discern and to worship a superintending power, is an evidence of the enlargement and maturity of the human understanding; a vain desire of prying into futurity, is the error of its infancy, and a proof of its weakness.

From this weakness proceeded likewise the faith of the Americans in dreams, their observation of omens, their attention to the chirping of birds, and the cries of animals, all which they suppose to be indications of future events; and if any one of these prognostics is deemed unfavourable, they instantly abandon the pursuit of those measures on which they are most eagerly bent.

VIII. But if we would form a complete idea of the uncultivated nations of America, we must not pass unobserved some singular customs, which, though universal and characteristic, could not be reduced, with propriety, to any of the articles into

which I have divided my inquiry concerning their manners.

Among savages, in every part of the globe, the love of dancing is a favourite passion. As, during a great part of their time, they languish in a state of inactivity and indolence, without any occupation to rouse or interest them, they delight universally in a pastime which calls forth the active powers of their nature into exercise. The Spaniards, when they first visited America, were astonished at the fondness of the natives for dancing, and beheld with wonder a people, cold and unanimated in most of their other pursuits, kindle into life, and exert themselves with ardour, as often as this favourite amusement recurred. Among them, indeed, dancing ought not to be denominated an amusement. It is a serious and important occupation, which mingles in every occurrence of public or private life. If any intercourse be necessary between two American tribes, the ambassadors of the one approach in a solemn dance, and present the calumet or emblem of peace; the sachems of the other receive it with the same ceremony. If war is denounced against an enemy, it is by a dance, expressive of the resentment which they feel, and of the vengeance which they meditate. If the wrath of their gods is to be appeased, or their beneficence to be celebrated; if they rejoice at the birth of a child, or mourn the death of a friend, they have dances appropriated to each of these situations, and suited to the different sentiments with which they are then animated. If a person is indisposed, a dance is prescribed as the most effectual means of restoring him to health; and if he himself cannot endure the fatigue of such an exercise, the physician or conjurer performs it in his name, as if the virtue of his activity could be transferred to his patient.

All their dances are imitations of some action; and though the music by which they are regulated is extremely simple and tiresome to the ear by its dull monotony, some of their dances appear wonderfully expressive and animated. The war dance is, perhaps, the most striking. It is the representation of a complete American campaign. The departure of the warriors from their village, their march into the enemy's country, the caution with which they encamp, the address with which they station some of their party in ambush, the manner of surprising the enemy, the noise and ferocity of the combat, the scalping of those who are slain, the seizing of prisoners, the triumphant return of the conquerors, and the torture of the victims, are successively exhibited. The performers enter with such enthusiastic ardour into their several parts; their gestures, their countenance, their voice, are so wild and so well adapted to their various situations, that Europeans can hardly believe it to be a mimic scene, or view it without emotions of fear and horror.

But however expressive some of the American dances may be, there is one circumstance in them remarkable, and connected with the character of the race. The songs, the dances, the amusements of other nations, expressive of the sentiments which animate their hearts, are often adapted to display or excite that sensibility which mutually attaches the sexes. Among some people, such is the ardour of this passion, that love is almost the sole object of festivity and joy; and as rude nations are strangers to delicacy, and unaccustomed to disguise any emotion of their minds, their dances are often extremely wanton and indecent. Such is the *Calenda*, of which the natives of Africa are so passionately fond; and such

the feats, of the dancing girls, which the Asiatics contemplate with so much avidity of desire. But among the Americans, more cold and indifferent to their females, from causes which I have already explained, the passion of love mingles but little with their festivals and pastimes. Their songs and dances are mostly solemn and martial; they are connected with some of the serious and important affairs of life; and having no relation to love or gallantry, are seldom common to the two sexes, but executed by the men and women apart (90). If, on some occasions, the women are permitted to join in the festival, the character of the entertainment is still the same, and no movement or gesture is expressive of attachment, or encourages familiarity.

An immoderate love of play, especially games of hazard, which seems to be natural to all people unaccustomed to the occupations of regular industry, is likewise universal among the Americans. The same causes, which so often prompt persons in civilized life, who are at their ease, to have recourse to this pastime, render it the delight of the savage. The former are independent of labour, the latter do not feel the necessity of it; and as both are unemployed, they run with transport to whatever is interesting enough to stir and to agitate their minds. Hence the Americans, who at other times are so indifferent, so phlegmatic, so silent, and animated with so few desires, as soon as they engage in play, become rapacious, impatient, noisy, and almost frantic with eagerness. Their furs, their domestic utensils, their clothes, their arms, are staked at the gaming-table, and when all is lost, high as their sense of independence is, in a wild emotion of despair or of hope, they will often risk their personal liberty upon a single cast. Among several tribes, such gaming parties frequently recur, and become their most acceptable entertainment at every great festival. Superstition, which is apt to take hold of those passions which are most vigorous, frequently lends its aid to confirm and strengthen this favourite inclination. Their conjurers are accustomed to prescribe a solemn match at play, as one of the most efficacious methods of appeasing their gods, or of restoring the sick to health.

From causes similar to those which render them fond of play, the Americans are extremely addicted to drunkenness. It seems to have been one of the first exertions of human ingenuity to discover some composition of an intoxicating quality; and there is hardly any nation so rude, or so destitute of invention, as not to have succeeded in this fatal research. The most barbarous of the American tribes have been so unfortunate as to attain this art; and even those which are so deficient in knowledge, as to be unacquainted with the method of giving an inebriating strength to liquors by fermentation, can accomplish the same end by other means. The people of the islands of North America, and of California, used, for this purpose, the smoke of tobacco, drawn up with a certain instrument into the nostrils, the fumes of which ascending to the brain, they felt all the transports and phrensy of intoxication (91). In almost every other part of the New World, the natives possess the art of extracting an intoxicating liquor from maize or the manioc root, the same substances which they convert into bread. The operation by which they effect this, nearly resembles the common one of brewing, but with this difference, that in place of yeast, they use a nauseous infusion of a certain quantity of maize or manioc chewed by their women. The saliva excites a vigorous fermentation, and in few days the liquor

becomes fit for drinking. It is not disagreeable to the taste, and when swallowed in large quantities, is of an intoxicating quality. This is the general beverage of the Americans, which they distinguish by various names, and for which they feel such a violent and insatiable desire, as it is not easy either to conceive or describe. Among polished nations, where a succession of various functions and amusements keep the mind in continual occupation, the desire of strong drink is regulated in a great measure by the climate, and increases or diminishes according to the variations of its temperature. In warm regions, the delicate and sensible frame of its inhabitants does not require the stimulation of fermented liquors. In colder countries, the constitution of the natives, more robust and more sluggish, stands in need of generous liquors to quicken and animate it. But among savages, the desire of something that is of power to intoxicate, is in every situation the same. All the people of America, if we except some small tribes near the Straits of Magellan, whether natives of the torrid zone, or inhabitants of its more temperate regions, or placed by a harder fate in the severe climates towards its northern or southern extremity, appear to be equally under the dominion of this appetite. Such a similarity of taste, among people in such different situations, must be ascribed to the influence of some moral cause, and cannot be considered as the effect of any physical or constitutional want. While engaged in war or in the chase, the savage is often in the most interesting situations, and all the powers of his nature are roused to the most vigorous exertions. But those animating scenes are succeeded by long intervals of repose, during which the warrior meets with nothing that he deems of sufficient dignity or importance to merit his attention. He languishes and mopes in this season of indolence. The posture of his body is an emblem of the state of his mind. In one climate, cowering over the fire in his cabin: in another, stretched under the shade of some tree, he dozes away his time in sleep, or in an unthinking joyless inactivity, not far removed from it. As strong liquors awake him from this torpid state, give a brisker motion to his spirits, and enliven him more thoroughly than either dancing or gaming, his love of them is excessive. A savage when not engaged in action, is a pensive melancholy animal; but as soon as he tastes, or has a prospect of tasting, the intoxicating draught, he becomes gay and frolicsome. Whatever be the occasion or pretext on which the Americans assemble, the meeting always terminates in a debauch. Many of their festivals have no other object, and they welcome the return of them with transports of joy. As they are not accustomed to restrain any appetite, they set no bounds to this. The riot often continues without intermission several days; and whatever may be the fatal effects of their excess, they never cease from drinking as long as one drop of liquor remains. The persons of greatest eminence, the most distinguished warriors, and the chiefs most renowned for their wisdom, have no greater command of themselves than the most obscure members of the community. Their eagerness for present enjoyment renders them blind to its fatal consequences; and those very men, who in other situations seem to possess a force of mind more than human, are in this instance inferior to children in foresight, as well as consideration, and mere slaves of brutal appetite. When their passions, naturally strong, are heightened and inflamed by drink, they are guilty of the most enormous outrages, and the festivity seldom concludes without deeds of violence or bloodshed.

But, amidst this wild debauch, there is one circumstance remarkable; the women, in most of the American tribes, are not permitted to partake of it (92). Their province is to prepare the liquor, to serve it about to the guests, and to take care of their husbands and friends, when their reason is overpowered. This exclusion of the women from an enjoyment so highly valued by savages, may be justly considered as a mark of their inferiority, and as an additional evidence of that contempt with which they were treated in the New World. The people of North America, when first discovered, were not acquainted with any intoxicating drink: but as the Europeans early found it their interest to supply them with spirituous liquors, drunkenness soon became as universal among them as among their countrymen to the south; and their women having acquired this new taste, indulged it with as little decency and moderation as the men.

It were endless to enumerate all the detached customs which have excited the wonder of travellers in America; but I cannot omit one seemingly as singular as any that has been mentioned. When their parents and other relations become old, or labour under any distemper which their slender knowledge of the healing art cannot remove, the Americans cut short their days with a violent hand, in order to be relieved from the burden of supporting and tending them. This practice prevailed among the ruder tribes in every part of the continent, from Hudson's Bay to the river De la Plata: and however shocking it may be to those sentiments of tenderness and attachment, which, in civilized life, we are apt to consider as congenial with our frame, the condition of man in the savage state leads and reconciles him to it. The same hardships and difficulty of procuring subsistence, which deter savages, in some cases, from rearing their children, prompt them to destroy the aged and infirm. The declining state of the one is as helpless as the infancy of the other. The former are no less unable than the latter to perform the functions that belong to a warrior or hunter, or to endure those various distresses in which savages are so often involved, by their own want of foresight and industry. Their relations feel this; and, incapable of attending to the wants or weaknesses of others, their impatience under an additional burden prompts them to extinguish that life which they find it difficult to sustain. This is not regarded as a deed of cruelty, but as an act of mercy. An American, broken with years and infirmities, conscious that he can no longer depend on the aid of those around him, places himself contentedly in his grave; and it is by the hands of his children or nearest relations that the thong is pulled, or the blow inflicted, which releases him for ever from the sorrows of life.

IX. After contemplating the rude American tribes in such various lights; after taking a view of their customs and manners from so many different stations, nothing remains but to form a general estimate of their character, compared with that of more polished nations. A human being, as he comes originally from the hand of nature, is every where the same. At his first appearance in the state of infancy, whether it be among the rudest savages, or in the most civilized nation, we can discern no quality which marks any distinction or superiority. The capacity of improvement seems to be the same; and the talents he may afterwards acquire, as well as the virtues he may be rendered capable of exercising, depend, in a great measure, upon the state of society in which he is placed. To this state his mind natu-

rally accommodates itself, and from it receives discipline and culture. In proportion to the wants which it accustoms a human being to feel, and the functions in which these engage him, his intellectual powers are called forth. According to the connexions which it establishes between him and the rest of his species, the affections of his heart are exerted. It is only by attending to this great principle, that we can discover what is the character of man in every different period of his progress.

If we apply it to savage life, and measure the attainments of the human mind in that state by this standard, we shall find, according to an observation which I have already made, that the intellectual powers of man must be extremely limited in their operations. They are confined within the narrow sphere of what he deems necessary for supplying his own wants. Whatever has not some relation to these, neither attracts his attention, nor is the object of his inquiries. But however narrow the bounds may be within which the knowledge of a savage is circumscribed, he possesses thoroughly that small portion which he has attained. It was not communicated to him by formal instruction; he does not attend to it as a matter of mere speculation and curiosity; it is the result of his own observation, the fruit of his own experience, and accommodated to his condition and exigencies. While employed in the active occupations of war or hunting, he often finds himself in difficult and perilous situations, from which the efforts of his own sagacity must extricate him. He is frequently engaged in measures, where every step depends upon his own ability to decide, where he must rely solely upon his own penetration to discern the dangers to which he is exposed, and upon his own wisdom in providing against them. In consequence of this, he feels the knowledge which he possesses, and the efforts which he makes, and either in deliberation or action rests on himself alone.

As the talents of individuals are exercised and improved by such exertions, much political wisdom is said to be displayed in conducting the affairs of their small communities. The council of old men in an American tribe, deliberating upon its interests, and determining with respect to peace or war, has been compared to the senate in more polished republics. The proceedings of the former, we are told, are often no less formal and sagacious than those of the latter. Great political wisdom is exhibited in pondering the various measures proposed, and in balancing their probable advantages, against the evils of which they may be productive. Much address and eloquence are employed by the leaders, who aspire in acquiring such confidence with their countrymen as to have an ascendant in those assemblies. But, among savage tribes, the field for displaying political talents cannot be extensive. Where the idea of private property is incomplete, and no criminal jurisdiction is established, there is hardly any function of internal government to exercise. Where there is no commerce, and scarcely any intercourse among separate tribes; where enmity is implacable, and hostilities are carried on almost without intermission; there will be few points of public concern to adjust with their neighbours, and that department of their affairs which may be denominated foreign, cannot be so intricate as to require much refined policy in conducting it. Where individuals are so thoughtless and improvident as seldom to take effectual precautions for self-preservation, it is vain to expect that public measures and deliberations will be regulated by the contemplation of remote events.

It is the genius of savages to act from the impulse of present passion. They have neither foresight nor temper to form complicated arrangements with respect to their future conduct. The consultations of the Americans, indeed, are so frequent, and their negotiations are so many, and so long protracted, as to give their proceedings an extraordinary aspect of wisdom. But this is not owing so much to the depth of their schemes as to the coldness and phlegm of their temper, which render them slow in determinations. If we except the celebrated league that united the Five Nations in Canada into a federal republic, which shall be considered in its proper place, we can discern few such traces of political wisdom among the rude American tribes, as discover any great degree of foresight or extent of intellectual abilities. Even among them, we shall find public measures more frequently directed by the impetuous ferocity of their youth, than regulated by the experience and wisdom of their old men.

As the condition of man in the savage state is unfavourable to the progress of the understanding, it has a tendency likewise, in some respects, to check the exercise of affection, and to render the heart contracted. The strongest feeling in the mind of a savage is a sense of his own independence. He has sacrificed so small a portion of his natural liberty by becoming a member of society, that he remains, in a great degree, the sole master of his own actions. He often takes his resolutions alone, without consulting, or feeling any connexion with the persons around him. In many of his operations, he stands as much detached from the rest of his species, as if he had formed no union with them. Conscious how little he depends upon other men, he is apt to view them with a careless indifference. Even the force of his mind contributes to increase this unconcern; and as he looks not beyond himself in deliberating with respect to the part which he should act, his solicitude about the consequences of it seldom extends further. He pursues his own career, and indulges his own fancy, without inquiring or regarding whether what he does be agreeable or offensive to others, whether they may derive benefit or receive hurt from it. Hence the ungovernable caprice of savages, their impatience under any species of restraint, their inability to suppress or moderate any inclination, the scorn or neglect with which they receive advice, their high estimation of themselves, and their contempt of other men. Among them, the pride of independence produces almost the same effects with interestedness in a more advanced state of society; it refers every thing to a man himself, it leads him to be indifferent about the manner in which his actions may affect other men, and renders the gratification of his own wishes the measure and end of conduct.

To the same cause may be imputed the hardness of heart, and insensibility, remarkable in all savage nations. Their minds, roused only by strong emotions, are little susceptible of gentle, delicate, or tender affections. Their union is so incomplete, that each individual acts as if he retained all his natural rights entire and undiminished. If a favour is conferred upon him, or any beneficial service is performed on his account, he receives it with much satisfaction, because it contributes to his enjoyment; but this sentiment extends not beyond himself; it excites no sense of obligation; he neither feels gratitude nor thinks of making any return. Even among persons the most closely connected, the exchange of those good offices which strenghten attachment, mollify the

heart, and sweeten the intercourse of life, is not frequent. The high ideas of independence among the Americans nourish a sullen reserve, which keeps them at a distance from each other. The nearest relations are mutually afraid to make any demand, or to solicit any service, lest it should be considered by the other as imposing a burden, or laying a restraint upon his will.

I have already remarked the influence of this hard unfeeling temper upon domestic life, with respect to the connexion between husband and wife, as well as that between parents and children. Its effects are no less conspicuous, in the performance of those mutual offices of tenderness which the infirmities of our nature frequently exact. Among some tribes, when any of their number are seized with any violent disease, they are generally abandoned by all around them, who, careless of their recovery, fly in the utmost consternation from the supposed danger of infection. But even where they are not thus deserted, the cold indifference with which they are attended can afford them little consolation. No look of sympathy, no soothing expressions, no officious services, contribute to alleviate the distress of the sufferers, or to make them forget what they endure. Their nearest relations will often refuse to submit to the smallest inconvenience, or to part with the least trifle, however much it may tend to their accommodation or relief. So little is the breast of a savage susceptible of those sentiments which prompt men to that feeling attention which mitigates the calamities of human life, that in some provinces of America, the Spaniards have found it necessary to enforce the common duties of humanity by positive laws, and to oblige husbands and wives, parents and children, under severe penalties, to take care of each other during their sickness. The same harshness of temper is still more conspicuous in their treatment of the animal creation. Prior to their intercourse with the people of Europe, the North Americans had some tame dogs, which accompanied them in their hunting excursions, and served them with all the ardour and fidelity peculiar to the species. But, instead of that fond attachment which the hunter naturally feels towards those useful companions of his toil, they requite their services with neglect, seldom feed, and never caress them. In other provinces the Americans have become acquainted with the domestic animals of Europe, and avail themselves of their service; but it is universally observed that they always treat them harshly, and never employ any method, either for breaking or managing them, but force and cruelty. In every part of the department of man in his savage state, whether towards his equals of the human species, or towards the animals below him, we recognise the same character, and trace the operations of a mind intent on its own gratifications, and regulated by its own caprice, with little attention or sensibility to the sentiments and feelings of the beings around him.

After explaining how unfavourable the savage state is to the cultivation of the understanding and to the improvement of the heart, I should not have thought it necessary to mention what may be deemed its lesser defects, if the character of nations, as well as of individuals, were not often more distinctly marked by circumstances apparently trivial than by those of greater moment. A savage, frequently placed in situations of danger and distress, depending on himself alone, and wrapped up in his own thoughts and schemes, is a serious melancholy animal. His

attention to others is small. The range of his own ideas is narrow. Hence that taciturnity which is so disgusting to men accustomed to the open intercourse of social conversation. When they are not engaged in action, the Americans often sit whole days in one posture, without opening their lips. When they go forth to war, or to the chase, they usually march in a line at some distance from one another, and without exchanging a word. The same profound silence is observed when they row together in a canoe. It is only when they are animated by intoxicating liquors, or roused by the jollity of the festival and dance, that they become gay and conversible.

To the same causes may be imputed the refined cunning with which they form and execute their schemes. Men who are not habituated to a liberal communication of their own sentiments and wishes, are apt to be so distrustful, as to place little confidence in others, and to have recourse to an insidious craft in accomplishing their own purposes. In civilized life, those persons who, by their situations, have but a few objects of pursuit on which their minds incessantly dwell, are most remarkable for low artifice in carrying on their little projects. Among savages, whose views are equally confined, and their attention no less persevering, those circumstances must operate still more powerfully, and gradually accustom them to a disingenuous subtlety in all their transactions. The force of this is increased by habits which they acquire in carrying on the two most interesting operations wherein they are engaged. With them war is a system of craft, in which they trust for success to stratagem more than to open force, and have their invention continually on the stretch to circumvent and surprise their enemies. As hunters, it is their constant object to insnare, in order that they may destroy. Accordingly, art and cunning have been universally observed as distinguishing characteristics of all savages. The people of the rude tribes of America are remarkable for their artifice and duplicity. Impenetrably secret in forming their measures, they pursue them with a patient undeviating attention, and there is no refinement of dissimulation which they cannot employ, in order to insure success. The natives of Peru were engaged above thirty years in concerting the plan of that insurrection which took place under the vice-royalty of the Marquis de Villa Garcia; and though it was communicated to a great number of persons, in all different ranks, no indication of it ever transpired during that long period; no man betrayed his trust, or by an unguarded look, or rash word, gave rise to any suspicion of what was intended. The dissimulation and craft of individuals is no less remarkable than that of nations. When set upon deceiving, they wrap themselves up so artificially, that it is impossible to penetrate into their intentions, or to detect their designs.

But if there be defects or vices peculiar to the savage state, there are likewise virtues which it inspires, and good qualities, to the exercise of which it is friendly. The bonds of society sit so loose upon the members of the more rude American tribes, that they hardly feel any restraint. Hence the spirit of independence, which is the pride of a savage, and which he considers as the unalienable prerogative of man. Incapable of control, and disdaining to acknowledge any superior, his mind, though limited in its powers, and erring in many of its pursuits, acquires such elevation by the consciousness of its own freedom, that he acts on some

occasions with astonishing force, and perseverance, and dignity.

As independence nourishes this high spirit among savages, the perpetual wars in which they are engaged call it forth into action. Such long intervals of tranquillity as are frequent in polished societies, are unknown in the savage state. Their enmities, as I have observed, are implacable and immortal. The valour of the young men is never allowed to rust in inaction. The hatchet is always in their hand, either for attack or defence. Even in their hunting excursions, they must be on their guard against surprise from the hostile tribes by which they are surrounded. Accustomed to continual alarms, they grow familiar with danger; courage becomes an habitual virtue, resulting naturally from their situation, and strengthened by constant exertions. The mode of displaying fortitude may not be the same in small and rude communities, as in more powerful and civilized states. Their system of war, and standard of valour, may be formed upon different principles, but in no situation does the human mind rise more superior to the sense of danger, or the dread of death, than in its most simple and uncultivated state.

Another virtue remarkable among savages, is attachment to the community of which they are members. From the nature of their political union, one might expect this tie to be extremely feeble. But there are circumstances which render the influence, even of their loose mode of association very powerful. The American tribes are small; combined against their neighbours, in prosecuting of ancient enmities, or in avenging recent injuries, their interests and operations are neither numerous nor complex. These are objects, which the uncultivated understanding of a savage can comprehend. His heart is capable of forming connexions which are so little diffused. He assents with warmth to public measures, dictated by passions similar to those which direct his own conduct. Hence the ardour with which individuals undertake the most perilous service, when the community deems it necessary. Hence their fierce and deep-rooted antipathy to the public enemies. Hence their zeal for the honour of their tribe, and that love of their country, which prompts them to brave danger that it may triumph, and to endure the most exquisite torments, without a groan, that it may not be disgraced.

Thus, in every situation where a human being can be placed, even in the most unfavourable, there are virtues which peculiarly belong to it; there are affections which it calls forth; there is a species of happiness which it yields. Nature, with most beneficent intention, conciliates and forms the mind to its condition; the ideas and wishes of man extend not beyond that state of society to which he is habituated. What it presents as objects of contemplation or enjoyment, fills and satisfies his mind, and he can hardly conceive any other mode of life to be pleasant, or even tolerable. The Tartar, accustomed to roam over extensive plains, and to subsist on the product of his herds, imprecates upon his enemy, as the greatest of all curses, that he may be condemned to reside in one place, and to be nourished with the top of a weed. The rude Americans, fond of their own pursuits, and satisfied with their own lot, are equally unable to comprehend the intention or utility of the various accommodations, which, in more polished society, are deemed essential to the comfort of life. Far from complaining of their own situation, or viewing that of men in a more improved state with admiration or envy, they regard themselves

as the standard of excellence, as beings the best entitled, as well as the most perfectly qualified, to enjoy real happiness. Unaccustomed to any restraint upon their will or their actions, they behold with amazement the inequality of rank and the subordination which takes place in civilized life, and consider the voluntary submission of one man to another, as a renunciation, no less base than unaccountable, of the first distinction of humanity. Void of foresight as well as free from care themselves, and delighted with that state of indolent security, they wonder at the anxious precautions, the unceasing industry, and complicated arrangements of Europeans, in guarding against distant evils, or providing for future wants; and they often exclaim against their preposterous folly, in thus multiplying the troubles and increasing the labour of life. This preference of their own manners is conspicuous on every occasion. Even the names, by which the various nations wish to be distinguished, are assumed from this idea of their own pre-eminence. The appellation which the Iroquois give to themselves is, *the chief of men*. *Carai-be*, the original name of the fierce inhabitants of the Windward Islands, signifies, *the warlike people*. The Cherokee, from an idea of their own superiority, call the Europeans *Nothings*, or *the accursed race*, and assume to themselves the name of *the beloved people*. The same principle regulated the notions of the other Americans concerning the Europeans; for although, at first, they were filled with astonishment at their arts, and with dread of their power, they soon came to abate their estimation of men whose maxims of life were so different from their own. Hence they called them *the froth of the sea*, men without father or mother. They supposed, that either they had no country of their own, and therefore invaded that which belonged to others; or that, being destitute of the necessities of life at home, they were obliged to roam over the ocean, in order to rob such as were more amply provided.

Men thus satisfied with their condition, are far from any inclination to relinquish their own habits, or to adopt those of civilized life. The transition is too violent to be suddenly made. Even where endeavours have been used to wean a savage from his own customs, and to render the accommodations of polished society familiar to him; even where he has been allowed to taste of those pleasures, and has been honoured with those distinctions, which are the chief objects of our desire, he droops and languishes under the restraint of laws and forms, he seizes the first opportunity of breaking loose from them, and returns with transport to the forest or the wild, where he can enjoy a careless and uncontrolled freedom.

Thus I have finished a laborious delineation of the character and manners of the uncivilized tribes scattered over the vast continent of America. In this, I aspire not at rivalling the great masters who have painted and adorned savage life, either in boldness of design, or in the glow and beauty of their colouring. I am satisfied with the more humble merit of having persisted with patient industry, in viewing my subject in many various lights, and collecting from the most accurate observers such detached, and often minute features, as might enable me to exhibit a portrait that resembles the original.

Before I close this part of my work, one observation more is necessary, in order to justify the conclusions which I have formed, or to prevent the mistakes

into which such as examine them may fall. In contemplating the inhabitants of a country so widely extended as America, great attention should be paid to the diversity of climates under which they are placed. The influence of this I have pointed out with respect to several important particulars which have been the object of research; but even where it has not been mentioned, it ought not to be overlooked. The provinces of America are of such different temperament, that this alone is sufficient to constitute a distinction between their inhabitants. In every part of the earth where man exists, the power of climate operates, with decisive influence, upon his condition and character. In those countries which approach near to the extremes of heat or cold, this influence is so conspicuous as to strike every eye. Whether we consider man merely as an animal, or as being endowed with rational powers which fit him for activity and speculation, we shall find that he has uniformly attained the greatest perfection of which his nature is capable, in the temperate regions of the globe. There his constitution is most vigorous, his organs most acute, and his form most beautiful. There, too, he possesses a superior extent of capacity, greater fertility of imagination, more enterprising courage, and a sensibility of heart which gives birth to desires, not only ardent, but persevering. In this favourite situation he has displayed the utmost efforts of his genius, in literature, in policy, in commerce, in war, and in all the arts which improve or embellish life.

This powerful operation of climate is felt most sensibly by rude nations, and produces greater effects than in societies more improved. The talents of civilized men are continually exerted in rendering their own condition more comfortable; and by their ingenuity and inventions, they can, in a great measure, supply the defects, and guard against the inconveniences, of any climate. But the improvident savage is affected by every circumstance peculiar to his situation. He takes no precaution either to mitigate or improve it. Like a plant, or an animal, he is formed by the climate under which he is placed, and feels the full force of its influence.

In surveying the rude nations of America, this natural distinction between the inhabitants of the temperate and torrid zones is very remarkable. They may, accordingly, be divided into two great classes. The one comprehends all the North Americans, from the river St. Laurence to the gulf of Mexico, together with the people of Chili, and a few small tribes towards the extremity of the southern continent. To the other belong all the inhabitants of the islands, and those settled in the various provinces which extend from the isthmus of Darien almost to the southern confines of Brazil, along the east side of the Andes. In the former, which comprehends all the regions of the temperate zone that in America are inhabited, the human species appear manifestly to be more perfect. The natives are more robust, more active, more intelligent, and more courageous. They possess, in the most eminent degree, that force of mind, and love of independence, which I have pointed out as the chief virtues of man in his savage state. They have defended their liberty with persevering fortitude against the Europeans, who subdued the other rude nations of America with the greatest ease. The natives of the temperate zone are the only people in the New World who are indebted for their freedom to their own valour. The

North Americans, though long encompassed by three formidable European powers, still retain part of their original possessions, and continue to exist as independent nations. The people of Chili, though early invaded, still maintain a gallant contest with the Spaniards, and have set bounds to their encroachments; whereas, in the warmer regions, men are more feeble in their frame, less vigorous in the efforts of their minds, of a gentle but dastardly spirit, more enslaved by pleasure, and more sunk in indolence. Accordingly, it is in the torrid zone that the Europeans have most completely established their dominion over America; the most fertile and desirable provinces in it are subject to their yoke; and if several tribes there still enjoy independence, it is either because they have never been attacked by an enemy already satiated with conquest, and possessed of larger territories than he was able to occupy, or because they have been saved from oppression by their remote and inaccessible situation.

Conspicuous as this distinction may appear between the inhabitants of those different regions, it is not, however, universal. Moral and political causes, as I have formerly observed, affect the disposition and character of individuals, as well as nations, still more powerfully than the influence of climate. There are, accordingly, some tribes in various parts of the torrid zone, possessed of courage, high spirit, and love of independence, in a degree hardly inferior to the natives of more temperate climates. We are too little acquainted with the history of those people, to be able to trace the several circumstances in their progress and condition, to which they are indebted for this remarkable pre-eminence. The fact, nevertheless, is certain. As early as the first voyage of Columbus, he received information that several of the islands were inhabited by the *Caribbees*, a fierce race of men, nowise resembling their feeble and timid neighbours. In his second expedition to the New World he found this information to be just, and was himself a witness of their intrepid valour (95). The same character they have maintained invariably in all subsequent contests with the people of Europe: and, even in our own times, we have seen them make a gallant stand in defence of the last territory which the rapacity of their invaders had left in their possession (96). Some nations in Brazil were no less eminent for vigour of mind and bravery in war. The people of the isthmus of Darien boldly met the Spaniards in the field, and frequently repelled those formidable invaders. Other instances might be produced. It is not by attending to any single cause or principle, how powerful and extensive soever its influence may appear, that we can explain the actions, or account for the character of men. Even the law of climate, more universal, perhaps, in its operation than any that affects the human species, cannot be applied, in judging of their conduct without many exceptions.

BOOK V.

WHEN Grijalva returned to Cuba, [A. D. 1518,] he found the armament destined to attempt the conquest of that rich country which he had discovered, almost complete. Not only ambition, but avarice, had urged Velasquez to hasten his preparations; and having such a prospect of gratifying both, he had advanced considerable sums out of his private fortune towards defraying the expences of the expedition.

At the same time, he exerted his influence as governor, in engaging the most distinguished persons in the colony to undertake the service (97). At a time when the spirit of the Spanish nation was adventurous to excess, a number of soldiers, eager to embark in any daring enterprise, soon appeared. But it was not so easy to find a person qualified to take the command in an expedition of so much importance; and the character of Velasquez, who had the right of nomination, greatly increased the difficulty of the choice. Though of most aspiring ambition, and not destitute of talents for government, he possessed neither such courage nor such vigour and activity of mind, as to undertake in person the conduct of the armament which he was preparing. In this embarrassing situation, he formed the chimerical scheme, not only of achieving great exploits by a deputy, but of securing to himself the glory of conquests which were to be made by another. In the execution of this plan he fondly aimed at reconciling contradictions. He was solicitous to choose a commander of intrepid resolution, and of superior abilities, because he knew these to be requisite in order to insure success; but, at the same time, from the jealousy natural to little minds, he wished this person to be of a spirit so tame and obsequious, as to be entirely dependent on his will. But when he came to apply those ideas in forming an opinion concerning the several officers who occurred to his thoughts as worthy of being intrusted with the command, he soon perceived that it was impossible to find such incompatible qualities united in one character. Such as were distinguished for courage and talents were too high-spirited to be passive instruments in his hands. Those who appeared more gentle and tractable were destitute of capacity, and unequal to the charge. This augmented his perplexity and his fears. He deliberated long, and with much solicitude, and was still wavering in his choice, when Amador de Lares, the royal treasurer in Cuba, and Andres Duero, his own secretary, the two persons in whom he chiefly confided, were encouraged by this irresolution to propose a new candidate, and they supported their recommendation with such assiduity and address, that, no less fatally for Velasquez than happily for their country, it proved successful.

The man whom they pointed out to him was Fernando Cortes. He was born at Medellin, a small town in Extremadura, in the year one thousand four hundred and eighty-five, and descended from a family of noble blood, but of very moderate fortune. Being originally destined by his parents to the study of law, as the most likely method of bettering his condition, he was sent early to the university of Salamanca, where he imbibed some tincture of learning. But he was soon disgusted with an academic life, which did not suit his ardent and restless genius, and retired to Medellin, where he gave himself up entirely to active sports and martial exercises. At this period of life, he was so impetuous, so overbearing, and so dissipated, that his father was glad to comply with his inclination, and send him abroad as an adventurer in arms. There were in that age two conspicuous theatres, on which such of the Spanish youth as courted military glory might display their valour; one in Italy, under the command of the great captain; the other in the New World. Cortes preferred the former, but was prevented by indisposition from embarking with a reinforcement of troops sent to Naples. Upon this disappointment he turned his views towards America, whither he was allured by

the prospect of the advantages which he might derive from the patronage of Ovando (98), the governor of Hispaniola, who was his kinsman. When he landed at St. Domingo in one thousand five hundred and four, his reception was such as equalled his most sanguine hopes, and he was employed by the governor in several honourable and lucrative stations. These, however, did not satisfy his ambition; and in the year one thousand five hundred and eleven he obtained permission to accompany Diego Velasquez in his expedition to Cuba. In this service he distinguished himself so much, that notwithstanding some violent contests with Velasquez, occasioned by trivial events unworthy of remembrance, he was at length taken into favour, and received an ample concession of lands and of Indians, the recompence usually bestowed upon adventurers in the New World.

Though Cortes had not hitherto acted in high command, he had displayed such qualities in several scenes of difficulty and danger, as raised universal expectation, and turned the eyes of his countrymen towards him, as one capable of performing great things. The turbulence of youth, as soon as he found objects and occupations suited to the ardour of his mind, gradually subsided, and settled into a habit of regular indefatigable activity. The impetuosity of his temper, when he came to act with his equals, insensibly abated, by being kept under restraint, and mellowed into a cordial soldierly frankness. These qualities were accompanied with calm prudence in concerting his schemes, with persevering vigour in executing them, and with what is peculiar to superior genius, the art of gaining the confidence and governing the minds of men. To all which were added the inferior accomplishments that strike the vulgar, and command their respect; a graceful person, a winning aspect, extraordinary address in martial exercises, and a constitution of such vigour as to be capable of enduring any fatigue.

As soon as Cortes was mentioned to Velasquez by his two confidants, he flattered himself that he had at length found what he had hitherto sought in vain, a man with talents for command, but not an object for jealousy. Neither the rank nor the fortune of Cortes, as he imagined, were such that he could aspire at independence. He had reason to believe that by his own readiness to bury ancient animosities in oblivion, as well as his liberality in conferring several recent favours, he had already gained the good-will of Cortes, and hoped, by this new and unexpected mark of confidence, that he might attach him for ever to his interest.

Cortes, receiving his commission with the warmest expressions of respect and gratitude to the governor, immediately erected his standard before his own house, appeared in a military dress, and assumed all the ensigns of his new dignity. His utmost influence and activity were exerted in persuading many of his friends to engage in the service, and in urging forward the preparations for the voyage. All his own funds, together with what money he could raise by mortgaging his lands and Indians, were expended in purchasing military stores and provisions, or in supplying the wants of such of his officers as were unable to equip themselves in a manner suited to their rank (99). Inoffensive, and even laudable as this conduct was, his disappointed competitors were malicious enough to give it a turn to his disadvantage. They represented him as aiming already, with little disguise, at establishing an independent authority over his troops, and endeavouring to secure their respect or love by his ostentatious and interested

liberality. They reminded Velasquez of his former dissensions with the man in whom he now reposed so much confidence, and foretold that Cortes would be more apt to avail himself of the power which the governor was inconsiderately putting in his hands, to avenge past injuries, than to requite recent obligations. These insinuations made such impression upon the suspicious mind of Velasquez, that Cortes soon observed some symptoms of a growing alienation and distrust in his behaviour, and was advised by Lares and Duero to hasten his departure, before these should become so confirmed as to break out with open violence. Fully sensible of this danger, he urged forward his preparations with such rapidity, that he set sail from St. Jago de Cuba on the eighteenth of November, Velasquez accompanying him to the shore, and taking leave of him with an appearance of perfect friendship and confidence, though he had secretly given it in charge to some of Cortes' officers, to keep a watchful eye upon every part of their commander's conduct.

Cortes proceeded to Trinidad, a small settlement on the same side of the island, where he was joined by several adventurers, and received a supply of provisions and military stores, of which his stock was still very incomplete. He had hardly left St. Jago, when the jealousy which had been working in the breast of Velasquez grew so violent, that it was impossible to suppress it. The armament was no longer under his own eye and direction: and he felt, that as his power over it ceased, that of Cortes would become more absolute. Imagination now aggravated every circumstance which had formerly excited suspicion; the rivals of Cortes industriously threw in reflections which increased his fears; and with no less art than malice they called superstition to their aid, employing the predictions of an astrologer in order to complete the alarm. All these, by their united operation, produced the desired effect. Velasquez repented bitterly of his own imprudence, in having committed a trust of so much importance to a person whose fidelity appeared so doubtful, and hastily despatched instructions to Trinidad, empowering Verdugo, the chief magistrate there, to deprive Cortes of his commission. But Cortes had already made such progress in gaining the esteem and confidence of his troops, that finding officers as well as soldiers equally zealous to support his authority, he soothed or intimidated Verdugo, and was permitted to depart from Trinidad without molestation.

From Trinidad Cortes sailed for the Havana, in order to raise more soldiers, and to complete the victualling of his fleet. There several persons of distinction entered into the service, and engaged to supply what provisions were still wanting; but as it was necessary to allow them some time for performing what they had promised, Velasquez, sensible that he ought no longer to rely on a man of whom he had so openly discovered his distrust, availed himself of the interval which this unavoidable delay afforded, in order to make one attempt more to wrest the command out of the hands of Cortes. He loudly complained of Verdugo's conduct, accusing him either of childish facility, or of manifest treachery, in suffering Cortes to escape from Trinidad. Anxious to guard against a second disappointment, he sent a person of confidence to the Havana, with peremptory injunctions to Pedro Barba, his lieutenant-governor in that colony, instantly to arrest Cortes, to send him prisoner to St. Jago under a strong guard, and to countermand the sailing of the armament until he should receive further orders. He wrote likewise to

the principal officers, requiring them to assist Barba in executing what he had given him in charge. But before the arrival of this messenger, a Franciscan friar of St. Jago had secretly conveyed an account of this interesting transaction to Bartholomew de Olmedo, a monk of the same order, who acted as chaplain to the expedition.

Cortes, forewarned of the danger, had time to take precautions for his own safety. His first step was to find some pretext for removing from the Havana, Diego de Ordaz, an officer of great merit, but in whom, on account of his known attachment to Velasquez, he could not confide in this trying and delicate juncture. He gave him the command of a vessel, destined to take on board some provisions in a small harbour beyond cape Antonio, and thus made sure of his absence, without seeming to suspect his fidelity. When he was gone, Cortes no longer concealed the intentions of Velasquez from his troops; and as officers and soldiers were equally impatient to set out on an expedition, in preparing for which most of them had expended all their fortunes, they expressed their astonishment and indignation at that illiberal jealousy, to which the governor was about to sacrifice, not only the honour of their general, but all their sanguine hopes of glory and wealth. With one voice they entreated that he would not abandon the important station to which he had such a good title. They conjured him not to deprive them of a leader whom they followed with such well-founded confidence, and offered to shed the last drop of their blood in maintaining his authority. Cortes was easily induced to comply with what he himself so ardently desired. He swore that he would never desert soldiers who had given him such a signal proof of their attachment, and promised instantly to conduct them to that rich country, which had been so long the object of their thoughts and wishes. This declaration was received with transports of military applause, accompanied with threats and imprecations against all who should presume to call in question the jurisdiction of their general, or to obstruct the execution of his designs.

Every thing was now ready for their departure; but though this expedition was fitted out by the united efforts of the Spanish power in Cuba; though every settlement had contributed its quota of men and provisions; though the governor had laid out considerable sums, and each adventurer had exhausted his stock or strained his credit, the poverty of the preparations was such as must astonish the present age, and bore, indeed, no resemblance to an armament destined for the conquest of a great empire. The fleet consisted of eleven vessels; the largest of a hundred tons, which was dignified by the name of admiral; three of seventy or eighty tons, and the rest small open barks. On board of these were six hundred and seventeen men; of which five hundred and eight belonged to the land service, and a hundred and nine were seamen or artificers. The soldiers were divided into eleven companies, according to the number of the ships: to each of which Cortes appointed a captain, and committed to him the command of the vessel while at sea, and of the men when on shore (100). As the use of fire-arms among the nations of Europe was hitherto confined to a few battalions of regularly disciplined infantry, only thirteen soldiers were armed with muskets, thirty-two were cross-bowmen, and the rest had swords and spears. Instead of the usual defensive armour, which must have been cumbersome in a hot climate, the soldiers wore jackets quilted with cotton, which experience

had taught the Spaniards to be a sufficient protection against the weapons of the Americans. They had only sixteen horses, ten small field pieces, and four falconets.

[A. D. 1519, Feb. 10.] With this slender and ill-provided train did Cortes set sail, to make war upon a monarch whose dominions were more extensive than all the kingdoms subject to the Spanish crown. As religious enthusiasm always mingled with the spirit of adventure in the New World, and, by a combination still more strange, united with avarice, in prompting the Spaniards to all their enterprises, a large cross was displayed in their standards, with this inscription, *Let us follow the cross, for under this sign we shall conquer.*

So powerfully were Cortes and his followers animated with both these passions, that no less eager to plunder the opulent country whither they were bound, than zealous to propagate the Christian faith among its inhabitants, they set out, not with the solicitude natural to men going upon dangerous services, but with that confidence which arises from security of success, and certainty of the divine protection.

As Cortes had determined to touch at every place which Grijalva had visited, he steered directly towards the island of Cozumel; there he had the good fortune to redeem Jerome de Aguilar, a Spaniard, who had been eight years a prisoner among the Indians. This man was perfectly acquainted with a dialect of their language, understood through a large extent of country, and possessing besides a considerable share of prudence and sagacity, proved extremely useful as an interpreter. From Cozumel, Cortes proceeded to the river of Tabasco, [March 4,] in hopes of a reception as friendly as Grijalva had met with there, and of finding gold in the same abundance; but the disposition of the natives from some unknown cause, was totally changed. After repeated endeavours to conciliate their good-will, he was constrained to have recourse to violence. Though the forces of the enemy were numerous, and advanced with extraordinary courage, they were routed with great slaughter, in several successive actions. The loss which they sustained, and still more the astonishment and terror excited by the destructive effect of the fire-arms, and the dreadful appearance of the horses, humbled their fierce spirits, and induced them to sue for peace. They acknowledged the king of Castile as their sovereign, and granted Cortes a supply of provisions, with a present of cotton garments, some gold, and twenty female slaves (101).

Cortes continued his course to the westward, keeping as near the shore as possible, in order to observe the country; but could discover no proper place for landing, until he arrived at St. Juan de Ulua. [April 2.] As he entered this harbour, a large canoe full of people, among whom were two who seemed to be persons of distinction, approached his ship with signs of peace and amity. They came on board without fear or distrust, and addressed him in a most respectful manner, but in a language altogether unknown to Aguilar. Cortes was in the utmost perplexity and distress, at an event of which he instantly foresaw all the consequences, and already felt the hesitation and uncertainty with which he should carry on the great schemes which he meditated, if, in his transactions with the natives, he must depend entirely upon such an imperfect, ambiguous, and conjectural mode of communication, as the use of signs. But he did not remain long in his embarrassing situation; a fortunate accident extricated him, when his own sagacity could have contributed little towards his

relief. One of the female slaves, whom he had received from the cazique of Tabasco, happened to be present at the first interview between Cortes and his new guests. She perceived his distress, as well as the confusion of Aguilar; and as she perfectly understood the Mexican language, she explained what they had said in the Yucatan tongue, with which Aguilar was acquainted. This woman, known afterwards by the name of Donna Marina, and who makes a conspicuous figure in the history of the New World, where great revolutions were brought about by small causes and inconsiderable instruments, was born in one of the provinces of the Mexican empire. Having been sold as a slave in the early part of her life, after a variety of adventures she fell into the hands of the Tabascans, and had resided long enough among them to acquire their language, without losing the use of her own. Though it was both tedious and troublesome to converse by the intervention of two different interpreters, Cortes was so highly pleased with having discovered this method of carrying on some intercourse with the people of a country into which he was determined to penetrate, that in the transports of his joy he considered it as a visible interposition of Providence in his favour.

He now learned, that the two persons whom he had received on board of his ship were deputies from Teutile and Pilpatoe, two officers intrusted with the government of that province, by a great monarch, whom they called Montezuma; and that they were sent to inquire what his intentions were in visiting their coast, and to offer him what assistance he might need, in order to continue his voyage. Cortes, struck with the appearance of those people, as well as the tenor of the message, assured them, in respectful terms, that he approached their country with most friendly sentiments, and came to propose matters of great importance to the welfare of their prince and his kingdom, which he would unfold more fully, in person to the governor and the general. Next morning, without waiting for any answer, he landed his troops, his horses, and artillery; and having chosen proper ground, began to erect huts for his men and to fortify his camp. The natives, instead of opposing the entrance of those fatal guests into their country, assisted them in all their operations, with an alacrity of which they had ere long good reason to repent.

Next day Teutile and Pilpatoe entered the Spanish camp with a numerous retinue, and Cortes considering them as the ministers of a great monarch, entitled to a degree of attention very different from that which the Spaniards were accustomed to pay the petty caziques with whom they had intercourse in the isles, received them with much formal ceremony. He informed them, that he came as ambassador from Don Carlos of Austria, king of Castile, the greatest monarch of the east, and was intrusted with propositions of such moment, that he could impart them to none but the emperor Montezuma himself, and therefore required them to conduct him, without loss of time, into the presence of their master. The Mexican officers could not conceal their uneasiness at a request, which they knew would be disagreeable, and which they foresaw might prove extremely embarrassing to their sovereign, whose mind had been filled with many disquieting apprehensions, ever since the former appearance of the Spaniards on his coasts. But before they attempted to dissuade Cortes from insisting on this demand, they endeavoured to conciliate his goodwill, by entreating him to accept of certain presents,

which, as humble slaves of Montezuma, they laid at his feet. They were introduced with great parade, and consisted of fine cotton cloth, of plumes of various colours, and of ornaments of gold and silver to a considerable value; the workmanship of which appeared to be as curious as the materials were rich. The display of these produced an effect very different from what the Mexicans intended. Instead of satisfying it increased the avidity of the Spaniards, and rendered them so eager and impatient to become masters of a country which abounded with such precious productions, that Cortes could hardly listen with patience to the arguments which Pilpatoe and Teutile employed to dissuade him from visiting the capital, and in a haughty determined tone he insisted on his demand, of being admitted to a personal audience of their sovereign. During this interview, some painters, in the train of the Mexican chiefs, had been diligently employed in delineating, upon white cotton cloths, figures of the ships, the horses, the artillery, the soldiers, and whatever else attracted their eyes as singular. When Cortes observed this, and was informed that these pictures were to be sent to Montezuma, in order to convey to him a more lively idea of the strange and wonderful objects now presented to their view, than any words could communicate, he resolved to render the representation still more animating and interesting, by exhibiting such a spectacle as might give both them and their monarch an awful impression of the extraordinary prowess of his followers, and the irresistible force of their arms. The trumpets, by his order, sounded an alarm; the troops, in a moment, formed in order of battle, the infantry performed such martial exercises as were best suited to display the effect of their different weapons; the horses, in various evolutions, gave a specimen of their agility and strength; the artillery pointed towards the thick woods which surrounded the camp, were fired, and made dreadful havoc among the trees. The Mexicans looked on with that silent amazement which is natural when the mind is struck with objects, which are both awful and above its comprehension. But, at the explosion of the cannon, many of them fled, some fell to the ground, and all were so much confounded at the sight of men whose power so nearly resembled that of the gods, that Cortes found it difficult to compose and re-assure them. The painters had now many new objects on which to exercise their art, and they put their fancy on the stretch in order to invent figures and symbols to represent the extraordinary things which they had seen.

Messengers were immediately despatched to Montezuma with those pictures, and a full account of every thing that had passed since the arrival of the Spaniards, and by them Cortes sent a present of some European curiosities to Montezuma, which, though of no great value, he believed would be acceptable on account of their novelty. The Mexican monarchs, in order to obtain early information of every occurrence in all the corners of their extensive empire, had introduced a refinement in police, unknown, at that time, in Europe. They had couriers posted at proper stations along the principal roads; and as these were trained to agility by a regular education, and relieved one another at moderate distances, they conveyed intelligence with surprising rapidity. Though the capital in which Montezuma resided was above an hundred and eighty miles from Juan de Ulna, Cortes's presents were carried thither and an answer to his demands was received in

few days. The same officers who had hitherto treated with the Spaniards, were employed to deliver this answer; but as they knew how repugnant the determination of their masters was to all the schemes and wishes of the Spanish commander, they would not venture to make it known until they had previously endeavoured to soothe and mollify him. For this purpose they renewed their negociation, by introducing a train of a hundred Indians, loaded with presents sent to him by Montezuma. The magnificence of these was such as became a great monarch, and far exceeded any idea which the Spaniards had hitherto formed of his wealth. They were placed on mats spread on the ground, in such order as showed them to the greatest advantage. Cortes and his officers viewed, with admiration, the various manufactures of the country; cotton stuffs so fine, and of such delicate texture, as to resemble silk; pictures of animals, trees, and other natural objects, formed with feathers, of different colours, disposed and mingled with such skill and elegance, as to rival the work of the pencil in truth and beauty of imitation. But what chiefly attracted their eyes, were two large plates of a circular form, one of massive gold representing the sun, the other of silver, an emblem of the moon (152.) These were accompanied with bracelets, collars, rings, and other trinkets of gold; and, that nothing might be wanting which could give the Spaniards a complete idea of what the country afforded, with some boxes filled with pearls, precious stones, and grains of gold unwrought, as they had been found in the mines or rivers. Cortes received all these with an appearance of profound veneration for the monarch by whom they were bestowed. But when the Mexicans, presuming upon this, informed him, that their master, though he desired him to accept of what he had sent as a token of regard for that monarch whom Cortes represented, would not give his consent that foreign troops should approach nearer to his capital, or even allow them to continue longer in his dominions, the Spanish general declared, in a manner more resolute and peremptory than formerly, that he must insist on his first demand, as he could not, without dishonour, return to his own country, until he was admitted into the presence of the prince whom he was appointed to visit in the name of his sovereign. The Mexicans, astonished at seeing any man dare to oppose that will, which they were accustomed to consider as supreme and irresistible, yet afraid of precipitating their country into an open rupture with such formidable enemies, prevailed with Cortes to promise, that he would not move from his present camp, until the return of a messenger whom they sent to Montezuma for further instructions.

The firmness with which Cortes adhered to his original proposal, should naturally have brought the negociation between him and Montezuma to a speedy issue, as it seemed to leave the Mexican monarch no choice, but either to receive him with confidence as a friend, or to oppose him openly as an enemy. The latter was what might have been expected from a haughty prince in possession of extensive power. The Mexican empire, at this period, was at a pitch of grandeur to which no society ever attained in so short a period. Though it had subsisted, according to their own traditions, only a hundred and thirty years, its dominion extended from the North to the South sea, over territories stretching, with some small interruption, above five hundred leagues from east to west, and more than two hundred from north to south, comprehending provinces, not inferior in fertility, population, and opulence, to any in the

torrid zone. The people were warlike and enterprising, the authority of the monarch unbounded, and his revenues considerable. If, with the forces which might have been suddenly assembled in such an empire, Montezuma had fallen upon the Spaniards while encamped on a barren unhealthy coast, unsupported by any ally, without a place of retreat, and destitute of provisions, it seems to be impossible, even with all the advantages of their superior discipline and arms, that they could have stood the shock, and they must either have perished in such an unequal contest, or have abandoned the enterprise.

As the power of Montezuma enabled him to take this spirited part, his own dispositions were such as seemed naturally to prompt him to it. Of all the princes who had swayed the Mexican sceptre, he was the most haughty, the most violent, and the most impatient of control. His subjects looked up to him with awe, and his enemies with terror. The former he governed with unexampled rigour; but they were impressed with such an opinion of his capacity, as commanded their respect; and, by many victories over the latter, he had spread far the dread of his arms, and had added several considerable provinces to his dominions. But though his talents might be suited to the transactions of a state so imperfectly polished as the Mexican empire, and sufficient to conduct them while in their accustomed course, they were altogether inadequate to a conjuncture so extraordinary, and did not qualify him either to judge with the discernment, or to act with the decision requisite in such a trying emergence.

From the moment that the Spaniards appeared on his coast, he discovered symptoms of timidity and embarrassment. Instead of taking such resolutions as the consciousness of his own power, or the memory of his former exploits, might have inspired, he deliberated with an anxiety and hesitation which did not escape the notice of his meanest courtiers. The perplexity and discomposure of Montezuma's mind upon this occasion, as well the general dismay of his subjects, were not owing wholly to the impression which the Spaniards had made by the novelty of their appearance and the terror of their arms. Its origin may be traced up to a more remote source. There was an opinion, if we may believe the earliest and most authentic Spanish historians, almost universal among the Americans, that some dreadful calamity was impending over their heads, from a race of formidable invaders, who should come from regions towards the rising sun, to overrun and desolate their country. Whether this disquieting apprehension flowed from the memory of some natural calamity which had afflicted that part of the globe, and impressed the minds of the inhabitants with superstitious fears and forebodings, or whether it was an imagination accidentally suggested by the astonishment which the first sight of a new race of men occasioned, it is impossible to determine. But as the Mexicans were more prone to superstition than any people in the New World, they were more deeply affected by the appearance of the Spaniards, whom their credulity instantly represented as the instruments destined to bring about this fatal revolution which they dreaded. Under those circumstances, it ceases to be incredible that a handful of adventurers should alarm the monarch of a great empire, and all his subjects.

Notwithstanding the influence of this impression, when the messenger arrived from the Spanish camp with an account that the leader of the strangers, adhering to his original demand, refused to obey the order enjoining him to leave the country, Montezuma

assumed some degree of resolution, and, in a transport of rage natural to a fierce prince unaccustomed to meet with any opposition to his will, he threatened to sacrifice those presumptuous men to his gods. But his doubts and fears quickly returned, and instead of issuing orders to carry his threats into execution, he again called his ministers to confer and offer their advice. Feeble and temporizing measures will always be the result when men assemble to deliberate in a situation where they ought to act. The Mexican counsellors took no effectual measure for expelling such troublesome intruders, and were satisfied with issuing a more positive injunction, requiring them to leave the country; but this they preposterously accompanied with a present of such value, as proved a fresh inducement to remain there.

Meanwhile, the Spaniards were not without solicitude, or a variety of sentiments, in deliberating concerning their own future conduct. From what they had already seen, many of them formed such extravagant ideas concerning the opulence of the country, that, despising danger or hardships, when they had in view treasures which appeared to be inexhaustible, they were eager to attempt the conquest. Others, estimating the power of the Mexican empire by its wealth, and enumerating the various proofs which had occurred of its being under a well-regulated administration, contended that it would be an act of the wildest phrensy to attack such a state with a small body of men, in want of provisions, unconnected with any ally, and already enfeebled by the diseases peculiar to the climate, and the loss of several of their number. Cortes secretly applauded the advocates for bold measures, and cherished their romantic hopes, as such ideas corresponded with his own, and favoured the execution of the schemes which he had formed. From the time that the suspicions of Velasquez broke out with open violence in the attempts to deprive him of the command, Cortes saw the necessity of dissolving a connexion which would obstruct and embarrass all his operations, and watched for a proper opportunity of coming to a final rupture with him. Having this in view, he had laboured by every art to secure the esteem and affection of his soldiers. With his abilities for command, it was easy to gain their esteem; and his followers were quickly satisfied that they might rely, with perfect confidence, on the conduct and courage of their leader. Nor was it more difficult to acquire their affection. Among adventurers nearly of the same rank, and serving at their own expense, the dignity of command did not elevate a general above mingling with those who acted under him. Cortes availed himself of this freedom of intercourse, to insinuate himself into their favour, and by his affable manners, by well-timed acts of liberality to some, by inspiring all with vast hopes, and by allowing them to trade privately with the natives (103), he attached the greater part of his soldiers so firmly to himself, that they almost forgot that the armament had been fitted out by the authority and at the expense of another.

During those intrigues, Teutile arrived with the present from Montezuma, and, together with it, delivered the ultimate order of that monarch to depart instantly out of his dominions; and when Cortes, instead of complying, renewed his request of an audience, the Mexican turned from him abruptly, and quitted the camp with looks and gestures which strongly expressed his surprise and resentment. Next morning, none of the natives who used to frequent the camp in great numbers, in order to barter with the soldiers and to bring in provisions appeared. All

friendly correspondence seemed now to be at an end and it was expected every moment that hostilities would commence. This, though an event that might have been foreseen, occasioned a sudden consternation among the Spaniards, which emboldened the adherents of Velasquez not only to murmur and cabal against their general, but to appoint one of their number to remonstrate openly against his imprudence in attempting the conquest of a mighty empire with such inadequate force, and to urge the necessity of returning to Cuba, in order to refit the fleet and augment the army. Diego de Ordaz, one of his principal officers, whom the malcontents charged with this commission, delivered it with a soldierly freedom and bluntness, assuring Cortes that he spoke the sentiment of the whole army. He listened to this remonstrance without any appearance of emotion, and as he well knew the temper and wishes of his soldiers, and foresaw how they would receive a proposition fatal at once to all the splendid hopes and schemes which they had been forming with such complacency, he carried his dissimulation so far as to seem to relinquish his own measures in compliance with the request of Ordaz, and issued orders that the army should be in readiness next day to re-embark for Cuba. As soon as this was known, the disappointed adventurers exclaimed and threatened; the emissaries of Cortes, mingling with them, inflamed their rage; the ferment became general; the whole camp was almost in open mutiny; all demanding with eagerness to see their commander. Cortes was not slow in appearing; when, with one voice, officers and soldiers expressed their astonishment and indignation at the orders which they had received. It was unworthy, they cried, of the Castilian courage, to be daunted at the first aspect of danger, and infamous to fly before any enemy appeared. For their parts they were determined not to relinquish an enterprise that had hitherto been successful, and which tended so visibly to spread the knowledge of true religion, and to advance the glory and interest of their country. Happy under his command, they would follow him with alacrity through every danger, in quest of those settlements and treasures which he had so long held out to their view; but if he chose rather to return to Cuba, and tamely give up all his hopes of distinction and opulence to an envious rival, they would instantly choose another general to conduct them in that path of glory which he had not spirit to enter.

Cortes, delighted with their ardour, took no offence at the boldness with which it was uttered. The sentiments were what he himself had inspired, and the warmth of expression satisfied him that his followers had imbibed them thoroughly. He affected, however, to be surprised at what he heard, declaring that his orders to prepare for embarking were issued from a persuasion that this was agreeable to his troops; that, from deference to what he had been informed was their inclination, he had sacrificed his own private opinion, which was firmly bent on establishing immediately a settlement on the sea-coast, and then on endeavouring to penetrate into the interior part of the country; that now he was convinced of his error; and as he perceived that they were animated with the generous spirit which breathed in every true Spaniard, he would resume with fresh ardour, his original plan of operation, and doubted not to conduct them, in the career of victory, to such independent fortune, as their valour merited. Upon this declaration, shouts of applause testified the excess of their joy. The measure seemed to be taken with unanimous consent; such as secretly condemned it being obliged to join in

the acclamations, partly to conceal their disaffection from their general, and partly to avoid the imputation of cowardice from their fellow-soldiers.

Without allowing his men time to cool or to reflect, Cortes set about carrying his design into execution. In order to give a beginning to a colony, he assembled the principal persons in his army, and by their suffrage elected a council and magistrates, in whom the government was to be vested. As men naturally transplant the institutions and forms of the mother-country into their new settlements, this was framed upon the model of a Spanish corporation. The magistrates were distinguished by the same names and ensigns of office, and were to exercise a similar jurisdiction. All the persons chosen were most firmly devoted to Cortes, and the instrument of their election was framed in the king's name, without any mention of their dependence on Velasquez. The two principles of avarice and enthusiasm, which prompted the Spaniards to all their enterprises in the New World, seem to have concurred in suggesting the name which Cortes bestowed on his infant settlement. He called it, *The rich town of the true Cross.*

The first meeting of the new council was distinguished by a transaction of great moment. As soon as it assembled, Cortes applied for leave to enter; and approaching with many marks of profound respect, which added dignity to the tribunal, and set an example of reverence for its authority, he began a long harangue, in which, with much art, and in terms extremely flattering to persons just entering upon their new function, he observed, that as the supreme jurisdiction over the colony which they had planted was now vested in this court, he considered them as clothed with the authority, and representing the person of their sovereign; that accordingly he would communicate to them what he deemed essential to the public safety, with the same dutiful fidelity as if he were addressing his royal master; that the security of a colony settled in a great empire, whose sovereign had already discovered his hostile intentions, depended upon arms, and the efficacy of these upon the subordination and discipline preserved among the troops; that his right to command was derived from a commission granted by the governor of Cuba; and as that had been long since revoked, the lawfulness of his jurisdiction might well be questioned; that he might be thought to act upon a defective, or even a dubious, title; nor could they trust an army which might dispute the powers of its general, at a juncture when it ought implicitly to obey his orders; that, moved by these considerations, he now resigned all his authority to them, that they, having both right to choose, and power to confer full jurisdiction, might appoint one in the king's name, to command the army in its future operations; and as for his own part, such was his zeal for the service in which they were engaged, that he would most cheerfully take up a pike with the same hand that laid down the general's truncheon, and convince his fellow-soldiers, that though accustomed to command, he had not forgotten how to obey. Having finished his discourse, he laid the commission from Velasquez upon the table, and after kissing his truncheon, delivered it to the chief magistrate and withdrew.

The deliberations of the council were not long, as Cortes had concerted this important measure with his confidants, and had prepared the other members with great address, for the part which he wished them to take. His resignation was accepted; and as the uninterrupted tenor of their prosperity under his conduct afforded the most satisfying evidence of his

abilities for command, they, by their unanimous suffrage, elected him chief-justice of the colony, and captain-general of its army, and appointed his commission to be made out in the king's name, with most ample powers, which were to continue in force until the royal pleasure should be further known. That this deed might not be deemed the machination of a junto, the council called together the troops, and acquainted them with what had been resolved. The soldiers, with eager applause, ratified the choice which the council had made; the air resounded with the name of Cortes, and all vowed to shed their blood in support of his authority.

Cortes having now brought his intrigues to the desired issue, and shaken off his mortifying dependence on the governor of Cuba, accepted of the commission which vested in him supreme jurisdiction, civil as well as military, over the colony, with many professions of respect to the council, and gratitude to the army. Together with his new command, he assumed greater dignity, and began to exercise more extensive powers. Formerly he had felt himself to be only the deputy of a subject; now he acted as the representative of his sovereign. The adherents of Velasquez, fully aware of what would be the effect of this change in the situation of Cortes, could no longer continue silent and passive spectators of his actions. They exclaimed openly against the proceedings of the council as illegal, and against those of the army as mutinous. Cortes, instantly perceiving the necessity of giving a timely check to such seditious discourse by some vigorous measure, arrested Ordaz, Escudero, and Velasquez de Leon, the ring-leaders of this faction, and sent them prisoners aboard the fleet, loaded with chains. Their dependants, astonished and overawed, remained quiet; and Cortes, more desirous to reclaim than to punish his prisoners, who were officers of great merit, courted their friendship with such assiduity and address, that the reconciliation was perfectly cordial; and on the most trying occasions, neither their connexion with the governor of Cuba, nor the memory of the indignity with which they had been treated, tempted them to swerve from an inviolable attachment to his interest. In this as well as his other negotiations at this critical conjuncture, which decided with respect to his future fame and fortune, Cortes owed much of his success to the Mexican gold, which he distributed with a liberal hand both among his friends and his opponents.

Cortes, having thus rendered the union between himself and his army indissoluble, by engaging it to join him in disclaiming any dependence on the governor of Cuba, and in the repeated acts of disobedience to his authority, thought he might now venture to quit the camp in which he had hitherto remained, and advance into the country. To this he was encouraged by an event no less fortunate than seasonable. Some Indians having approached his camp in a mysterious manner, were introduced into his presence. He found that they were sent with a proffer of friendship from the cazique of Zempoalla, a considerable town at no great distance; and from their answers to a variety of questions which he put to them, according to his usual practice in every interview with the people of the country, he gathered, that their master, though subject to the Mexican empire, was impatient of the yoke, and filled with such dread and hatred of Montezuma, that nothing could be more acceptable to him than any prospect of deliverance from the oppression under which he groaned. On hearing this, a ray of light and hope broke in upon

the mind of Cortes. He saw that the great empire which he intended to attack was neither perfectly united, nor its sovereign universally beloved. He concluded, that the causes of disaffection could not be confined to one province; but that in other corners there must be malcontents, so weary of subjection, or so desirous of change, as to be ready to follow the standard of any protector. Full of those ideas, on which he began to form a scheme, that time, and more perfect information concerning the state of the country, enabled him to mature, he gave a most gracious reception to the Zempoallans, and promised soon to visit their cazique.

In order to perform this promise, it was not necessary to vary the route which he had already fixed for his march. Some officers, whom he had employed to survey the coast, having discovered a village named Quiabíslan, about forty miles to the northward, which both on account of the fertility of the soil and commodiousness of the harbour, seemed to be a more proper station for a settlement than that where he was encamped, Cortes determined to remove thither. Zempoalla lay in his way, where the cazique received him in the manner which he had reason to expect—with gifts and caresses, like a man solicitous to gain his good-will; with respect approaching almost to adoration, like one who looked up to him as a deliverer. From him he learned many particulars with respect to the character of Montezuma, and the circumstances which rendered his dominion odious. He was a tyrant, as the cazique told him with tears, haughty, cruel, and suspicious; who treated his own subjects with arrogance, ruined the conquered provinces by excessive exactions, and often tore their sons and daughters from them by violence; the former to be offered as victims to his gods; the latter, to be reserved as concubines for himself or favourites. Cortes, in reply to him, artfully insinuated, that one great object of the Spaniards in visiting a country so remote from their own, was to redress grievances, and to relieve the distressed; and having encouraged him to hope for this interposition in due time, he continued his march to Quiabíslan.

The spot which his officers had recommended as a proper situation, appeared to him to be so well chosen, that he immediately marked out ground for a town. The houses to be erected were only huts; but these were to be surrounded with fortifications, of sufficient strength to resist the assaults of an Indian army. As the finishing of those fortifications was essential to the existence of a colony, and of no less importance in prosecuting the designs which the leader and his followers meditated, both in order to secure a place of retreat, and to preserve their communication with the sea, every man in the army, officers as well as soldiers, put his hand to the work, Cortes himself setting them an example of activity and perseverance in labour. The Indians of Zempoalla and Quiabíslan lent their aid; and this petty station, the parent of so many mighty settlements, was soon in a state of defence.

While engaged in this necessary work, Cortes had several interviews with the caziques of Zempoalla and Quiabíslan; and availing himself of their wonder and astonishment at the new objects which they daily beheld, he gradually inspired them with such a high opinion of the Spaniards, as beings of a superior order and irresistible in arms, that, relying on their protection, they ventured to insult the Mexican power, at the very name of which they were accustomed to tremble. Some of Montezuma's officers having appeared to levy the usual tribute, and to demand a

certain number of human victims, as an expiation for their guilt in presuming to hold intercourse with those strangers whom the emperor had commanded to leave his dominions, instead of obeying the order, the caziques made them prisoners, treated them with great indignity, and as their superstition was no less barbarous than that of the Mexicans, they prepared to sacrifice them to their gods. From this last danger they were delivered by the interposition of Cortes, who manifested the utmost horror at the mention of such a deed. The two caziques having now been pushed to an act of such open rebellion, as left them no hope of safety but in attaching themselves inviolably to the Spaniards, they soon completed their union with them, by formally acknowledging themselves to be vassals of the same monarch. Their example was followed by the Totonagues, a fierce people who inhabited the mountainous part of the country. They willingly subjected themselves to the crown of Castile, and offered to accompany Cortes with all their forces in his march towards Mexico.

Cortes had now been above three months in New Spain: and though this period had not been distinguished by martial exploits, every moment had been employed in operations, which though less splendid, were more important. By his address in conducting his intrigues with his own army, as well as his sagacity in carrying on his negotiations with the natives, he had already laid the foundations of his future success. But whatever confidence he might place in the plan which he had formed, he could not but perceive, that as his title to command was derived from a doubtful authority, he held it by a precarious tenure. The injuries which Velasquez had received, were such as would naturally prompt him to apply for redress to their common sovereign; and such a representation, he foresaw, might be given of his conduct, that he had reason to apprehend, not only that he might be degraded from his present rank, but subjected to punishment. Before he began his march, it was necessary to take the most effectual precautions against this impending danger. With this view he persuaded the magistrates of the colony at Vera Cruz, to address a letter to the king, the chief object of which was to justify their own conduct in establishing a colony independent on the jurisdiction of Velasquez. In order to accomplish this, they endeavoured to detract from his merit in fitting out the two former armaments under Cordova and Grijalva, affirming that these had been equipped by the adventurers who engaged in the expeditions, and not by the governor. They contended that the sole object of Velasquez was to trade or barter with the natives, not to attempt the conquest of New Spain, or to settle a colony there. They asserted that Cortes and the officers who served under him had defrayed the greater part of the expence in fitting out the armament. On this account, they humbly requested their sovereign to ratify what they had done in his name, and to confirm Cortes in the supreme command by his royal commission. That Charles might be induced to grant more readily what they demanded, they gave him a pompous description of the country which they had discovered; of its riches, the number of its inhabitants, their civilization and arts; they related the progress which they had already made in annexing some parts of the country situated on the sea-coast to the crown of Castile; and mentioned the schemes which they had formed, as well as the hopes which they entertained, of reducing the whole to subjection. Cortes himself wrote in a similar strain; and as he knew that the Spanish court, accustomed to the

exaggerated representations of every new country by its discoverers, would give little credit to their splendid accounts of New Spain, if these were not accompanied with such a specimen of what it contained as would excite a high idea of its opulence, he solicited his soldiers to relinquish what they might claim as their part of the treasures which had hitherto been collected, in order that the whole might be sent to the king. Such was the ascendancy which he had acquired over their minds, and such their own romantic expectations of future wealth, that an army of indigent and rapacious adventurers was capable of this generous effort, and offered to their sovereign the richest present that had hitherto been transmitted from the New World (104). Portocarrero and Montejo, the chief magistrates of the colony, were appointed to carry this present to Castile, with express orders not to touch at Cuba in their passage thither.

While a vessel was preparing for their departure, an unexpected event occasioned a general alarm. Some soldiers and sailors, secretly attached to Velasquez, or intimidated at the prospect of the dangers unavoidable in attempting to penetrate into the heart of a great empire with such unequal force, formed the design of seizing one of the brigantines, and making their escape to Cuba, in order to give the governor such intelligence as might enable him to intercept the ship which was to carry the treasure and dispatches to Spain. This conspiracy, though formed by persons of low rank, was conducted with profound secrecy; but at the moment when every thing was ready for execution, they were betrayed by one of their associates.

Though the good fortune of Cortes interposed so seasonably on this occasion, the detection of this conspiracy filled his mind with most disquieting apprehensions, and prompted him to execute a scheme which he had long revolved. He perceived that the spirit of dissatisfaction still lurked among his troops; that though hitherto checked by the uniform success of his schemes, or suppressed by the hand of authority, various events might occur which would encourage and call it forth. He observed, that many of his men, weary of the fatigue of service, longed to revisit their settlements in Cuba; and that upon any appearance of extraordinary danger, or any reverse of fortune, it would be impossible to restrain them from returning thither. He was sensible that his forces, already too feeble, could bear no diminution, and that a very small defection of his followers would oblige him to abandon the enterprise. After ruminating often, and with much solicitude, upon those particulars, he saw no hope of success but in cutting off all possibility of retreat, and in reducing his men to the necessity of adopting the same resolution with which he himself was animated, either to conquer or to perish. With this view, he determined to destroy his fleet; but as he durst not venture to execute such a bold resolution by his single authority, he laboured to bring his soldiers to adopt his ideas with respect to the propriety of this measure. His address in accomplishing this was not inferior to the arduous occasion in which it was employed. He persuaded some, that the ships had suffered so much by having been long at sea, as to be altogether unfit for service; to others he pointed out what a seasonable reinforcement of strength they would derive from the junction of a hundred men, now unprofitably employed as sailors; and to all he represented the necessity of fixing their eyes and wishes upon what was before them, without allowing the idea of

a retreat once to enter their thoughts. With universal consent the ships were drawn ashore, and after stripping them of their sails, rigging, iron works, and whatever else might be of use, they were broke in pieces. Thus, from an effort of magnanimity, to which there is nothing parallel in history, five hundred men voluntarily consented to be shut up in a hostile country, filled with powerful and unknown nations; and having precluded every means of escape, left themselves without any resource but their own valour and perseverance.

Nothing now retarded Cortes; the alacrity of his troops and the disposition of his allies were equally favourable. All the advantages, however, derived from the latter, though procured by much assiduity and address, were well nigh lost in a moment, by an indiscreet sally of religious zeal, which, on many occasions, precipitated Cortes into actions, inconsistent with the prudence that distinguishes his character. Though hitherto he had neither time nor opportunity to explain to the natives the errors of their own superstition, or to instruct them in the principles of the christian faith, he commanded his soldiers to overturn the altars and to destroy the idols in the chief temple of Zempoalla, and in their place to erect a crucifix and an image of the Virgin Mary. The people beheld this with astonishment and horror; the priests excited them to arms; but such was the authority of Cortes, and so great the ascendancy which the Spaniards had acquired, that the commotion was appeased without bloodshed, and concord perfectly re-established.

Cortes began his march from Zempoalla on the sixteenth of August, with five hundred men, fifteen horse, and six field-pieces. The rest of his troops, consisting chiefly of such as from age or infirmity were less fit for active service, he left as a garrison in Villa Rica, under command of the Escalante, an officer of merit, and warmly attached to his interest. The cazique of Zempoalla supplied him with provisions, and with two hundred of those Indians called *Tamemes*, whose office, in a country where tame animals were unknown, was to carry burthens, and to perform all servile labour. They were a great relief to the Spanish soldiers, who hitherto had been obliged, not only to carry their own baggage, but to drag along the artillery by main force. He offered likewise a considerable body of his troops, but Cortes, was satisfied with four hundred; taking care, however, to choose persons of such note as might prove hostages for the fidelity of their master. Nothing memorable happened in his progress, until he arrived on the confines of Tlascalala. The inhabitants of that province, a warlike people, were implacable enemies of the Mexicans, and had been united in an ancient alliance with the caziques of Zempoalla. Though less civilized than the subjects of Montezuma, they were advanced in improvement far beyond the rude nations of America, whose manners we have described. They had made considerable progress in agriculture; they dwelt in large towns; they were not strangers to some species of commerce; and in the imperfect accounts of their institutions and laws, transmitted to us by the early Spanish writers, we discern traces both of distributive justice and of criminal jurisdiction in their interior police. But still, as the degree of their civilization was incomplete, and as they depended for subsistence, not on agriculture alone, but trusted for it in a great measure to hunting, they retained many of the qualities natural to men in this state. Like them, they were fierce and revengeful; like them,

too, they were high-spirited and independent. In consequence of the former, they were involved in perpetual hostilities, and had but a slender and occasional intercourse with neighbouring states. The latter inspired them with such detestation of servitude, that they not only refused to stoop to a foreign yoke, and maintained an obstinate and successful contest in defence of their liberty against the superior power of the Mexican empire, but they guarded with equal solicitude against domestic tyranny; and disdaining to acknowledge any master, they lived under the mild and limited jurisdiction of a council elected by their several tribes.

Cortes, though he had received information concerning the martial character of this people, flattered himself that his professions of delivering the oppressed from the tyranny of Montezuma, their inveterate enmity to the Mexicans, and the example of their ancient allies the Zempoallans, might induce the Tlascalans to grant him a friendly reception. In order to dispose them to this, four Zempoallans of great eminence were sent ambassadors, to request, in his name, and in that of their cazique, that they would permit the Spaniards to pass through the territories of the republic, in their way to Mexico. But instead of the favourable answer which was expected, the Tlascalans seized the ambassadors, and without any regard to their public character, made preparations for sacrificing them to their gods. At the same time they assembled their troops, in order to oppose those unknown invaders, if they should attempt to make their passage good by force of arms. Various motives concurred in precipitating the Tlascalans into this resolution. A fierce people, shut up within its own narrow precincts, and little accustomed to any intercourse with foreigners, is apt to consider every stranger as an enemy, and is easily excited to arms. They concluded, from Cortes's proposal of visiting Montezuma in his capital, that, notwithstanding all his professions, he courted the friendship of a monarch whom they both hated and feared. The imprudent zeal of Cortes in violating the temples in Zempoalla filled the Tlascalans with horror; and as they were no less attached to their superstition than the other nations of New Spain, they were impatient to avenge their injured gods, and to acquire the merit of offering up to them, as victims, those impious men who had dared to profane their altars; they contemned the small number of the Spaniards, as they had not yet measured their own strength with that of these new enemies, and had no idea of the superiority which they derived from their arms and discipline.

[Aug. 30.] Cortes, after waiting some days in vain for the return of his ambassadors, advanced into the Tlascalan territories. As the resolutions of people who delight in war are executed with no less promptitude than they are formed, he found troops in the field ready to oppose him. They attacked him with great intrepidity, and, in the first encounter, wounded some of the Spaniards, and killed two horses; a loss, in their situation, of great moment, because it was irreparable. From this specimen of their courage, Cortes saw the necessity of proceeding with caution. His army marched in close order; he chose the stations where he halted with attention, and fortified every camp with extraordinary care. During fourteen days he was exposed to almost uninterrupted assaults, the Tlascalans advancing with numerous armies, and renewing the attack in various forms, with a degree of valour and perseverance to which the Spaniards

had seen nothing parallel in the New World. The Spanish historians describe those successive battles with great pomp, and enter into a minute detail of particulars, mingling many exaggerated and incredible circumstances (105) with such as are real and marvellous. But no power of words can render the recital of a combat interesting, where there is no equality of danger; and when the narrative closes with an account of thousands slain on the one side, while not a single person falls on the other, the most laboured descriptions of the previous disposition of the troops, or of the various vicissitudes in the engagement, command no attention.

There are some circumstances, however, in this war, which are memorable, and merit notice, as they throw light upon the character both of the people of New Spain, and of their conquerors. Though the Tlascalans brought into the field such numerous armies as appear sufficient to have overwhelmed the Spaniards, they were never able to make any impression upon their small battalion. Singular as this may seem, it is not inexplicable. The Tlascalans, though addicted to war, were, like all unpolished nations, strangers to military order and discipline, and lost in a great measure the advantage which they might have derived from their numbers, and the impetuosity of their attack, by their constant solicitude to carry off the dead and wounded. This point of honour, founded on a sentiment of tenderness natural to the human mind, and strengthened by anxiety to preserve the bodies of their countrymen from being devoured by their enemies, was universal among the people of New Spain. Attention to this pious office occupied them even during the heat of combat, broke their union, and diminished the force of the impression which they might have made by a joint effort.

Not only was their superiority in number of little avail, but the imperfection of their military weapons rendered their valour in a great measure inoffensive. After three battles, and many skirmishes and assaults, not one Spaniard was killed in the field. Arrows and spears, headed with flint or the bones of fishes, stakes hardened in the fire, and wooden swords, though destructive weapons among naked Indians, were easily turned aside by the Spanish bucklers, and could hardly penetrate the *escapiles*, or quilted jackets, which the soldiers wore. The Tlascalans advanced boldly to the charge, and often fought hard to hand. Many of the Spaniards were wounded, though all slightly, which cannot be imputed to any want of courage or strength in their enemies, but to the defect of the arms with which they assailed them.

Notwithstanding the fury with which the Tlascalans attacked the Spaniards, they seemed to have conducted their hostility with some degree of barbarous generosity. They gave the Spaniards warning of their hostile intentions, and as they knew that their invaders wanted provisions, and imagined, perhaps, like the other Americans, that they had left their own country because it did not afford them subsistence, they sent to their camp a large supply of poultry and maize, desiring them to eat plentifully, because they scorned to attack an enemy enfeebled by hunger; and it would be an affront to their gods to offer them famished victims, as well as disagreeable to themselves to feed on such emaciated prey.

When they were taught by the first encounter with their new enemies, that it was not easy to execute this threat; when they perceived, in the subsequent engagements, that notwithstanding all

the efforts of their own valour, of which they had a very high opinion, not one of the Spaniards was slain or taken, they began to conceive them to be a superior order of beings, against whom human power could not avail. In this extremity they had recourse to their priests, requiring them to reveal the mysterious causes of such extraordinary events, and to declare what new means they should employ in order to repulse those formidable invaders. The priests, after many sacrifices and incantations, delivered this response: That these strangers were the offspring of the sun, procreated by his animating energy in the regions of the east; that, by day, while cherished with the influence of his parental beams, they were invincible; but by night, when his reviving heat was withdrawn, their vigour declined and faded like the herbs in the field, and they dwindled down into mortal men. Theories less plausible have gained credit with more enlightened nations, and have influenced their conduct. In consequence of this, the Tlascalans, with the implicit confidence of men who fancy themselves to be under the guidance of Heaven, acted in contradiction to one of their most established maxims in war, and ventured to attack the enemy with a strong body in the night-time, in hopes of destroying them when enfeebled and surprised. But Cortes had greater vigilance and discernment than to be deceived by the rude stratagems of an Indian army. The sentinels at his out-posts, observing some extraordinary movement among the Tlascalans, gave the alarm. In a moment the troops were under arms, and sallying out, dispersed the party with great slaughter without allowing it to approach the camp. The Tlascalans convinced by sad experience that their priests had deluded them, and satisfied that they attempted in vain, either to deceive or to vanquish their enemies, their fierceness abated, and they began to incline seriously to peace.

They were at a loss, however, in what manner to address the strangers, what idea to form of their character, and whether to consider them as beings of a gentle or malevolent nature. There were circumstances in their conduct which seemed to favour each opinion. On the one hand, as the Spaniards constantly dismissed the prisoners whom they took, not only without injury, but often with presents of European toys, and renewed their offers of peace after every victory; this lenity amazed people, who, according to the exterminating system of war known in America, were accustomed to sacrifice and devour without mercy all captives taken in battle, and disposed them to entertain favourable sentiments of the humanity of their new enemies. But, on the other hand, as Cortes had seized fifty of their countrymen who brought provisions to his camp, and supposing them to be spies, had cut off their hands; this bloody spectacle, added to the terror occasioned by the fire-arms and horses, filled them with dreadful impressions of the ferocity of their invaders (106). This uncertainty was apparent in the mode of addressing the Spaniards. "If," said they, you are divinities of a cruel and savage nature, we present to you five slaves, that you may drink their blood and eat their flesh. If you are mild deities, accept an offering of incense and variegated plumes. If you are men, here is meat, and bread, and fruit to nourish you." The peace which both parties now desired with equal ardour, was soon concluded. The Tlascalans yielded themselves as vassals to the crown of Castile, and engaged to assist Cortes

in all his future operations. He took the republic under his protection, and promised to defend their persons and possessions from injury or violence.

This treaty was concluded at a seasonable juncture for the Spaniards. The fatigue of the service among a small body of men, surrounded by such a multitude of enemies, was incredible. Half the army was on duty every night, and even they whose turn it was to rest, slept always upon their arms, that they might be ready to run to their posts on a moment's warning. Many of them were wounded; a good number, and among these Cortes himself, laboured under the distempers prevalent in hot climates, and several had died since they set out from Vera Cruz. Notwithstanding the supplies which they received from the Tlascalans, they were often in want of provisions, and so destitute of the necessaries most requisite in dangerous service, that they had no salve to dress their wounds, but what was composed with the fat of the Indians whom they had slain. Worn out with such intolerable toil and hardships, many of the soldiers began to murmur, and, when they reflected on the multitude and boldness of their enemies, more were ready to despair. It required the utmost exertion of Cortes's authority and address to check this spirit of despondency in its progress, and to reanimate his followers with their wonted sense of their own superiority over the enemies with whom they had to contend. The submission of the Tlascalans, and their own triumphant entry into the capital city, where they were received with the reverence paid to beings of a superior order, banished, at once, from the minds of the Spaniards, all memory of past sufferings, dispelled every anxious thought with respect to their future operations, and fully satisfied them that there was not now any power in America able to withstand their arms.

Cortes remained twenty days in Tlascala, in order to allow his troops a short interval of repose after such hard service. During that time he was employed in transactions and inquiries of great moment with respect to his future schemes. In his daily conferences with the Tlascalan chiefs, he received information concerning every particular relative to the state of the Mexican empire, or to the qualities of its sovereign, which could be of use in regulating his conduct, whether he should be obliged to act as a friend or as an enemy. As he found that the antipathy of his new allies to the Mexican nation was no less implacable than had been represented, and perceived what benefit he might derive from the aid of such powerful confederates, he employed all his powers of insinuation in order to gain their confidence. Nor was any extraordinary exertion of these necessary. The Tlascalans, with the levity of mind natural to unpolished men, were, of their own accord, disposed to run from the extreme of hatred to that of fondness. Every thing in the appearance and conduct of their guests was to them matter of wonder (107). They gazed with admiration at whatever the Spaniards did, and fancying them to be of heavenly origin, were eager not only to comply with their demands, but to anticipate their wishes. They offered, accordingly, to accompany Cortes in his march to Mexico, with all the forces of the republic, under the command of their most experienced captains.

But, after bestowing so much pains on cementing this union, all the beneficial fruits of it were on the point of being lost, by a new effusion of that intem-

perate religious zeal with which Cortes was animated, no less than the adventurers of the age. They all considered themselves as instruments employed by Heaven to propagate the christian faith, and the less they were qualified, either by their knowledge or morals, for such a function, they were more eager to discharge it. The profound veneration of the Tlascalans for the Spaniards, having encouraged Cortes to explain to some of their chiefs the doctrines of the christian religion, and to insist that they should abandon their own superstitions, and embrace the faith of their new friends, they, according to an idea universal among barbarous nations, readily acknowledged the truth and excellency of what he taught; but contended, that the *Teules* of Tlascala were divinities no less than the God in whom the Spaniards believed; and as that Being was entitled to the homage of Europeans, so they were bound to revere the same powers which their ancestors had worshipped. Cortes continued, nevertheless, to urge his demand in a tone of authority, mingling threats with his arguments, until the Tlascalans could bear it no longer, and conjured him never to mention this again, lest the Gods should avenge on their heads the guilt of having listened to such a proposition. Cortes, astonished and enraged at their obstinacy, prepared to execute by force what he could not accomplish by persuasion, and was going to overturn their altars, and cast down their idols with the same violent hand as at Zempoalla, if Father Bartholemew de Olmedo, chaplain to the expedition, had not checked his inconsiderate impetuosity. He represented the imprudence of such an attempt in a large city newly reconciled, and filled with people no less superstitious than warlike; he declared, that the proceeding at Zempoalla had always appeared to him precipitate and unjust, that religion was not to be propagated by the sword, or infidels to be converted by violence; that other weapons were to be employed in this ministry; patient instruction must enlighten the understanding, and pious example captivate the heart, before men could be induced to abandon error, and embrace the truth. Amidst scenes, where a narrow-minded bigotry appears in such close union with oppression and cruelty, sentiments so liberal and humane soothe the mind with unexpected pleasure; and at a time when the rights of conscience were little understood in the christian world, and the idea of toleration unknown, one is astonished to find a Spanish monk of the sixteenth century amongst the first advocates against persecution, and in behalf of religious liberty. The remonstrances of an ecclesiastic, no less respectable for wisdom than virtue, had their proper weight with Cortes. He left the Tlascalans in the undisturbed exercise of their own rights, requiring only that they should desist from their horrid practice of offering human victims in sacrifice.

Cortes, as soon as his troops were fit for service, resolved to continue his march towards Mexico, notwithstanding the earnest dissuaves of the Tlascalans, who represented his destruction as unavoidable, if he put himself in the power of a prince so faithless and cruel as Montezuma. As he was accompanied by six thousand Tlascalans, he had now the command of forces which resembled a regular army. They directed their course towards Cholula [Oct. 13]; Montezuma, who had at length consented to admit the Spaniards into his presence, having informed Cortes that he had given orders for his friendly reception there. Cholula was a considerable town, and though only five leagues distant from

Tlascala, was formerly an independent state, but had been lately subjected to the Mexican empire. This was considered by all the people of New Spain as a holy place, the sanctuary and chief seat of their gods, to which pilgrims resorted from every province, and a greater number of human victims were offered in its principal temple than even in that of Mexico. Montezuma seems to have invited the Spaniards thither either from some superstitious hope that the gods would not suffer this sacred mansion to be defiled, without pouring down their wrath upon those impious strangers, who ventured to insult their power in the place of its peculiar residence; or from a belief that he himself might attempt to cut them off with more certain success, under the immediate protection of his divinities.

Cortes had been warned by the Tlascalans, before he set out on his march, to keep a watchful eye over the Cholulans. He himself, though received into the town with much seeming respect and cordiality, observed several circumstances in their conduct which excited suspicion. Two of the Tlascalans, who were encamped at some distance from the town, as the Cholulans refused to admit their ancient enemies within its precincts, having found means to enter in disguise, acquainted Cortes, that they observed the women and children of the principal citizens retiring in great hurry every night; and that six children had been sacrificed in the chief temple, a rite which indicated the execution of some warlike enterprise to be approaching. At the same time, Marina the interpreter received information from an Indian woman of distinction, whose confidence she had gained, that the destruction of her friends was concerted; that a body of Mexican troops lay concealed near the town; that some of the streets were barricaded, and in others, pits or deep trenches were dug, and slightly covered over, as traps into which the horses might fall; that stones or missive weapons were collected on the tops of the temples, with which to overwhelm the infantry; that the fatal hour was now at hand, and their ruin unavoidable. Cortes, alarmed at this concurring evidence, secretly arrested three of the chief priests, and extorted from them a confession that confirmed the intelligence which he had received. As not a moment was to be lost, he instantly resolved to prevent his enemies, and to inflict on them such dreadful vengeance as might strike Montezuma and his subjects with terror. For this purpose, the Spaniards and Zempoallans were drawn up in a large court, which had been allotted for their quarters, near the centre of the town; the Tlascalans had orders to advance; the magistrates and several of the chief citizens were sent for, under various prettexts, and seized. On a signal given, the troops rushed out, and fell upon the multitude, destitute of leaders, and so much astonished, that the weapons dropped from their hands, they stood motionless, and incapable of defence. While the Spaniards pressed them in front, the Tlascalans attacked them in the rear. The streets were filled with bloodshed and death. The temples, which afforded a retreat to the priests and some of the leading men, were set on fire, and they perished in the flames. This scene of horror continued two days; during which the wretched inhabitants suffered all that the destructive rage of the Spaniards, or the implacable revenge of the Indian allies, could inflict (108). At length the carnage ceased, after the slaughter of six thousand Cholulans, without the loss of a single Spaniard. Cortes then released the magistrates, and reproaching their bitterly for their intended treachery, declared, that

as justice was now appeased, he forgave the offence, but required them to recall the citizens who had fled, and re-establish order in the town. Such was the ascendancy which the Spaniards had acquired over this superstitious race of men, and so deeply were they impressed with an opinion of their superior discernment, as well as power, that in obedience to this command, the city was in a few days filled again with people, who, amidst the ruins of their sacred buildings, yielded respectful service to men whose hands were stained with the blood of their relations and fellow-citizens.

[Oct. 29.] From Cholula, Cortes advanced directly towards Mexico, which was only twenty leagues distant. In every place through which he passed, he was received as a person possessed of sufficient power to deliver the empire from the oppression under which it groaned; and the caciques or governors communicated to him all the grievances which they felt under the tyrannical government of Montezuma, with that unreserved confidence which men naturally repose in superior beings. When Cortes first observed the seeds of discontent in the remote provinces of the empire, hope dawned upon his mind; but when he now discovered such symptoms of alienation from their monarch near the seat of government, he concluded that the vital parts of the constitution were affected, and conceived the most sanguine expectations of overturning a state, whose natural strength was thus divided and impaired. While those reflections encouraged the general to persist in his arduous undertaking, the soldiers were no less animated by observations more obvious to their capacity. In descending from the mountains of Chalco, across which the road lay, the vast plain of Mexico opened gradually to their view. When they first beheld this prospect, one of the most striking and beautiful on the face of the earth; when they observed fertile and cultivated fields stretching farther than the eye could reach; when they saw a lake resembling the sea in extent, encompassed with large towns, and discovered the capital city rising upon an island in the middle, adorned with its temples and turrets; the scene so far exceeded their imagination, that some believed the fanciful descriptions of romance were realized, and that its enchanted palaces and gilded domes were presented to their sight; others could hardly persuade themselves that this wonderful spectacle was any thing more than a dream (109). As they advanced, their doubts were removed, but their amazement increased. They were now fully satisfied that the country was rich beyond any conception which they had formed of it, and flattered themselves that at length they should obtain an ample recompense for all their services and sufferings.

Hitherto they had met with no enemy to oppose their progress, though several circumstances occurred which led them to suspect that some design was formed to surprise and cut them off. Many messengers arrived successively from Montezuma, permitting them one day to advance, requiring them on the next to retire, as his hopes or fears alternately prevailed: and so wonderful was this infatuation, which seems to be unaccountable on any supposition, but that of a superstitious dread of the Spaniards, as beings of a superior nature, that Cortes was almost at the gates of the capital, before the monarch had determined whether to receive him as a friend, or to oppose him as an enemy. But as no sign of open hostility appeared, the Spaniards, without regarding the fluctuations of Montezuma's sentiments, continued their march along the causeway which led to Mexico

through the lake, with great circumspection and the strictest discipline, though without seeming to suspect the prince whom they were about to visit.

When they drew near the city, about a thousand persons, who appeared to be of distinction, came forth to meet them, adorned with plumes and clad in mantles of fine cotton. Each of these, in his order, passed by Cortes, and saluted him according to the mode deemed most respectful and submissive in their country. They announced the approach of Montezuma himself, and soon after his harbingers came in sight. There appeared first two hundred persons in an uniform dress, with large plumes of feathers, alike in fashion, marching two and two, in deep silence, bare-footed, with their eyes fixed on the ground. These were followed by a company of higher rank, in their most showy apparel, in the midst of whom was Montezuma, in a chair or litter richly ornamented with gold and feathers of various colours. Four of his principal favourites carried him on their shoulders, others supported a canopy of curious workmanship over his head. Before him marched three officers with rods of gold in their hands, which they lifted up on high at certain intervals, and at that signal all the people bowed their heads, and hid their faces, as unworthy to look on so great a monarch. When he drew near, Cortes dismounted, advancing towards him with officious haste, and in a respectful posture. At the same time Montezuma alighted from his chair, and leaning on the arms of two of his near relations, approached with a slow and stately pace, his attendants covering the street with cotton cloths, that he might not touch the ground. Cortes accosted him with profound reverence, after the European fashion. He returned the salutation, according to the mode of his country, by touching the earth with his hand, and then kissing it. This ceremony, the customary expression of veneration from inferiors towards those who were above them in rank, appeared such amazing condescension in a proud monarch, who scarcely designed to consider the rest of mankind as of the same species with himself, that all his subjects firmly believed those persons, before whom he humbled himself in this manner, to be something more than human. Accordingly, as they marched through the crowd, the Spaniards frequently, and with much satisfaction, heard themselves denominated *Teules*, or divinities. Nothing material passed in this first interview. Montezuma conducted Cortes to the quarters which he had prepared for his reception, and immediately took leave of him, with a politeness not unworthy of a court more refined. "You are now," says he, "with your brothers in your own house; refresh yourselves after your fatigue and be happy until I return." The place allotted to the Spaniards for their lodging was a house built by the father of Montezuma. It was surrounded by a stone wall, with towers at proper distances, which served for defence as well as for ornament, and its apartments and courts were so large, as to accommodate both the Spaniards and their Indian allies. The first care of Cortes was to take precautions for his security, by planting the artillery so as to command the different avenues which led to it, by appointing a large division of his troops to be always on guard, and by posting sentinels at proper stations, with injunctions to observe the same vigilant discipline as if they were within sight of an enemy's camp.

In the evening, Montezuma returned to visit his guests with the same pomp as in their first interview,

and brought presents of such value, not only to Cortes and to his officers, but even to the private men, as proved the liberality of the monarch to be suitable to the opulence of his kingdom. A long conference ensued, in which Cortes learned what was the opinion of Montezuma with respect to the Spaniards. It was an established tradition, he told him, among the Mexicans, that their ancestors came originally from a remote region, and conquered the provinces now subject to his dominion: that after they were settled there, the great captain who conducted this colony, returned to his own country, promising, that at some future period his descendants should visit them, assume the government, and reform their constitution and laws; that from what he had heard and seen of Cortes and his followers, he was convinced they were the very persons whose appearance the Mexican traditions and prophecies taught them to expect; that accordingly he had received them, not as strangers, but as relations of the same blood and parentage, and desired that they might consider themselves as masters in his dominions, for both himself and his subjects should be ready to comply with their will, and even to prevent their wishes. Cortes made a reply in his usual style, with respect to the dignity and power of his sovereign, and his intention in sending him into that country; artfully endeavouring so to frame his discourse, that it might coincide as much as possible with the idea which Montezuma had formed concerning the origin of the Spaniards. Next morning, Cortes and some of his principal attendants were admitted to a public audience of the emperor. The three subsequent days were employed in viewing the city, the appearance of which, so far superior in the order of its buildings, and the number of its inhabitants, to any place the Spaniards had beheld in America, and yet so little resembling the structure of a European city, filled them with surprise and admiration.

Mexico, or *Tenuchtitlan*, as it was anciently called by the natives, is situated in a large plain, environed by mountains of such height, that, though within the torrid zone, the temperature of its climate is mild and healthful. All the moisture which descends from the high grounds is collected in several lakes, the two largest of which, of about ninety miles in circuit, communicate with each other. The waters of the one are fresh, those of the others brackish. On the banks of the latter, and on some small islands adjoining to them, the capital of Montezuma's empire was built. The access to the city was by artificial causeways or streets formed of stones and earth, about thirty feet in breadth. As the waters of the lake during the rainy season overflowed the flat country, these causeways were of considerable length. That of Tacuba, on the west, extended a mile and a-half; that of Tepeaca, on the north-west, three miles, that of Cuoyacan, towards the south, six miles. On the east there was no causeway, and the city could be approached only by canoes. In each of these causeways were openings at proper intervals, through which the waters flowed, and over these beams of timber were laid, which being covered with earth, the causeway or street had every where an uniform appearance. As the approaches to the city were singular, its construction was remarkable. Not only the temples of their gods, but the houses belonging to the monarch, and to persons of distinction, were of such dimensions, that in comparison with any other buildings which had been hitherto discovered in America, they might be termed magnificent. The habitations of the common people

were mean, resembling the huts of other Indians. But they were all placed in a regular manner, on the banks of the canals which passed through the city, in some of its districts, or in the sides of the streets which intersected it in other quarters. In several places were large openings or squares, one of which, allotted for the great market, is said to have been so spacious, that forty or fifty thousand persons carried on traffic there. In this city, the pride of the New World, and the noblest monument of the industry and art of man, while unacquainted with the use of iron, and destitute of aid from any domestic animal, the Spaniards, who are most moderate in their computations, reckon that there were at least sixty thousand inhabitants.

But how much soever the novelty of those objects might amuse or astonish the Spaniards, they felt the utmost solicitude with respect to their own situation. From a concurrence of circumstances, no less unexpected than favourable to their progress, they had been allowed to penetrate into the heart of a powerful kingdom, and were now lodged in its capital, without having once met with open opposition from its monarch. The Tlascalans, however, had earnestly dissuaded them from placing such confidence in Montezuma as to enter a city of such peculiar situation as Mexico, where that prince would have them at mercy, shut up as it were in a snare, from which it was impossible to escape. They assured them that the Mexican priests had, in the name of the gods, counselled their sovereign to admit the Spaniards into the capital, that he might cut them off there at one blow with perfect security. They now perceived too plainly, that the apprehensions of their allies were not destitute of foundation; that, by breaking the bridges placed at certain intervals on the causeways, or by destroying part of the causeways themselves, their retreat would be rendered impracticable, and they must remain cooped up in the centre of a hostile city, surrounded by multitudes sufficient to overwhelm them, and without a possibility of receiving aid from their allies. Montezuma had, indeed, received them with distinguished respect. But ought they to reckon upon this as real, or to consider it as feigned? Even if it were sincere, could they promise on its continuance? Their safety depended upon the will of a monarch in whose attachment they had no reason to confide; and an order flowing from his caprice, or a word uttered by him in passion, might decide irrevocably concerning their fate.

These reflections, so obvious as to occur to the meanest soldier, did not escape the vigilant sagacity of their general. Before he set out from Cholula, Cortes had received advice from Villa Rica, that Quolpopoca, one of the Mexican generals on the frontiers, having assembled an army in order to attack some of the people whom the Spaniards had encouraged to throw off the Mexican yoke, Escalante had marched out with part of the garrison to support his allies; that an engagement had ensued, in which, though the Spanish were victorious, Escalante, with seven of his men, had been mortally wounded, his horse killed, and one Spaniard had been surrounded by the enemy and taken alive; that the head of this unfortunate captive, after being carried in triumph to different cities in order to convince the people that their invaders were not immortal, had been sent to Mexico. Cortes, though alarmed with this intelligence, as an indication of Montezuma's hostile intentions, had continued his march. But as soon as he entered Mexico he became

sensible, that, from an excess of confidence in the superior valour and discipline of his troops, as well as from the disadvantage of having nothing to guide him in an unknown country, but the defective intelligence which he had received from people with whom his mode of communication was very imperfect, he had pushed forward into a situation, where it was difficult to continue, and from which it was dangerous to retire. Disgrace, and perhaps ruin, was the certain consequence of attempting the latter. The success of his enterprise depended upon supporting the high opinion which the people of New Spain had formed with respect to the irresistible power of his arms. Upon the first symptom of timidity on his part, their veneration would cease, and Montezuma, whom fear alone restrained at present, would let loose upon him the whole force of his empire. At the same time, he knew that the countenance of his own sovereign was to be obtained only by a series of victories, and that nothing but the merit of extraordinary success could screen his conduct from the censure of irregularity. From all these considerations, it was necessary to maintain his station, and to extricate himself out of the difficulties in which one bold step had involved him, by venturing upon another still bolder. The situation was trying, but his mind was equal to it; and after revolving the matter with deep attention, he fixed upon a plan no less extraordinary than daring. He determined to seize Montezuma in his palace, and to carry him as a prisoner to the Spanish quarters. From the superstitious veneration of the Mexicans for the person of their monarch, as well as their implicit submission to his will, he hoped, by having Montezuma in his power, to acquire the supreme direction of their affairs; or, at least, with such a sacred pledge in his hands, he made no doubt of being secure from any effort of their violence.

This he immediately proposed to his officers. The timid startled at a measure so audacious, and raised objections. The more intelligent and resolute, conscious that it was the only resource in which there appeared any prospect of safety, warmly approved of it, and brought over their companions so cordially to the same opinion, that it was agreed instantly to make the attempt. At his usual hour of visiting Montezuma, Cortes went to the palace, accompanied by Alvarado, Sandoval, Lugo, Velasquez de Leon, and Davila, five of his principal officers, and as many trusty soldiers. Thirty chosen men followed, not in regular order, but sauntering at some distance, as if they had no object but curiosity; small parties were posted at proper intervals, in all the streets leading from the Spanish quarters to the court; and the remainder of his troops, with the Tlascalcan allies, were under arms ready to sally out on the first alarm. Cortes and his attendants were admitted without suspicion; the Mexicans retiring, as usual, out of respect. He addressed the monarch in a tone very different from that which he had employed in former conferences, reproaching him bitterly as the author of the violent assault made upon the Spaniards by one of his officers, and demanded public reparation for the loss which they had sustained by the death of some of their companions, as well as for the insult offered to the great prince whose servants they were. Montezuma, confounded at this unexpected accusation, and changing colour, either from consciousness of guilt, or from feeling the indignity with which he was treated, asserted his own innocence with great earnestness, and, as a proof of it, gave orders instantly to bring Quallpopoca and his accomplices

prisoners to Mexico. Cortes replied, with seeming complaisance, that a declaration so respectable left no doubt remaining in his own mind, but that something more was requisite to satisfy his followers, who would never be convinced that Montezuma did not harbour hostile intentions against them, unless, as an evidence of his confidence and attachment, he removed from his own palace and took up his residence in the Spanish quarters, where he should be served and honoured as became a great monarch. The first mention of so strange a proposal bereaved Montezuma of speech, and almost of motion. At length, indignation gave him utterance, and he haughtily answered, "That persons of his rank were not accustomed voluntarily to give up themselves as prisoners; and were he mean enough to do so, his subjects would not permit such an affront to be offered to their sovereign." Cortes, unwilling to employ force, endeavoured alternately to soothe and to intimidate him. The altercation became warm; and having continued above three hours, Velasquez de Leon, an impetuous and gallant young man, exclaimed with impatience, "Why waste more time in vain? Let us either seize him instantly, or stab him to the heart." The threatening voice and fierce gestures with which these words were uttered, struck Montezuma. The Spaniards, he was sensible, had now proceeded so far, as left him no hope that they would recede. His own danger was imminent, the necessity unavoidable. He saw both, and abandoning himself to his fate, complied with their request.

His officers were called. He communicated to them his resolution. Though astonished and afflicted, they presumed not to question the will of their master, but carried him in silent pomp, all bathed in tears, to the Spanish quarters. When it was known that the strangers were conveying away the emperor, the people broke out into the wildest transports of grief and rage, threatening the Spaniards with immediate destruction, as the punishment justly due to their impious audacity. But as soon as Montezuma appeared with a seeming gaiety of countenance, and waved his hand, the tumult was hushed; and upon his declaring it to be of his own choice that he went to reside for some time among his new friends, the multitude, taught to revere every intimation of their sovereign's pleasure, quietly dispersed.

Thus was a powerful prince seized by a few strangers in the midst of his capital, at noon-day, and carried off as a prisoner, without opposition or bloodshed. History contains nothing parallel to this event, either with respect to the temerity of the attempt, or the success of the execution; and were not all the circumstances of this extraordinary transaction authenticated by the most unquestionable evidence, they would appear so wild and extravagant, as to go far beyond the bounds of that probability which must be preserved even in fictitious narrations.

Montezuma was received in the Spanish quarters with all the ceremonious respect which Cortes had promised. He was attended by his own domestics, and served with his usual state. His principal officers had free access to him, and he carried on every function of government as if he had been at perfect liberty. The Spaniards, however, watched him with the scrupulous vigilance which was natural in guarding such an important prize (110), endeavouring at the same time to soothe and reconcile him to his situation, by every external demonstration of regard and attachment. But from captive princes the hour of humiliation and suffering is never far distant. Quallpopoca, his son and five of the princi-

pal officers who served under him, were brought prisoners to the capital [Dec. 4], in consequence of the orders which Montezuma had issued. The emperor gave them up to Cortes, that he might inquire into the nature of their crime, and determine their punishment. They were formally tried by a Spanish court-martial; and though they had acted no other part than what became loyal subjects and brave men, in obeying the orders of their lawful sovereign, and in opposing the invaders of their country, they were condemned to be burnt alive. The execution of such atrocious deeds is seldom long suspended. The unhappy victims were instantly led forth. The pile on which they were laid was composed of the weapons collected in the royal magazine for the public defence. An innumerable multitude of Mexicans beheld, in silent astonishment, the double insult offered to the majesty of their empire, an officer of distinction committed to the flames by the authority of strangers, for having done what he owed in duty to his natural sovereign; and the arms provided by the foresight of their ancestors for avenging public wrongs, consumed before their eyes.

But these were not the most shocking indignities which the Mexicans had to bear. The Spaniards, convinced that Quälpopoca would not have ventured to attack Escalante without orders from his master, were not satisfied with inflicting vengeance on the instrument employed in committing that crime, while the author of it escaped with impunity. Just before Quälpopoca was led out to suffer, Cortes entered the apartment of Montezuma, followed by some of his officers, and a soldier carrying a pair of fetters; and approaching the monarch with a stern countenance, told him, that as the persons who were now to undergo the punishment which they merited, had charged him as the cause of the outrage committed, it was necessary that he likewise should make atonement for that guilt; then turning away abruptly, without waiting for a reply, commanded the soldiers to clap the fetters on his legs. The orders were instantly executed. The disconsolate monarch, trained up with an idea that his person was sacred and inviolable, and considering this profanation of it as the prelude of immediate death, broke out into loud lamentations and complaints. His attendants, speechless with horror, fell at his feet, bathing them with their tears; and bearing up the fetters in their hands, endeavoured with officious tenderness to lighten their pressure. Nor did their grief and despondency abate until Cortes returned from the execution, and with a cheerful countenance ordered the fetters to be taken off. As Montezuma's spirits had sunk with unmanly dejection, they now rose into indecent joy; and with an unbecoming transition, he passed at once from the anguish of despair to transports of gratitude and expressions of fondness towards his deliverer.

In those transactions, as represented by the Spanish historians, we search in vain for the qualities which distinguish other parts of Cortes's conduct. To usurp a jurisdiction which could not belong to a stranger, who assumed no higher character than that of an ambassador from a foreign prince, and under colour of it, to inflict a capital punishment on men whose conduct entitled them to esteem, appears an act of barbarous cruelty. To put the monarch of a great kingdom in irons, and, after such ignominious treatment, suddenly to release him, seems to be a display of power no less inconsiderate than wanton. According to the common relation, no account can be given either of one action or the

other, but that Cortes, intoxicated with success, and presuming on the ascendant which he had acquired over the minds of the Mexicans, thought nothing too bold for him to undertake, or too dangerous to execute. But, in one view, these proceedings, however repugnant to justice and humanity, may have flowed from that artful policy which regulated every part of Cortes's behaviour towards the Mexicans. They had conceived the Spaniards to be an order of beings superior to men. It was of the utmost consequence to cherish this illusion, and to keep up the veneration which it inspired. Cortes wished that shedding the blood of a Spaniard should be deemed the most heinous of all crimes; and nothing appeared better calculated to establish this opinion, than to condemn the first Mexicans who had ventured to commit it to a cruel death, and to oblige their monarch himself to submit to a mortifying indignity, as an expiation for being accessory to a deed so atrocious (111).

[A. D. 1520]. The rigour with which Cortes punished the unhappy persons who first presumed to lay violent hands upon his followers, seems accordingly to have made all the impression that he desired. The spirit of Montezuma was not only overawed, but subdued. During six months that Cortes remained in Mexico, the monarch continued in the Spanish quarters, with an appearance of as entire satisfaction and tranquillity, as if he had resided there, not from constraint, but through choice. His ministers and officers attended him as usual. He took cognizance of all affairs; every order was issued in his name. The external aspect of government appearing the same, and all its ancient forms being scrupulously observed, the people were so little sensible of any change, that they obeyed the mandates of their monarch with the same submissive reverence as ever. Such was the dread which both Montezuma and his subjects had of the Spaniards, or such the veneration in which they held them, that no attempt was made to deliver their sovereign from confinement; and though Cortes, relying on this ascendant which he had acquired over their minds, permitted him not only to visit his temples, but to make hunting excursions beyond the lake, a guard of a few Spaniards carried with it such a terror as to intimidate the multitude, and secure the captive monarch.

Thus, by the fortunate temerity of Cortes in seizing Montezuma, the Spaniards at once secured to themselves more extensive authority in the Mexican empire than it was possible to have acquired in a long course of time by open force; and they exercised more absolute sway in the name of another than they could have done in their own. The arts of polished nations, in subjecting such as are less improved, have been nearly the same in every period. The system of screening a foreign usurpation, under the sanction of authority derived from the natural rulers of a country, the device of employing the magistrates and forms already established as instruments to introduce a new dominion, of which we are apt to boast as sublime refinements in policy peculiar to the present age, were inventions of a more early period, and had been tried with success in the west, long before they were practised in the east.

Cortes availed himself to the utmost of the powers which he possessed by being able to act in the name of Montezuma. He sent some Spaniards, whom he judged best qualified for such commissions, into different parts of the empire, accompanied by persons

of distinction, whom Montezuma appointed to attend them both as guides and protectors. They visited most of the provinces, viewed their soil and productions, surveyed with particular care the districts which yielded gold or silver, pitched upon several places as proper stations for future colonies, and endeavoured to prepare the minds of the people for submitting to the Spanish yoke. While they were thus employed, Cortes in the name and by the authority of Montezuma, degraded some of the principal officers in the empire, whose abilities or independent spirit excited his jealousy, and substituted in their place persons less capable or more obsequious.

One thing still was wanting to complete his security. He wished to have such command of the lake as might insure a retreat, if, either from levity or disgust, the Mexicans should take arms against him, and break down the bridges or causeways. This, too, his own address, and the facility of Montezuma, enabled him to accomplish. Having frequently entertained his prisoner with pompous accounts of the European marine and art of navigation, he awakened his curiosity to see those moving palaces which made their way through the water without oars. Under pretext of gratifying this desire, Cortes persuaded Montezuma to appoint some of his subjects to fetch part of the naval stores which the Spaniards had deposited at Vera Cruz to Mexico, and to employ others in cutting down and preparing timber. With their assistance, the Spanish carpenters soon completed two brigantines, which afforded a frivolous amusement to the monarch, and were considered by Cortes as a certain resource, if he should be obliged to retire.

Encouraged by so many instances of the monarch's tame submission to his will, Cortes ventured to put it to a proof still more trying. He urged Montezuma to acknowledge himself a vassal of the king of Castile, to hold his crown of him as superior, and to subject his dominions to the payment of an annual tribute. With this requisition, the last and most humbling that can be made to one possessed of sovereign authority, Montezuma was so obsequious as to comply. He called together the chief men of his empire, and in a solemn harangue, reminding them of the traditions and prophecies which led them to expect the arrival of a people sprung from the same stock with themselves, in order to take possession of the supreme power, he declared his belief that the Spaniards were this promised race; that therefore he recognised the right of their monarch to govern the Mexican empire; that he would lay his crown at his feet and obey him as a tributary. While uttering these words, Montezuma discovered how deeply he was affected in making such a sacrifice. Tears and groans frequently interrupted his discourse. Overawed and broken as his spirit was, it still retained such a sense of dignity, as to feel that pang which pierces the heart of princes when constrained to resign independent power. The first mention of such a resolution struck the assembly dumb with astonishment. This was followed by a sudden murmur of sorrow, mingled with indignation, which indicated some violent eruption of rage to be near at hand. This Cortes foresaw, and seasonably interposed to prevent it, by declaring that his master had no intention to deprive Montezuma of the royal dignity, or to make any innovation upon the constitution and laws of the Mexican empire. This assurance, added to their dread of the Spanish power, and to the authority of their

monarch's example, extorted a reluctant consent from the assembly (112). The act of submission and homage was executed with all the formalities which the Spaniards were pleased to prescribe.

Montezuma, at the desire of Cortes, accompanied this profession of fealty and homage with a magnificent present to his new sovereign; and after his example, his subjects brought in very liberal contributions. The Spaniards now collected all the treasure which had been either voluntarily bestowed upon them at different times by Montezuma, or had been extorted from his people under various pretexts; and having melted the gold and silver, the value of these, without including jewels and ornaments of various kinds which were preserved on account of their curious workmanship, amounted to six hundred thousand *pesos*. The soldiers were impatient to have it divided, and Cortes complied with their desire. A fifth of the whole was first set apart as the tax due to the king. Another fifth was allotted to Cortes as commander in chief. The sums advanced by Velasquez, by Cortes, and by some of the officers, towards defraying the expense of fitting out the armament, were then deducted. The remainder was divided among the army, including the garrison of Vera Cruz, in proportion to their different ranks. After so many defalcations, the share of a private man did not exceed a hundred *pesos*. This sum fell so far below their sanguine expectations, that some soldiers rejected it with scorn, and others murmured so loudly at this cruel disappointment of their hopes, that it required all the address of Cortes, and no small exertion of his liberality, to appease them. The complaints of the army were not altogether destitute of foundation. As the crown had contributed nothing towards the equipment or success of the armament, it was not without regret that the soldiers beheld it sweep away so great a proportion of the treasure purchased by their blood and toil. What fell to the share of the general appeared, according to the ideas of wealth in the sixteenth century, an enormous sum. Some of Cortes's favourites had secretly appropriated to their own use several ornaments of gold, which neither paid the royal fifth, nor were brought into account as part of the common stock. It was, however, so manifestly the interest of Cortes at this period to make a large remittance to the king, that it is highly probable those concealments were not of great consequence.

The total sum amassed by the Spaniards bears no proportion to the ideas which might be formed, either by reflecting on the descriptions given by historians of the ancient splendour of Mexico, or by considering the productions of its mines in modern times. But among the ancient Mexicans, gold and silver were not the standards by which the worth of other commodities was estimated; and, destitute of the artificial value derived from this circumstance, were no further in request than as they furnished materials for ornaments and trinkets. These were either consecrated to the gods in their temples, or were worn as marks of distinction by their princes and some of their most eminent chiefs. As the consumption of the precious metals was inconsiderable, the demand for them was not such as to put either the ingenuity or industry of the Mexicans on the stretch, in order to augment their store. They were altogether unacquainted with the art of working the rich mines with which their country abounded. What gold they had was gathered in the beds of rivers, native, and ripened into a pure metallic

state. The utmost effort of their labour in search of it was to wash the earth carried down by the torrents from the mountains, and to pick out the grains of gold which subsided; and even this simple operation, according to the report of the persons whom Cortes appointed to survey the provinces where there was a prospect of finding mines, they performed very unskillfully. From all those causes, the whole mass of gold in possession of the Mexicans was not great. As silver is rarely found pure, and the Mexican art was too rude to conduct the process for refining it in a proper manner, the quantity of this metal was still less considerable. Thus, though the Spaniards had exerted all the power which they possessed in Mexico, and often with indecent rapacity, in order to gratify their predominant passion, and though Montezuma had fondly exhausted his treasures, in hopes of satiating their thirst for gold, the product of both, which probably included a great part of the bullion in the empire, did not rise in value above what has been mentioned (113).

But however pliant Montezuma might be in other matters, with respect to one point he was inflexible. Though Cortes often urged him with the importunate zeal of a missionary, to renounce his false gods, and to embrace the christian faith, he always rejected the proposition with horror. Superstition, among the Mexicans, was formed into such a regular and complete system, that its institutions naturally took fast hold of the mind; and while the rude tribes in other parts of America were easily induced to relinquish a few notions and rites, so loose and arbitrary as hardly to merit the name of a public religion, the Mexicans adhered tenaciously to their mode of worship, which however barbarous, was accompanied with such order and solemnity as to render it an object of the highest veneration. Cortes, finding all his attempts ineffectual to shake the constancy of Montezuma, was so much enraged at his obstinacy, that in a transport of zeal he led out his soldiers to throw down the idols in the grand temple or force. But the priests taking arms in defence of their altars, and the people crowding with great ardour to support them, Cortes's prudence overruled his zeal, and induced him to desist from his rash attempt, after dislodging the idols from one of the shrines, and placing in their stead an image of the Virgin Mary (114).

From that moment the Mexicans, who had permitted the imprisonment of their sovereign, and suffered the exactions of strangers without a struggle, began to meditate how they might expel or destroy the Spaniards, and thought themselves called upon to avenge their insulted deities. The priests and leading men held frequent consultations with Montezuma for this purpose. But as it might prove fatal to the captive monarch to attempt either the one or the other by violence, he was willing to try more gentle means. Having called Cortes into his presence, he observed, that now, as all the purposes of his embassy were fully accomplished, the gods had declared their will, and the people signified their desire, that he and his followers should instantly depart out of the empire. With this he required them to comply, or unavoidable destruction would fall suddenly on their heads. The tenor of this unexpected requisition, as well as the determined tone in which it was uttered, left Cortes no room to doubt that it was the result of some deep scheme concerted between Montezuma and his subjects. He quickly perceived that he might derive more advantage from a seeming compliance

with the monarch's inclination, than from an ill-timed attempt to change or oppose it; and replied, with great composure, that he had already begun to prepare for returning to his own country; but as he had destroyed the vessels in which he had arrived, some time was requisite for building other ships. This appeared reasonable. A number of Mexicans were sent to Vera Cruz, to cut down timber, and some Spanish carpenters were appointed to superintend the work. Cortes flattered himself, that during this interval he might either find means to avert the threatened danger, or receive such reinforcements as would enable him to despise it.

Almost nine months were elapsed since Portocarrero and Montejo had sailed with his despatches to Spain; and he daily expected their return with a confirmation of his authority from the king. Without this, his condition was insecure and precarious; and after all the great things which he had done, it might be his doom to bear the name and suffer the punishment of a traitor. Rapid and extensive as his progress had been, he could not hope to complete the reduction of a great empire with so small a body of men, which by this time diseases of various kinds had considerably thinned; nor could he apply for recruits to the Spanish settlements in the islands, until he received the royal approbation of his proceedings.

While he remained in this cruel situation, anxious about what was past, uncertain with respect to the future, and by the late declaration of Montezuma oppressed with a new addition of cares, a Mexican courier arrived with an account of some ships having appeared on the coast. Cortes with fond credulity imagining that his messengers were returned from Spain, and that the completion of all his wishes and hopes was at hand, imparted the glad tidings to his companions, who received them with transports of mutual gratulation. Their joy was not of long continuance. A courier from Sandoval, whom Cortes had appointed to succeed Escalante in command at Vera Cruz, brought certain information that the armament was fitted out by Velasquez, governor of Cuba, and instead of bringing the aid which they expected, threatened them with immediate destruction.

The motives which prompted Velasquez to this violent measure are obvious. From the circumstances of Cortes's departure, it was impossible not to suspect his intention of throwing off all dependence upon him. His neglecting to transmit any account of his operations to Cuba, strengthened this suspicion, which was at last confirmed beyond doubt, by the indiscretion of the officers whom Cortes sent to Spain. They, from some motive which is not clearly explained by the contemporary historians, touched at the island of Cuba, contrary to the peremptory orders of their general. By this means Velasquez not only learned that Cortes and his followers, after formally renouncing all connexion with him, had established an independent colony in New Spain, and were soliciting the king to confirm their proceedings by his authority; but he obtained particular information concerning the opulence of the country, the valuable presents which Cortes had received, and the inviting prospects of success that opened to his view. Every passion which can agitate an ambitious mind; shame, at having been so grossly over-reached; indignation at being betrayed by the man whom he had selected as the object of his favour and confidence; grief, for having wasted his fortune to aggrandize an enemy; and despair of recovering so fair an opportunity of

establishing his fame and extending his power, now raged in the bosom of Velasquez. All these, with united force, excited him to make an extraordinary effort in order to be avenged on the author of his wrongs, and to wrest from him his usurped authority and conquests. Nor did he want the appearance of a good title to justify such an attempt. The agent whom he sent to Spain with an account of Grijalva's voyage, had met with a most favourable reception; and from the specimens which he produced, such high expectations were formed concerning the opulence of New Spain, that Velasquez was authorized to prosecute the discovery of the country, and appointed governor of it during life, with more extensive power and privileges than had been granted to any adventurer from the time of Columbus. Elated by this distinguishing mark of favour, and warranted to consider Cortes not only as intruding upon his jurisdiction, but as disobedient to the royal mandate, he determined to vindicate his own rights, and the honour of his sovereign, by force of arms (115). His ardour in carrying on his preparations, was such as might have been expected from the violence of the passions with which he was animated; and in a short time an armament was completed, consisting of eighteen ships, which had on board fourscore horsemen, eight hundred foot soldiers, of which eighty were musketeers, and a hundred and twenty cross-bow men, together with a train of twelve pieces of cannon. As Velasquez's experience of the fatal consequence of committing to another what he ought to have executed himself, had not rendered him more enterprising, he vested the command of this formidable body, which, in the infancy of the Spanish power in America, merits the appellation of an army, in Pamphilo de Narvaez, with instructions to seize Cortes, and his principal officers, to send them prisoners to him, and then to complete the discovery and conquest of the country in his name.

[April.] After a prosperous voyage, Narvaez landed his men without opposition near St. Juan de Ulua. Three soldiers, whom Cortes had sent to search for mines in that district, immediately joined him. By this accident he not only received information concerning the progress and situation of Cortes, but as these soldiers had made some progress in the knowledge of the Mexican language, he acquired interpreters, by whose means he was enabled to hold some intercourse with the people of the country. But, according to the low cunning of deserters, they framed their intelligence with more attention to what they thought would be agreeable, than to what they knew to be true; and represented the situation of Cortes to be so desperate, and the disaffection of his followers to be so general, as increased the natural confidence and presumption of Narvaez. His first operation, however, might have taught him not to rely on their partial accounts. Having sent to summon the governor of Vera Cruz to surrender, Guevara, a priest whom he employed in that service, made the requisition with such insolence, that Sandoval, an officer of high spirit, and zealously attached to Cortes, instead of complying with his demands, seized him and his attendants, and sent them in chains to Mexico.

Cortes received them, not like enemies, but as friends, and condemning the severity of Sandoval, set them immediately at liberty. By this well-timed clemency, seconded by caresses and presents, he gained their confidence, and drew from them such particulars concerning the force and intentions of

Narvaez, as gave him a view of the impending danger in its full extent. He had not to contend now with half-naked Indians, no match for him in war, and still more inferior in the arts of policy, but to take the field against an army in courage and martial discipline equal to his own, in number far superior, acting under the sanction of royal authority, and commanded by an officer of known bravery. He was informed that Narvaez, more solicitous to gratify the resentment of Velasquez, than attentive to the honour or interest of his country, had begun his intercourse with the natives, by representing him and his followers as fugitives and outlaws, guilty of rebellion against their own sovereign, and of injustice in invading the Mexican empire; and had declared that his chief object in visiting the country was to punish the Spaniards who had committed these crimes, and to rescue the Mexicans from oppression. He soon perceived that the same unfavourable representations of his character and actions had been conveyed to Montezuma, and that Narvaez had found means to assure him, that as the conduct of those who kept him under restraint was highly displeasing to the king his master, he had it in charge not only to rescue an injured monarch from confinement, but to reinstate him in the possession of his ancient power and independence. Animated with this prospect of being set free from subjection to strangers, the Mexicans in several provinces began openly to revolt from Cortes, and to regard Narvaez as a deliverer no less able than willing to save them. Montezuma himself kept up a secret intercourse with the new commander, and seemed to court him as a person superior in power and dignity to those Spaniards whom he had hitherto revered as the first of men (116).

Such were the various aspects of danger and difficulty which presented themselves to the view of Cortes. No situation can be conceived more trying to the capacity and firmness of a general, or where the choice of the plan which ought to be adopted was more difficult. If he should wait the approach of Narvaez in Mexico, destruction seemed to be unavoidable; for while the Spaniards pressed him from without, the inhabitants, whose turbulent spirit he could hardly restrain with all his authority and attention, would easily lay hold on such a favourable opportunity of avenging all their wrongs. If he should abandon the capital, set the captive monarch at liberty, and march out to meet the enemy, he must at once forego the fruits of all his toils and victories, and relinquish advantages which could not be recovered without extraordinary efforts and infinite danger. If, instead of employing force, he should have recourse to conciliating measures, and attempt an accommodation with Narvaez; the natural haughtiness of that officer, augmented by consciousness of his present superiority, forbade him to cherish any sanguine hope of success. After revolving every scheme with deep attention, Cortes fixed upon that which in execution was most hazardous, but, if successful, would prove most beneficial to himself and to his country; and with the decisive intrepidity suited to desperate situations, determined to make one bold effort for victory under every disadvantage, rather than sacrifice his own conquests and the Spanish interests in Mexico.

But though he foresaw that the contest must be terminated finally by arms, it would have been not only indecent, but criminal, to have marched against his countrymen, without attempting to adjust matters by an amicable negotiation. In this service he employed Olmedo, his chaplain, to whose character the

function was well suited, and who possessed besides, such prudence and address as qualified him to carry on the secret intrigues in which Cortes placed his chief confidence. Narvaez rejected, with scorn, every scheme of accommodation that Olmedo proposed, and was with difficulty restrained from laying violent hands on him and his attendants. He met, however, with a more favourable reception among the followers of Narvaez, to many of whom he delivered letters, either from Cortes or his officers, their ancient friends and companions. Cortes artfully accompanied these with presents of rings, chains of gold, and other trinkets of value, which inspired those needy adventurers with high ideas of the wealth that he had acquired, and with envy of their good fortune who were engaged in his service. Some, from hopes of becoming sharers in those rich spoils, declared for an immediate accommodation with Cortes. Others, from public spirit, laboured to prevent a civil war, which, whatever party should prevail, must shake, and perhaps subvert, the Spanish power, in a country where it was so imperfectly established. Narvaez disregarded both, and by a public proclamation denounced Cortes and his adherents rebels and enemies to their country. Cortes, it is probable, was not much surprised at the untractable arrogance of Narvaez; and, after having given such a proof of his own pacific disposition as might justify his recourse to other means, he determined to advance towards an enemy whom he had laboured in vain to appease.

[May.] He left a hundred and fifty men in the capital, under the command of Pedro de Alvarado, an officer of distinguished courage, for whom the Mexicans had conceived a singular degree of respect. To the custody of this slender garrison he committed a great city, with all the wealth he had amassed, and, what was still of greater importance, the person of the imprisoned monarch. His utmost art was employed in concealing from Montezuma the real cause of his march. He laboured to persuade him, that the strangers who had lately arrived were his friends and fellow-subjects; and that, after a short interview with them, they would depart together, and return to their own country. The captive prince, unable to comprehend the designs of the Spaniards, or to reconcile what he now heard with the declarations of Narvaez, and afraid to discover any symptom of suspicion or distrust of Cortes, promised to remain quietly in the Spanish quarters, and to cultivate the same friendship with Alvarado which he had uniformly maintained with him. Cortes, with seeming confidence in this promise, but relying principally upon the injunctions which he had given Alvarado to guard his prisoner with the most scrupulous vigilance, set out from Mexico.

His strength, even after it was reinforced by the junction of Sandoval and the garrison of Vera Cruz, did not exceed two hundred and fifty men. As he hoped for success chiefly from the rapidity of his motions, his troops were not incumbered either with baggage or artillery. But as he dreaded extremely the impression which the enemy might make with their cavalry, he had provided against this danger with the foresight and sagacity which distinguish a great commander. Having observed that the Indians in the province of Chinantla used spears of extraordinary length and force, he armed his soldiers with these, and accustomed them to that deep and compact arrangement which the use of this formidable weapon, the best perhaps that ever was invented for defence, enabled them to assume.

With this small but firm battalion, Cortes advanced

towards Zempoalla, of which Narvaez had taken possession. During his march, he made repeated attempts towards some accommodation with his opponent. But Narvaez requiring that Cortes and his followers should instantly recognise his title to be governor of New Spain, in virtue of the powers which he derived from Velasquez; and Cortes refusing to submit to any authority which was not founded on a commission from the emperor himself, under whose immediate protection he and his adherents had placed their infant colony; all these attempts proved fruitless. The intercourse, however, which this occasioned between the two parties, proved of no small advantage to Cortes, as it afforded him an opportunity of gaining some of Narvaez's officers by liberal presents, of softening others by a semblance of moderation, and of dazzling all by the appearance of wealth among his troops, most of his soldiers having converted their share of the Mexican gold into chains, bracelets, and other ornaments, which they displayed with military ostentation. Narvaez and a little junto of his creatures excepted, all the army leaned towards an accommodation with their countrymen. This discovery of their inclination irritated his violent temper almost to madness. In a transport of rage, he set a price upon the head of Cortes, and of his principal officers; and having learned that he was now advanced within a league of Zempoalla with his small body of men, he considered this as an insult which merited immediate chastisement, and marched out with all his troops to offer him battle.

But Cortes was a leader of greater abilities and experience than, on equal ground, to fight an enemy so far superior in number, and so much better appointed. Having taken his station on the opposite bank of the river de Canoas, where he knew that he could not be attacked, he beheld the approach of the enemy without concern, and disregarded this vain bravado. It was then the beginning of the wet season, and the rain had poured down during a great part of the day, with the violence peculiar to the torrid zone. The followers of Narvaez, unaccustomed to the hardships of military service, murmured so much at being thus fruitlessly exposed, that, from their unsoldier-like impatience, as well as his own contempt of his adversary, their general permitted them to retire to Zempoalla. The very circumstance which induced them to quit the field, encouraged Cortes to form a scheme by which he hoped at once to terminate the war. He observed, that his hardy veterans, though standing under the torrents which continued to fall, without a single tent or any shelter whatsoever to cover them, were so far from repining at hardships which were become familiar to them, that they were still fresh and alert for service. He foresaw that the enemy would naturally give themselves up to repose after their fatigue, and that, judging of the conduct of others by their own effeminacy, they would deem themselves perfectly secure at a season so unfit for action. He resolved, therefore, to fall upon them in the dead of night, when the surprise and terror of this unexpected attack might more than compensate the inferiority of his numbers. His soldiers, sensible that no resource remained, but in some desperate effort of courage, approved of the measure with such warmth, that Cortes, in a military oration which he addressed to them before they began their march, was more solicitous to temper than to inflame their ardour. He divided them into three parties. At the head of the first he placed Sandoval; intrusting this gallant officer with the most dangerous and important service, that of seizing the enemy's

artillery, which was planted before the principal tower of the temple, where Narvaez had fixed his head-quarters. Christoval de Olid commanded the second, with orders to assault the tower, and lay hold on the general. Cortes himself conducted the third and smallest division, which was to act as a body of reserve, and to support the other two as there should be occasion. Having passed the river de Canoas, which was much swelled with the rains, not without difficulty, the water reaching almost to their chins, they advanced in profound silence, without beat of drum, or sound of any warlike instrument; each man armed with his sword, his dagger, and his Chinantlan spear. Narvaez, remiss in proportion to his security, had posted only two sentinels to watch the motions of an enemy whom he had such good cause to dread. One of these was seized by the advanced guard of Cortes's troops, the other made his escape, and hurrying to the town with all the precipitation of fear and zeal, gave such timely notice of the enemy's approach, that there was full leisure to have prepared for their reception. But through the arrogance and infatuation of Narvaez, this important interval was lost. He imputed this alarm to the cowardice of the sentinel, and treated with derision the idea of being attacked by forces so unequal to his own. The shouts of Cortes's soldiers, rushing on to the assault, convinced him at last that the danger which he despised was real. The rapidity with which they advanced was such, that only one cannon could be fired before Sandoval's party closed with the enemy, drove them from their guns, and began to force their way up the steps of the tower. Narvaez, no less brave in action than presumptuous in conduct, armed himself in haste, and by his voice and example animated his men to the combat. Olid advanced to sustain his companions; and Cortes himself, rushing to the front, conducted and added new vigour to the attack. The compact order in which this small body pressed on, and the impenetrable front which they presented with their long spears, bore down all opposition before it. They had now reached the gate, and were struggling to burst it open, when a soldier having set fire to the reeds with which the tower was covered, compelled Narvaez to sally out. In the first encounter he was wounded in the eye with a spear, and, falling to the ground, was dragged down the steps, and in a moment clapped in fetters. The cry of victory resounded among the troops of Cortes. Those who had sallied out with their leader now maintained the conflict feebly, and began to surrender. Among the remainder of his soldiers, stationed in two smaller towers of the temple, terror and confusion prevailed. The darkness was so great, that they could not distinguish between their friends and foes. Their own artillery was pointed against them. Wherever they turned their eyes, they beheld lights gleaming through the obscurity of night, which, though proceeding only from a variety of shining insects that abound in moist and sultry climates, their affrighted imaginations represented as numerous bands of musketeers advancing with kindled matches to the attack. After a short resistance, the soldiers compelled their officers to capitulate, and before morning all laid down their arms, and submitted quietly to their conquerors.

This complete victory proved more acceptable, as it was gained almost without bloodshed, only two soldiers being killed on the side of Cortes, and two officers, with fifteen private men, of the adverse faction. Cortes treated the vanquished not like enemies, but as countrymen and friends, and offered either to

send them back directly to Cuba, or to take them into his service, as partners in his fortune, on equal terms with his own soldiers. This latter proposition, seconded by a seasonable distribution of some presents from Cortes, and liberal promises of more, opened prospects so agreeable to the romantic expectations which had invited them to engage in this service, that all, a few partizans of Narvaez excepted, closed with it, and vied with each other in professions of fidelity and attachment to a general, whose recent success had given them such a striking proof of his abilities for command. Thus, by a series of events no less fortunate than uncommon, Cortes not only escaped from perdition which seemed inevitable, but, when he had least reason to expect it, was placed at the head of a thousand Spaniards, ready to follow wherever he should lead them. Whoever reflects upon the facility with which this victory was obtained, or considers with what sudden and unanimous transition the followers of Narvaez ranged themselves under the standard of his rival, will be apt to ascribe both events as much to the intrigues as to the arms of Cortes, and cannot but suspect that the ruin of Narvaez was occasioned, no less by the treachery of his own followers, than by the valour of the enemy.

But, in one point, the prudent conduct and good fortune of Cortes were equally conspicuous. If, by the rapidity of his operations after he began his march, he had not brought matters to such a speedy issue, even this decisive victory would have come too late to have saved his companions whom he left in Mexico. A few days after the discomfiture of Narvaez, a courier arrived with an account that the Mexicans had taken arms, and having seized and destroyed the two brigantines which Cortes had built in order to secure the command of the lake, and attacked the Spaniards in their quarters, and killed several of them, and wounded more, had reduced to ashes their magazine of provisions, and carried on hostilities with such fury, that though Alvarado and his men defended themselves with undaunted resolution, they must either be soon cut off by famine, or sink under the multitude of their enemies. This revolt was excited by motives which rendered it still more alarming. On the departure of Cortes for Zempoalla, the Mexicans flattered themselves, that the long expected opportunity of restoring their sovereign to liberty, and of vindicating their country from the odious dominion of strangers, was at length arrived; that while the forces of their oppressors were divided, and the arms of one party turned against the other, they might triumph with greater facility over both. Consultations were held, and schemes formed with this intention. The Spaniards in Mexico, conscious of their own feebleness, suspected and dreaded those machinations. Alvarado, though a gallant officer, possessed neither that extent of capacity, nor dignity of manners, by which Cortes had acquired such an ascendancy over the minds of the Mexicans, as never allowed them to form a just estimate of his weakness or of their own strength. Alvarado knew no mode of supporting his authority but force. Instead of employing address to disconcert the plans, or to soothe the spirits of the Mexicans, he waited the return of one of their solemn festivals, when the principal persons in the empire were dancing, according to custom, in the court of the great temple; he seized all the avenues which led to it, and, allured partly by the rich ornaments which they wore in honour of their gods, and partly by the facility of cutting off at once the authors of that conspiracy which he dreaded, he fell upon them, unarmed

and unsuspecting of any danger, and massacred a great number, none escaping but such as made their way over the battlements of the temple. An action so cruel and treacherous filled not only the city, but the whole empire, with indignation and rage. All called loud for vengeance; and regardless of the safety of their monarch, whose life was at the mercy of the Spaniards, or of their own danger in assaulting an enemy who had been so long the object of their terror, they committed all those acts of violence of which Cortes received an account.

To him the danger appeared so imminent as to admit neither of deliberation nor delay. He set out instantly with all his forces, and returned from Zempoalla with no less rapidity than he advanced thither. At Tlascala he was joined by two thousand chosen warriors. On entering the Mexican territories, he found that disaffection to the Spaniards was not confined to the capital. The principal inhabitants had deserted the towns through which he passed; no person of note appearing to meet him with the usual respect; no provision was made for the subsistence of his troops; and though he was permitted to advance without opposition, the solitude and silence which reigned in every place, and the horror with which the people avoided all intercourse with him, discovered a deep rooted antipathy, that excited the most just alarm. But implacable as the enmity of the Mexicans was, they were so unacquainted with the science of war, that they knew not how to take the proper measures, either for their own safety or the destruction of the Spaniards. Uninstructed by their former error in admitting a formidable enemy into their capital, instead of breaking down the causeways and bridges, by which they might have enclosed Alvarado and his party, and have effectually stopped the career of Cortes, they again suffered him to march into the city without molestation [June 24], and to take quiet possession of his ancient station.

The transports of joy with which Alvarado and his soldiers received their companions cannot be expressed. Both parties were so much elated, the one with their seasonable deliverance, and the other with the great exploits which they had achieved, that this intoxication of success seems to have reached Cortes himself; and he behaved on this occasion neither with his usual sagacity nor attention. He not only neglected to visit Montezuma, but imbibed the insult by expressions full of contempt for that unfortunate prince and his people. The forces of which he had now the command appeared to him so irresistible, that he might assume a higher tone, and lay aside the mask of moderation under which he had hitherto concealed his designs. Some Mexicans, who understood the Spanish language, heard the contemptuous words which Cortes uttered, and reporting them to their countrymen, kindled their rage anew. They were now convinced that the intentions of the general were equally bloody with those of Alvarado, and his original purpose in visiting their country had not been as he pretended, to court the alliance of their sovereign, but to attempt the conquest of his dominions. They resumed their arms with the additional fury which this discovery inspired, attacked a considerable body of Spaniards who were marching towards the great square in which the public market was held, and compelled them to retire with some loss. Imboldened by this success, and delighted to find that their oppressors were not invincible, they advanced next day with extraordinary martial pomp to attack the Spaniards in their quarters. Their number was formidable, and their undaunted courage

still more so. Though the artillery pointed against their numerous battalions, crowded together in narrow streets, swept off multitudes at every discharge; though every blow of the Spanish weapons fell with mortal effect upon their naked bodies, the impetuosity of the assault did not abate. Fresh men rushed forward to occupy the places of the slain, and meeting with the same fate, were succeeded by others no less intrepid and eager for vengeance. The utmost efforts of Cortes's abilities and experience, seconded by the disciplined valour of his troops, were hardly sufficient to defend the fortifications that surrounded the post where the Spaniards were stationed, into which the enemy were more than once on the point of forcing their way.

Cortes beheld, with wonder, the implacable ferocity of a people who seemed at first to submit tamely to the yoke, and had continued so long passive under it. The soldiers of Narvaez, who fondly imagined that they followed Cortes to share in the spoils of a conquered empire, were astonished to find that they were involved in a dangerous war, with an enemy whose vigour was still unbroken, and loudly execrated their own weakness, in giving such easy credit to the delusive promises of their new leader. But surprise and complaints were of no avail. Some immediate and extraordinary effort was requisite to extricate themselves out of their present situation. As soon as the approach of evening induced the Mexicans to retire, in compliance with their national custom of ceasing from hostilities with the setting sun, Cortes began to prepare for a sally, next day, with such a considerable force, as might either drive the enemy out of the city, or compel them to listen to terms of accommodation.

He conducted, in person, the troops destined for this important service. Every invention known in the European art of war, as well as every precaution suggested by his long acquaintance with the Indian mode of fighting, were employed to insure success. But he found an enemy prepared and determined to oppose him. The force of the Mexicans was greatly augmented by fresh troops, which poured in continually from the country, and their animosity was in no degree abated. They were led by their nobles, inflamed by the exhortations of their priests, and fought in defence of their temples and families, under the eye of their gods, and in presence of their wives and children. Notwithstanding their numbers, and enthusiastic contempt of danger and death, wherever the Spaniards could close with them, the superiority of their discipline and arms obliged the Mexicans to give way. But in narrow streets, and where many of the bridges of communication were broken down, the Spaniards could seldom come to a fair encounter with the enemy, and as they advanced, were exposed to showers of arrows and stones from the tops of houses. After a day of incessant exertion, though vast numbers of the Mexicans fell, and part of the city was burnt, the Spaniards, weary with the slaughter, and harassed by multitudes which successively relieved each other, were obliged at length to retire, with the mortification of having accomplished nothing so decisive as to compensate the unusual calamity of having twelve soldiers killed, and above sixty wounded. Another sally, made with greater force, was not more effectual, and in it the general himself was wounded in the hand.

Cortes now perceived, too late, the fatal error into which he had been betrayed by his own contempt of the Mexicans, and was satisfied that he could neither

retain his present station in the centre of an hostile city, nor retire from it without the most imminent danger. One resource still remained, to try what effect the interposition of Montezuma might have to soothe or overawe his subjects. When the Mexicans approached next morning to renew the assault, that unfortunate prince, at the mercy of the Spaniards, and reduced to the sad necessity of becoming the instrument of his own disgrace, and of the slavery of his people (117), advanced to the battlements in his royal robes, and with all the pomp in which he used to appear on solemn occasions. At the sight of their sovereign, whom they had long been accustomed to honour, and almost to revere as a god, the weapons dropped from their hands, every tongue was silent, all bowed their heads, and many prostrated themselves on the ground. Montezuma addressed them with every argument that could mitigate their rage, or persuade them to cease from hostilities. When he ended his discourse, a sullen murmur of disapprobation ran through the ranks; to this succeeded reproaches and threats; and the fury of the multitude rising in a moment above every restraint of decency or respect, flights of arrows and volleys of stones poured in so violently upon the ramparts, that before the Spanish soldiers appointed to cover Montezuma with their bucklers, had time to lift them in his defence, two arrows wounded the unhappy monarch, and the blow of a stone on his temple struck him to the ground. On seeing him fall, the Mexicans were so much astonished, that with a transition not uncommon in popular tumults, they passed in a moment from one extreme to the other; remorse succeeded to insult, and they fled with horror, as if the vengeance of heaven were pursuing the crime which they had committed. The Spaniards without molestation carried Montezuma to his apartments, and Cortes hastened thither to console him under his misfortune. But the unhappy monarch now perceived how low he was sunk, and the haughty spirit which seemed to have been so long extinct, returning, he scorned to survive this last humiliation, and to protract an ignominious life, not only as the prisoner and tool of his enemies, but as the object of contempt or detestation among his subjects. In a transport of rage he tore the bandages from his wounds, and refused, with such obstinacy, to take any nourishment, that he soon ended his wretched days, rejecting with disdain all the solicitations of the Spaniards to embrace the christian faith.

Upon the death of Montezuma, Cortes having lost all hope of bringing the Mexicans to an accommodation, saw no prospect of safety but in attempting a retreat, and began to prepare for it. But a sudden motion of the Mexicans engaged him in new conflicts. They took possession of a high tower in the great temple which overlooked the Spanish quarters, and placing there a garrison of their principal warriors, not a Spaniard could stir without being exposed to their missile weapons. From this post it was necessary to dislodge them at any risk; and Juan de Escobar, with a numerous detachment of chosen soldiers, was ordered to make the attack. But Escobar, though a gallant officer, and at the head of troops accustomed to conquer, and who now fought under the eyes of their countrymen, was thrice repulsed. Cortes, sensible that not only the reputation but the safety of his army depended on the success of this assault, ordered a buckler to be tied to his arm, as he could not manage it with his wounded hand, and rushed with his drawn sword into the

thickest of the combatants. Encouraged by the presence of their general, the Spaniards returned to the charge with such vigour, that they gradually forced their way up the steps, and drove the Mexicans to the platform at the top of the tower. There a dreadful carnage began, when two young Mexicans of high rank, observing Cortes as he animated his soldiers by his voice and example, resolved to sacrifice their own lives in order to cut off the author of all the calamities which desolated their country. They approached him in a suppliant posture, as if they had intended to lay down their arms, and seizing him in a moment, hurried him towards the battlements, over which they threw themselves headlong, in hopes of dragging him along to be dashed in pieces by the same fall. But Cortes, by his strength and agility, broke loose from their grasp, and the gallant youths perished in this generous attempt to save their country. As soon as the Spaniards became masters of the tower, they set fire to it, and, without further molestation, continued the preparations for their retreat.

This became the more necessary, as the Mexicans were so much astonished at the last effort of the Spanish valour, that they began to change their whole system of hostility, and, instead of incessant attacks, endeavoured, by barricading the streets, and breaking down the causeways, to cut off the communication of the Spaniards with the continent, and thus to starve an enemy whom they could not subdue. The first point to be determined by Cortes and his followers was, whether they should march out open in the face of day, when they could discern every danger, and see how to regulate their own motions, as well as how to resist the assaults of the enemy; or, whether they should endeavour to retire secretly in the night? The latter was preferred, partly from hopes that their national superstition would restrain the Mexicans from venturing to attack them in the night, and partly from their own fond belief in the predictions of a private soldier, who having acquired universal credit by a smattering of learning, and his pretensions to astrology, boldly assured his countrymen of success if they made their retreat in this manner. They began to move, towards midnight, in three divisions. Sandoval led the van; Pedro Alvarado, and Velasquez de Leon, had the conduct of the rear; and Cortes commanded in the centre, where he placed the prisoners, among whom were a son and two daughters of Montezuma, together with several Mexicans of distinction, the artillery, the baggage, and a portable bridge of timber, intended to be laid over the breaches in the causeway. They marched in profound silence along the causeway which led to Tacuba, because it was shorter than any of the rest, and, lying most remote from the road towards Tlascala and the sea-coast, had been left more entire by the Mexicans. They reached the first breach in it without molestation, hoping that their retreat was undiscovered.

But the Mexicans, unperceived, had not only watched all their motions with attention, but had made proper dispositions for a most formidable attack. While the Spaniards were intent upon placing their bridge in the breach, and occupied in conducting their horses and artillery along it, they were suddenly alarmed with a tremendous sound of warlike instruments, and a general shout from an innumerable multitude of enemies; the lake was covered with canoes; flights of arrows and showers of stones poured in upon them from every quarter; the Mexicans rushing forward to the charge with

fearless impetuosity, as if they hoped in that moment to be avenged for all their wrongs. Unfortunately the wooden bridge, by the weight of the artillery, was wedged so fast into the stones and mud, that it was impossible to remove it. Dismayed at this accident, the Spaniards advanced with precipitation towards the second breach. The Mexicans hemmed them in on every side, and though they defended themselves with their usual courage, yet crowded together as they were on a narrow causeway, their discipline and military skill were of little avail, nor did the obscurity of the night permit them to derive great advantage from their fire arms, or the superiority of their other weapons. All Mexico was now in arms, and so eager were the people on the destruction of their oppressors, that they who were not near enough to annoy them in person, impatient of delay, pressed forward with such ardour, as drove on their countrymen in the front with irresistible violence. Fresh warriors instantly filled the place of such as fell. The Spaniards, weary with slaughter, and unable to sustain the weight of the torrent that poured in upon them, began to give way. In a moment the confusion was universal; horse and foot, officers and soldiers, friends and enemies, were mingled together; and while all fought, and many fell, they could hardly distinguish from what hand the blow came.

Cortes, with about a hundred foot soldiers and a few horse, forced his way over the two remaining breaches in the causeway, the bodies of the dead serving to fill up the chasms, and reached the main land. Having formed them as soon as they arrived, he returned with such as were yet capable of service, to assist his friends in their retreat, and to encourage them, by his presence and example, to persevere in the efforts requisite to effect it. He met with part of his soldiers, who had broke through the enemy, but found many more overwhelmed by the multitude of their aggressors, or perishing in the lake; and heard the piteous lamentations of others, whom the Mexicans, having taken alive, were carrying off in triumph to be sacrificed to the god of war. Before day, all who had escaped assembled at Tacuba. But when the morning dawned, and discovered to the view of Cortes his shattered battalion, reduced to less than half its number, the survivors dejected, and most of them covered with wounds, the thoughts of what they had suffered, and the remembrance of so many faithful friends and gallant followers who had fallen in that night of sorrow, pierced his soul with such anguish, that while he was forming their ranks, and issuing some necessary orders, his soldiers observed the tears trickling from his eyes, and remarked with much satisfaction, that while attentive to the duties of a general, he was not insensible to the feelings of a man.

In this fatal retreat many officers of distinction perished (118), and among these Velasquez de Leon, who having forsaken the party of his kinsman, the governor of Cuba, to follow the fortune of his companions, was, on that account, as well as for his superior merit, respected by them as the second person in the army. All the artillery, ammunition, and baggage, were lost; the greater part of the horses, and above two thousand of the Tascalans, were killed, and only a very small portion of the treasure which they had amassed was saved. This, which had been always their chief object, proved a great cause of their calamity; for many of the soldiers having so overloaded themselves with bars of gold as rendered them unfit for action, and retarded their

flight, fell, ignominiously, the victims of their own inconsiderate avarice. Amidst so many disasters, it was some consolation to find that Aguilar and Marina, whose function as interpreters was of such essential importance, had made their escape.

The first care of Cortes was to find some shelter for his wearied troops; for as the Mexicans infested them on every side, and the people of Tacuba began to take arms, he could not continue in his present station. He directed his march towards the rising ground, and having fortunately discovered a temple situated on an eminence, took possession of it. There he found not only the shelter for which he wished, but, what was no less wanted, some provisions to refresh his men; and though the enemy did not intermit their attacks throughout the day, they were with less difficulty prevented from making any impression. During this time Cortes was engaged in deep consultation with his officers, concerning the route which they ought to take in their retreat. They were now on the west side of the lake. Tlascala, the only place where they could hope for a friendly reception, lay about sixty-four miles to the east of Mexico; so that they were obliged to go round the north end of the lake before they could fall into the road which led thither. A Tlascalan soldier undertook to be their guide, and conducted them through a country, in some places marshy, in others mountainous, in all ill cultivated and thinly peopled. They marched for six days with little respite, and under continual alarms, numerous bodies of the Mexicans hovering round them, sometimes harassing them at a distance with their missile weapons, and sometimes attacking them closely in front, in rear, in flank, with great boldness, as they now knew that they were not invincible. Nor were the fatigue and danger of those incessant conflicts the worse evils to which they were exposed. As the barren country through which they passed afforded hardly any provisions, they were reduced to feed on berries, roots, and the stalks of green maize; and at the very time that famine was depressing their spirits and wasting their strength, their situation required the most vigorous and unremitting exertions of courage and activity. Amidst those complicated distresses, one circumstance supported and animated the Spaniards. Their commander sustained this sad reverse of fortune with unshaken magnanimity. His presence of mind never forsook him; his sagacity foresaw every event, and his vigilance provided for it. He was foremost in every danger, and endured every hardship with cheerfulness. The difficulties with which he was surrounded seemed to call forth new talents; and his soldiers, though despairing themselves, continued to follow him with increasing confidence in his abilities.

On the sixth day they arrived near to Otumba, not far from the road between Mexico and Tlascala. Early next morning they began to advance towards it, flying parties of the enemy still hanging on the rear; and, amidst the insults with which they accompanied their hostilities, Marina remarked that they often exclaimed with exultation, "Go on, robbers; go to the place where you shall quickly meet the vengeance due to your crimes." The meaning of this threat the Spaniards did not comprehend, until they reached the summit of an eminence before them. There a spacious valley opened to their view covered with a vast army, extending as far as the eye could reach. The Mexicans, while with one body of their troops they harassed the Spaniards in their retreat, had assembled their principal force on the other side of

the lake; and marching along the road which led directly to Tlascala, posted it in the plain of Otumba, through which they knew Cortes must pass. At the sight of this incredible multitude, which they could survey at once from the rising ground, the Spaniards were astonished, and even the boldest began to despair. But Cortes, without allowing leisure for their fears to acquire strength by reflection, after warning them briefly that no alternative now remained but to conquer or to die, led them instantly to the charge. The Mexicans waited their approach with unusual fortitude. Such, however, was the superiority of the Spanish discipline and arms, that the impression of this small body was irresistible: and whichever way its force was directed, it penetrated and dispersed the most numerous battalions. But while these gave way in one quarter, new combatants advanced from another, and the Spaniards, though successful in every attack, were ready to sink under those repeated efforts, without seeing any end to their toil, or any hope of victory. At that time Cortes observed the great standard of the empire, which was carried before the Mexican general, advancing; and fortunately recollecting to have heard, that on the fate of it depended the event of every battle, he assembled a few of his bravest officers, whose horses were still capable of service, and placing himself at their head, pushed forward towards the standard with an impetuosity which bore down every thing before it. A chosen body of nobles, who guarded the standard, made some resistance, but were soon broken. Cortes, with a stroke of his lance, wounded the Mexican general, and threw him to the ground. One of the Spanish officers alighting, put an end to his life, and laid hold of the imperial standard. The moment that their leader fell, and the standard, towards which all directed their eyes, disappeared, an universal panic struck the Mexicans, and, as if the bond which held them together had been dissolved, every ensign was lowered, each soldier threw away his weapons, and all fled with precipitation to the mountains. The Spaniards, unable to pursue them far, returned to collect the spoils of the field, which were so valuable as to be some compensation for the wealth which they had lost in Mexico; for in the enemy's army were most of their principal warriors dressed out in their richest ornaments, as if they had been marching to assured victory. Next day [July 8], to their great joy, they entered the Tlascalcan territories.

But amidst their satisfaction in having got beyond the precincts of an hostile country, they could not look forward without solicitude, as they were still uncertain what reception they might meet with from allies, to whom they returned in a condition very different from that in which they had lately set out from their dominions. Happily for them, the enmity of the Tlascalans to the Mexican name was so inveterate, their desire to avenge the death of their countrymen so vehement, and the ascendant which Cortes had acquired over the chiefs of the republic so complete, that far from entertaining a thought of taking any advantage of the distressed situation in which they beheld the Spaniards, they received them with a tenderness and cordiality which quickly dissipated all their suspicions.

Some interval of tranquillity and indulgence was now absolutely necessary; not only that the Spaniards might give attention to the cure of their wounds, which had been too long neglected, but in order to recruit their strength, exhausted by such a long succession of fatigue and hardships. During this,

Cortes learned that he and his companions were not the only Spaniards who had felt the effects of the Mexican enmity. A considerable detachment which was marching from Zempoalla towards the capital had been cut off by the people of Tepeaca. A smaller party, returning from Tlascala to Vera Cruz, with the share of the Mexican gold allotted to the garrison, had been surprised and destroyed in the mountains. At a juncture when the life of every Spaniard was of importance, such losses were deeply felt. The schemes which Cortes was meditating rendered them peculiarly afflictive to him. While his enemies, and even many of his own followers, considered the disasters which had befallen him as fatal to the progress of his arms, and imagined that nothing now remained but speedily to abandon a country which he had invaded with unequal force, his mind, as eminent for perseverance as for enterprise, was still bent on accomplishing his original purpose of subjecting the Mexican empire to the crown of Castile. Severe and unexpected as the check was which he had received, it did not appear to him a sufficient reason for relinquishing the conquests which he had already made, or against resuming his operations with better hopes of success. The colony at Vera Cruz was not only safe, but had remained unmolested. The people of Zempoalla and the adjacent districts had discovered no symptoms of defection. The Tlascalans continued faithful to their alliance. On their martial spirit, easily roused to arms, and inflamed with implacable hatred of the Mexicans, Cortes depended for powerful aid. He had still the command of a body of Spaniards, equal in number to that with which he had opened his way into the centre of the empire, and had taken possession of the capital; so that with the benefit of greater experience, as well as more perfect knowledge of the country, he did not despair of quickly recovering all that he had been deprived of by untoward events.

Full of this idea, he courted the Tlascalcan chiefs with such attention, and distributed among them so liberally the rich spoils of Otumba, that he was secure of obtaining whatever he should require of the republic. He drew a small supply of ammunition, and two or three field-pieces, from his stores at Vera Cruz. He despatched an officer of confidence with four ships of Narvaez's fleet to Hispaniola and Jamaica, to engage adventurers, and to purchase horses, gun-powder, and other military stores. As he knew that it would be vain to attempt the reduction of Mexico unless he could secure the command of the lake, he gave orders to prepare, in the mountains of Tlascala, materials for building twelve brigantines, so that they might be carried thither in pieces ready to be put together, and launched when he stood in need of their service.

But while, with provident attention, he was taking those necessary steps towards the execution of his measures, an obstacle arose in a quarter where it was least expected, but most formidable. The spirit of discontent and mutiny broke out in his own army. Many of Narvaez's followers were planters rather than soldiers, and had accompanied him to New Spain with sanguine hopes of obtaining settlements, but with little inclination to engage in the hardships and dangers of war. As the same motives had induced them to enter into their new engagements with Cortes, they no sooner became acquainted with the nature of the service, than they bitterly repented of their choice. Such of them as had the good fortune to survive the perilous adventures in which their own imprudence had involved them, happy in having

made their escape, trembled at the thoughts of being exposed a second time to similar calamities. As soon as they discovered the intention of Cortes, they began secretly to murmur and cabal, and waxing gradually more audacious, they, in a body, offered a remonstrance to their general against the imprudence of attacking a powerful empire with his shattered forces, and formally required him to lead them back directly to Cuba. Though Cortes, long practised in the arts of command, employed arguments, entreaties, and presents to convince or to soothe them; though his own soldiers, animated with the spirit of their leader, warmly seconded his endeavours; he found their fears too violent and deep-rooted to be removed, and the utmost he could effect was to prevail with them to defer their departure for some time, on a promise that he would, at a more proper juncture, dismiss such as should desire it.

That the malcontents might have no leisure to brood over the causes of their disaffection, he resolved instantly to call forth his troops into action. He proposed to chastise the people of Tepeaca for the outrage which they had committed, and as the detachment which they had cut off happened to be composed mostly of soldiers who had served under Narvaez, their companions, from the desire of vengeance, engaged the more willingly in this war. He took the command in person [August], accompanied by a numerous body of Tlascalans, and in the space of a few weeks, after various encounters, with great slaughter of the Tepeacans, reduced that province to subjection. During several months, while he waited for the supplies of men and ammunition which he expected, and was carrying on his preparations for constructing the brigantines, he kept his troops constantly employed in various expeditions against the adjacent provinces, all of which were conducted with an uniform tenor of success. By these, his men became again accustomed to victory, and resumed their wonted sense of superiority; the Mexican power was weakened; the Tlascalcan warriors acquired the habit of acting in conjunction with the Spaniards; and the chiefs of the republic, delighted to see their country enriched with the spoils of all the people around them, and astonished every day with fresh discoveries of the irresistible prowess of their allies, declined no effort requisite to support them.

All those preparatory arrangements, however, though the most prudent and efficacious which the situation of Cortes allowed him to make would have been of little avail without a reinforcement of Spanish soldiers. Of this he was so deeply sensible, that it was the chief object of his thoughts and wishes; and yet his only prospect of obtaining it, from the return of the officer whom he had sent to the isles to solicit aid, was both distant and uncertain. But what neither his own sagacity nor power could have procured, he owed to a series of fortunate and unforeseen incidents. The governor of Cuba, to whom the success of Narvaez appeared an event of infallible certainty, having sent two small ships after him with new instructions, and a supply of men and military stores, the officer whom Cortes had appointed to command on the coast, artfully decoyed them into the harbour of Vera Cruz, seized the vessels, and easily persuaded the soldiers to follow the standard of a more able leader than him whom they were destined to join. Soon after, three ships of more considerable force came into the harbour separately. These belonged to an armament fitted out by Francisco de Garay, governor of Jamaica, who, being possessed with the rage of discovery and conquest

which animated every Spaniard settled in America, had long aimed at intruding into some district of New Spain, and dividing with Cortes the glory and gain of annexing that empire to the crown of Castile. They unadvisedly made their attempt on the northern provinces, where the country was poor, and the people fierce and warlike; and after a cruel succession of disasters, famine compelled them to venture into Vera Cruz [October 28], and cast themselves upon the mercy of their countrymen. Their fidelity was not proof against the splendid hopes and promises which had seduced other adventurers, and as if the spirit of revolt had been contagious in New Spain, they likewise abandoned the master whom they were bound to serve, and enlisted under Cortes. Nor was it America alone that furnished such unexpected aid; a ship arrived from Spain, freighted by some private merchants with military stores, in hopes of a profitable market in a country, the fame of whose opulence began to spread over Europe. Cortes eagerly purchased a cargo which to him was invaluable, and the crew, following the general example, joined him at Tlascala.

From those various quarters, the army of Cortes was augmented with a hundred and eighty men, and twenty horse, a reinforcement too inconsiderable to produce any consequence which would entitle it to have been mentioned in the history of other parts of the globe. But in that of America, where great revolutions were brought about by causes which seemed to bear no proportion to their effects, such small events rise into importance, because they were sufficient to decide with respect to the fate of kingdoms. Nor is it the least remarkable instance of the singular felicity conspicuous in many passages of Cortes's story, that the two persons chiefly instrumental in furnishing him with those seasonable supplies, should be an avowed enemy who aimed at his destruction, and an envious rival who wished to supplant him.

The first effect of the junction with his new followers was to enable him to dismiss such of Narvaez's soldiers as remained with reluctance in his service. After their departure, he still mustered five hundred and fifty infantry, of which fourscore were armed with muskets or cross-bows, forty horsemen, and a train of nine field-pieces. At the head of these, accompanied by ten thousand Tlascalans and other friendly Indians, Cortes began his march towards Mexico, on the twenty-eighth of December, six months after his disastrous retreat from that city.

Nor did he advance to attack an enemy unprepared to receive him. Upon the death of Montezuma, the Mexican chiefs, in whom the right of electing the emperor was vested, had instantly raised his brother Quetzlavaca to the throne. His avowed and inveterate enmity to the Spaniards would have been sufficient to gain their suffrages, although he had been less distinguished for courage and capacity. He had an immediate opportunity of showing that he was worthy of their choice, by conducting, in person, those fierce attacks which compelled the Spaniards to abandon his capital; and as soon as their retreat afforded them any respite from action, he took measures for preventing their return to Mexico, with prudence equal to the spirit which he had displayed in driving them out of it. As, from the vicinity of Tlascala, he could not be unacquainted with the motions and intentions of Cortes, he observed the storm that was gathering, and began early to provide against it. He repaired what the Spaniards had ruined in the city, and strengthened it with such new

fortifications as the skill of his subjects was capable of erecting. Besides filling his magazines with the usual weapons of war, he gave directions to make long spears headed with the swords and daggers taken from the Spaniards, in order to annoy the cavalry. He summoned the people in every province of the empire to take arms against their oppressors, and as an encouragement to exert themselves with vigour, he promised them exemption from all the taxes which his predecessors had imposed. But what he laboured with the greatest earnestness was, to deprive the Spaniards of the advantages which they derived from the friendship of the Tlascalans, by endeavouring to persuade that people to renounce all connexion with men, who were not only avowed enemies of the gods whom they worshipped, but who would not fail to subject them at last to the same yoke, which they were now inconsiderately lending their aid to impose upon others. These representations, no less striking than well founded, were urged so forcibly by his ambassadors, that it required all the address of Cortes to prevent their making a dangerous impression.

But while Quetlavaca was arranging his plan of defence, with a degree of foresight uncommon in an American, his days were cut short by the small-pox. This distemper, which raged at that time in New Spain with fatal malignity, was unknown to that quarter of the globe until it was introduced by the Europeans, and may be reckoned among the greatest calamities brought upon them by their invaders. In his stead the Mexicans raised to the throne Guatimozin, nephew and son-in-law of Montezuma, a young man of such high reputation for abilities and valour, that in this dangerous crisis his countrymen, with one voice, called him to the supreme command.

[A. D. 1521.] As soon as Cortes entered the enemy's territories, he discovered various preparations to obstruct his progress. But his troops forced their way with little difficulty, and took possession of Tezeuco, the second city of the empire, situated on the banks of the lake, about twenty miles from Mexico. Here he determined to establish his head-quarters, as the most proper station for launching his brigantines, as well as for making his approaches to the capital. In order to render his residence there more secure, he deposed the cazique or chief who was at the head of their community, under pretext of some defect in his title, and substituted in his place a person whom a faction of the nobles pointed out as the right heir of that dignity. Attached to him by this benefit, the new cazique and his adherents served the Spaniards with inviolable fidelity.

As the preparations for constructing the brigantines advanced slowly under the unskilful hands of soldiers and Indians, whom Cortes was obliged to employ in assisting three or four carpenters who happened fortunately to be in his service, and as he had not yet received the reinforcement which he expected from Hispaniola, he was not in a condition to turn his arms directly against the capital. To have attacked, at this period, a city so populous, so well prepared for defence, and in a situation of such peculiar strength, must have exposed his troops to inevitable destruction. Three months elapsed before the materials for the brigantines were finished, and before he heard any thing with respect to the success of the officer whom he had sent to Hispaniola. This, however, was not a season of inaction to Cortes. He attacked successively several of the towns situated around the lake; and though all the Mexican power was exerted to obstruct his operations, he either compelled them to submit to the Spanish crown, or

reduced them to ruins. The inhabitants of other towns he endeavoured to conciliate by more gentle means, and though he could not hold any intercourse with them but by the intervention of interpreters, yet, under all the disadvantages of that tedious and imperfect mode of communication, he had acquired such thorough knowledge of the state of the country, as well as of the disposition of the people, that he conducted his negotiations and intrigues with astonishing dexterity and success. Most of the cities adjacent to Mexico were originally the capitals of small independent states; and some of them, having been but lately annexed to the Mexican empire, still retained the remembrance of their ancient liberty, and bore with impatience the rigorous yoke of their new masters. Cortes having early observed symptoms of their disaffection, availed himself of this knowledge to gain their confidence and friendship. By offering them with confidence to deliver them from the odious dominion of the Mexicans, and by liberal promises of more indulgent treatment if they would unite with him against their oppressors, he prevailed on the people of several considerable districts, not only to acknowledge the king of Castile as their sovereign, but to supply the Spanish camp with provisions, and to strengthen his army with auxiliary troops. Guatimozin, on the first appearance of defection among his subjects, exerted himself with vigour to prevent or to punish their revolt; but, in spite of his efforts, the spirit continued to spread. The Spaniards gradually acquired new allies, and with deep concern he beheld Cortes arming against his empire those very hands which ought to have been active in its defence; and ready to advance against the capital at the head of a numerous body of his own subjects.

While, by those various methods, Cortes was gradually circumscribing the Mexican power in such a manner that his prospect of overturning it seemed neither to be uncertain nor remote, all his schemes were well nigh defeated by a conspiracy no less unexpected than dangerous. The soldiers of Narvaez had never united perfectly with the original companions of Cortes, nor did they enter into his measures with the same cordial zeal. Upon every occasion that required any extraordinary effort of courage or of patience, their spirits were apt to sink; and now, on a near view of what they had to encounter, in attempting to reduce a city so inaccessible as Mexico, and defended by a numerous army, the resolution even of those among them who had adhered to Cortes when he was deserted by their associates, began to fail. Their fears led them to presumptuous and unsoldier-like discussions concerning the propriety of their general's measures, and the improbability of their success. From these they proceeded to censure and invectives, and at last began to deliberate how they might provide for their own safety, of which they deemed their commander to be totally negligent. Antonio Villedagna, a private soldier, but bold, intriguing, and strongly attached to Velasquez, artfully fomented this growing spirit of disaffection. His quarters became the rendezvous of the mal-contented, where, after many consultations, they could discover no method of checking Cortes in his career, but by assassinating him and his most considerable officers, and conferring the command upon some person who would relinquish his wild plans, and adopt measures more consistent with the general security. Despair inspired them with courage. The hour for perpetrating the crime, the persons whom they destined as victims, the officers to succeed them in command

were all named; and the conspirators signed an association, by which they bound themselves with most solemn oaths to mutual fidelity. But on the evening before the appointed day, one of Cortes's ancient followers, who had been seduced into the conspiracy, touched with compunction at the imminent danger of a man whom he had long been accustomed to revere, or struck with horror at his own treachery, went privately to his general, and revealed to him all that he knew. Cortes, though deeply alarmed, discerned at once what conduct was proper in a situation so critical. He repaired instantly to Villefagna's quarters, accompanied by some of his most trusty officers. The astonishment and confusion of the man at this unexpected visit anticipated the confession of his guilt. Cortes, while his attendants seized the traitor, snatched from his bosom a paper containing the association, signed by the conspirators. Impatient to know how far the defection extended, he retired to read it, and found there names which filled him with surprise and sorrow. But aware how dangerous a strict scrutiny might prove at such a juncture, he confined his judicial inquiries to Villefagna alone. As the proofs of his guilt were manifest, he was condemned after a short trial, and next morning he was seen hanging before the door of the house in which he had lodged. Cortes called his troops together, and having explained to them the atrocious purpose of the conspirators, as well as the justice of the punishment inflicted on Villefagna, he added, with an appearance of satisfaction, that he was entirely ignorant with respect to all the circumstances of this dark transaction, as the traitor, when arrested, had suddenly torn and swallowed a paper which probably contained an account of it, and under the severest tortures possessed such constancy as to conceal the names of his accomplices. This artful declaration restored tranquillity to many a breast that was throbbing, while he spoke, with consciousness of guilt and dread of detection; and by this prudent moderation, Cortes had the advantage of having discovered, and of being able to observe, such of his followers as were disaffected; while they, flattering themselves that their past crime was unknown, endeavoured to avert any suspicion of it, by redoubling their activity and zeal in his service.

Cortes did not allow them leisure to ruminate on what had happened; and, as the most effectual means of preventing the return of a mutinous spirit, he determined to call forth his troops immediately to action. Fortunately a proper occasion for this occurred without his seeming to court it. He received intelligence that the materials for building the brigantines were at length completely finished, and waited only for a body of Spaniards to conduct them to Tezeuco. The command of this convoy, consisting of two hundred foot soldiers, fifteen horsemen, and two field-pieces, he gave to Sandoval, who, by the vigilance, activity, and courage which he manifested on every occasion, was growing daily in his confidence, and in the estimation of his fellow-soldiers. The service was no less singular than important; the beams, the planks, the masts, the cordage, the sails, the iron-work, and all the infinite variety of articles requisite for the construction of thirteen brigantines, were to be carried sixty miles over land, through a mountainous country, by people who were unacquainted with the ministry of domestic animals, or the aid of machines to facilitate any work of labour. The Tlascalans furnished eight thousand *Tamenes*, an inferior order of men destined for servile tasks, to carry the materials on their shoulders, and appointed fifteen

thousand warriors to accompany and defend them. Sandoval made the disposition for their progress with great propriety, placing the *Tamenes* in the centre, one body of warriors in the front, another in the rear, with considerable parties to cover the flanks. To each of these he joined some Spaniards, not only to assist them in danger, but to accustom them to regularity and subordination. A body so numerous, and so much encumbered, advanced leisurely, but in excellent order; and in some places, where it was confined by the woods or mountains, the line of march extended above six miles. Parties of Mexicans frequently appeared hovering around them on the high grounds; but perceiving no prospect of success in attacking an enemy continually on his guard, and prepared to receive them, they did not venture to molest him; and Sandoval had the glory of conducting safely to Tezeuco a convoy on which all the future operations of his countrymen depended.

This was followed by another event of no less moment. Four ships arrived at Vera Cruz from Hispaniola, with two hundred soldiers, eighty horses, two battering cannon, and a considerable supply of ammunition and arms. Elevated with observing that all his preparatory schemes, either for recruiting his own army, or impairing the force of the enemy, had now produced their full effect, Cortes, impatient to begin the siege in form, hastened the launching of the brigantines. To facilitate this he had employed a vast number of Indians, for two months, in deepening the small rivulet which runs by Tezeuco into the lake, and in forming it into a canal near two miles in length (119); and though the Mexicans, aware of his intentions, as well as of the danger which threatened them, endeavoured frequently to interrupt the labourers, or to burn the brigantines, the work was at last completed. On the twenty-eighth of April all the Spanish troops, together with the auxiliary Indians, were drawn up on the banks of the canal; and with extraordinary military pomp, rendered more solemn by the celebration of the most sacred rites of religion, the brigantines were launched. As they fell down the canal in order, father Olmedo blessed them, and gave each its name. Every eye followed them with wonder and hope, until they entered the lake, when they hoisted their sails, and bore away before the wind. A general shout of joy was raised; all admiring that bold inventive genius, which, by means so extraordinary that their success almost exceeded belief, had acquired the command of a fleet, without the aid of which Mexico would have continued to set the Spanish power and arms at defiance.

Cortes determined to attack the city from three different quarters; from Tepeaca on the north side of the lake, from Tacuba on the west, and from Cuyoacan towards the south. Those towns were situated on the principal causeways which led to the capital, and intended for their defence. He appointed Sandoval to command in the first, Pedro de Alvarado in the second, and Christoval de Olid in the third; allotting to each a numerous body of Indian auxiliaries, together with an equal division of Spaniards, who, by the junction of the troops from Hispaniola, amounted now to eighty-six horsemen, and eight hundred and eighteen foot soldiers; of whom one hundred and eighteen were armed with muskets or cross-bows. The train of artillery consisted of three battering cannon, and fifteen field-pieces. He reserved for himself, as the station of greatest importance and danger, the conduct of the brigantines, each armed with one of his small cannon, and manned with twenty-five Spaniards.

[May 10.] As Alvarado and Olid proceeded towards the posts assigned them, they broke down the aqueducts which the ingenuity of the Mexicans had erected for conveying water into the capital, and by the distress to which this reduced the inhabitants, gave a beginning to the calamities which they were destined to suffer. Alvarado and Olid found the towns of which they were ordered to take possession deserted by their inhabitants, who had fled for safety to the capital, where Guatimozin had collected the chief force of his empire, as there alone he could hope to make a successful stand against the formidable enemies who were approaching to assault him.

The first effort of the Mexicans was to destroy the fleet of brigantines, the fatal effects of whose operations they foresaw and dreaded. Though the brigantines, after all the labour and merit of Cortes in forming them, were of inconsiderable bulk, rudely constructed, and manned chiefly with landmen, hardly possessed of skill enough to conduct them, they must have been objects of terror to a people unacquainted with any navigation but that of their lake, and possessed of no vessel larger than a canoe. Necessity, however, urged Guatimozin to hazard the attack; and hoping to supply by numbers what he wanted in force, he assembled such a multitude of canoes as covered the face of the lake. They rowed on boldly to the charge, while the brigantines, retarded by a dead calm, could scarcely advance to meet them. But as the enemy drew near, a breeze suddenly sprung up; in a moment the sails were spread, the brigantines, with the utmost ease broke through their feeble opponents, upset many canoes, and dissipated the whole armament with such slaughter as convinced the Mexicans, that the progress of the Europeans in knowledge and arts rendered their superiority greater on this new element than they had hitherto found it by land.

From that time Cortes remained master of the lake, and the brigantines not only preserved a communication between the Spaniards in their different stations, though at considerable distance from each other, but were employed to cover the causeways on each side, and keep off the canoes, when they attempted to annoy the troops as they advanced towards the city. Cortes formed the brigantines into three divisions, appointing one to cover each of the stations from which an attack was to be carried on against the city, with orders to second the operations of the officer who commanded there. From all the three stations he pushed on the attack against the city with equal vigour; but in a manner so very different from the conduct of sieges in regular war, that he himself seems afraid it would appear no less improper than singular, to persons unacquainted with his situation. Each morning his troops assaulted the barricades which the enemy had erected on the causeways, forced their way over the trenches which they had dug, and through the canals where the bridges were broken down, and endeavoured to penetrate into the heart of the city, in hopes of obtaining some decisive advantage, which might force the enemy to surrender, and terminate the war at once; but when the obstinate valour of the Mexicans rendered the efforts of the day ineffectual, the Spaniards retired in the evening to their former quarters. Thus their toil and danger were, in some measure, continually renewed; the Mexicans repairing in the night what the Spaniards had destroyed through the day, and recovering the posts from which they had driven them. But necessity

prescribed this slow and untoward mode of operation. The number of his troops were so small, that Cortes durst not, with a handful of men, attempt to make a lodgment in a city where he might be surrounded and annoyed by such a multitude of enemies. The remembrance of what he had already suffered by the ill-judged confidence with which he had ventured into such a dangerous situation, was still fresh in his mind. The Spaniards, exhausted with fatigue, were unable to guard the various posts which they daily gained; and though their camp was filled with Indian auxiliaries, they durst not devolve this charge upon them, because they were so little accustomed to discipline, that no confidence could be placed in their vigilance. Besides this, Cortes was extremely solicitous to preserve the city as much as possible from being destroyed, both because he destined it to be the capital of his conquests, and wished that it might remain as a monument of his glory. From all these considerations, he adhered obstinately, for a month after the siege was opened, to the system which he had adopted. The Mexicans in their own defence, displayed valour which was hardly inferior to that with which the Spaniards attacked them. On land, on water, by night and by day, one furious conflict succeeded to another. Several Spaniards were killed, more wounded, and all were ready to sink under the toils of unremitting service, which were rendered more intolerable by the injuries of the season, the periodical rains being now set in with their usual violence.

Astonished and disconcerted with the length and difficulties of the siege, Cortes determined to make one great effort to get possession of the city, before he relinquished the plan which he had hitherto followed, and had recourse to any other mode of attack. With this view, he sent instructions to Alvarado and Sandoval to advance with their divisions to a general assault, and took the command in person of that posted on the causeway of Cuyocan. Animated by his presence, and the expectation of some decisive event [July 3], the Spaniards pushed forward with irresistible impetuosity. They broke through one barricade after another, forced their way over the ditches and canals, and having entered the city, gained ground incessantly, in spite of the multitude and ferocity of their opponents. Cortes, though delighted with the rapidity of his progress, did not forget that he might still find it necessary to retreat; and in order to secure it, appointed Julien de Alderete, a captain of chief note in the troops which he had received from Hispaniola, to fill up the canals and gaps in the causeway as the main body advanced.

That officer, deeming it inglorious to be thus employed while his companions were in the heat of action and the career of victory, neglected the important charge committed to him, and hurried on, inconsiderately, to mingle with the combatants. The Mexicans, whose military attention and skill were daily improving, no sooner observed this, than they carried an account of it to their monarch.

Guatimozin instantly discerned the consequence of the error which the Spaniards had committed, and with admirable presence of mind, prepared to take advantage of it. He commanded the troops posted in the front to slacken their efforts, in order to allure the Spaniards to push forward, while he dispatched a large body of chosen warriors through different streets, some by land and others by water, towards the great breach in the causeway, which had been left open. On a signal which he gave, the priests in the principal temple struck the great drum conse-

crated to the god of war. No sooner did the Mexicans hear its doleful solemn sound, calculated to inspire them with contempt of death and enthusiastic ardour, than they rushed upon the enemy with frantic rage. The Spaniards, unable to resist men urged on no less by religious fury than hope of success, began to retire, at first leisurely, and with a good countenance; but as the enemy pressed on, and their own impatience to escape increased, the terror and confusion became so general, that when they arrived at the gap in the causeway, Spaniards and Tlascalans, horsemen and infantry, plunged in promiscuously, while the Mexicans rushed upon them fiercely from every side, their light canoes carrying them through shoals which the brigantines could not approach. In vain did Cortes attempt to stop and rally his flying troops; fear rendered them regardless of his entreaties or commands. Finding all his endeavours to renew the combat fruitless, his next care was to save some of those who had thrown themselves into the water; but while thus employed, with more attention to their situation than his own, six Mexican captains suddenly laid hold of him, and were hurrying him off in triumph; and though two of his officers rescued him at the expence of their own lives, he received several dangerous wounds before he could break loose. Above sixty Spaniards perished in the rout; and what rendered the disaster more afflicting, forty of these fell alive into the hands of an enemy never known to show mercy to a captive.

The approach of night, though it delivered the dejected Spaniards from the attacks of the enemy, ushered in what was hardly less grievous, the noise of their barbarous triumph, and of the horrid festival with which they celebrated their victory. Every quarter of the city was illuminated; the great temple shone with such peculiar splendour, that the Spaniards could plainly see the people in motion, and the priests busy in hastening the preparations for the death of the prisoners. Through the gloom, they fancied that they discerned their companions by the whiteness of their skins, as they were stripped naked, and compelled to dance before the image of the god to whom they were to be offered. They heard the shrieks of those who were sacrificed, and thought that they could distinguish each unhappy victim by the well-known sound of his voice. Imagination added to what they really saw or heard, and augmented its horror. The most unfeeling melted into tears of compassion, and the stoutest heart trembled at the dreadful spectacle which they beheld (120).

Cortes, who, besides all that he felt in common with his soldiers, was oppressed with the additional load of anxious reflections natural to a general on such an unexpected calamity, could not, like them, relieve his mind by giving vent to its anguish. He was obliged to assume an air of tranquillity, in order to revive the spirit and hopes of his followers. The juncture, indeed, required an extraordinary exertion of fortitude. The Mexicans, elated with their victory, sallied out next morning to attack him in his quarters. But they did not rely on the efforts of their own arms alone. They sent the heads of the Spaniards whom they had sacrificed to the leading men in the adjacent provinces, and assured them that the god of war, appeased by the blood of their invaders, which had been shed so plentifully on his altars, had declared with an audible voice, that in eight days' time those hated enemies should be finally destroyed, and peace and prosperity re-established in the empire.

A prediction uttered with such confidence, and in terms so void of ambiguity, gained universal credit

among a people prone to superstition. The zeal of the provinces which had already declared against the Spaniards augmented; and several which had hitherto remained inactive, took arms, with enthusiastic ardour, to execute the decree of the gods. The Indian auxiliaries who had joined Cortes, accustomed to venerate the same deities with the Mexicans, and to receive the responses of their priests with the same implicit faith, abandoned the Spaniards as a race of men devoted to certain destruction. Even the fidelity of the Tlascalans was shaken, and the Spanish troops were left almost alone in their stations. Cortes, finding that he attempted in vain to dispel the superstitious fears of his confederates by argument, took advantage, from the imprudence of those who had framed the prophecy, in fixing its accomplishment so near at hand, to give a striking demonstration of its falsity. He suspended all military operations during the period marked out by the oracle. Under cover of the brigantines, which kept the enemy at a distance, his troops lay in safety, and the fatal term expired without any disaster.

Many of his allies, ashamed of their own credulity, returned to their station. Other tribes, judging that the gods who had now deceived the Mexicans, had decreed finally to withdraw their protection from them, joined his standard; and such was the levity of a simple people, moved by every slight impression, that in a short time after such a general defection of his confederates, Cortes saw himself, if we may believe his own account, at the head of a hundred and fifty thousand Indians. Even with such a numerous army, he found it necessary to adopt a new and more wary system of operation. Instead of renewing his attempts to become master of the city at once, by such bold but dangerous efforts of valour as he had already tried, he made his advances gradually, and with every possible precaution against exposing his men to any calamity similar to that which they still bewailed. As the Spaniards pushed forward, the Indians regularly repaired the causeways behind them. As soon as they got possession of any part of the town, the houses were instantly levelled with the ground. Day by day, the Mexicans, forced to retire as their enemies gained ground, were hemmed in within more narrow limits. Guatimozin, though unable to stop the career of the enemy, continued to defend his capital with obstinate resolution, and disputed every inch of ground. The Spaniards not only varied their mode of attack, but, by orders of Cortes, changed the weapons with which they fought. They were again armed with the long Chinantlan spears, which they had employed with such success against Narvaez; and, by the firm array in which this enabled them to range themselves, they repelled, with little danger, the loose assault of the Mexicans; incredible numbers of them fell in the conflicts which they renewed every day. While war wasted without, famine began to consume them within the city. The Spanish brigantines, having the entire command of the lake, rendered it almost impossible to convey to the besieged any supply of provisions by water. The immense number of his Indian auxiliaries enabled Cortes to shut up the avenues to the city by land. The stores which Guatimozin had laid up were exhausted by the multitudes which had crowded into the capital to defend their sovereign and the temples of their gods. Not only the people, but persons of the highest rank, felt the utmost distresses of famine. What they suffered brought on infectious and mortal distempers, the last calamity that visits besieged cities, and which filled up the measure of their woes.

But, under the pressure of so many and such various evils, the spirit of Guatimozin remained firm and unsubdued. He rejected, with scorn, every overture of peace from Cortes; and, disdaining the idea of submitting to the oppressors of his country, determined not to survive its ruin. The Spaniards continued their progress [July 27]. At length all the three divisions penetrated into the centre of the city, and made a secure lodgment there. Three-fourths of the city were now reduced, and laid in ruins. The remaining quarter was so closely pressed, that it could not long withstand assailants, who attacked it from their new station with superior advantage, and more assured expectation of success. The Mexican nobles, solicitous to save the life of a monarch whom they revered, prevailed on Guatimozin to retire from a place where resistance was now vain, that he might rouse the more distant provinces of the empire to arms, and maintain there a more successful struggle with the public enemy. In order to facilitate the execution of this measure, they endeavoured to amuse Cortes with the overtures of submission, that, while his attention was employed in adjusting the articles of pacification, Guatimozin might escape unperceived. But they made this attempt upon a leader of greater sagacity and discernment than to be deceived by their arts. Cortes, suspected their intention, and aware of what moment it was to defeat it, appointed Sandoval, the officer on whose vigilance he could most perfectly rely, to take the command of the brigantines, with strict injunctions to watch every motion of the enemy. Sandoval, attentive to the charge, observing some large canoes crowded with people rowing across the lake with extraordinary rapidity, instantly gave the signal to chase. Garcia Holguin, who commanded the swiftest sailing brigantine, soon overtook them, and was preparing to fire on the foremost canoe, which seemed to carry some person whom all the rest followed and obeyed. At once the rowers dropped their oars, and all on board, throwing down their arms, conjured him with cries and tears to forbear, as the emperor was there. Holguin eagerly seized his prize; and Guatimozin, with a dignified composure, gave himself up into his hands, requesting only that no insult might be offered to the empress or his children. When conducted to Cortes, he appeared neither with the sullen fierceness of a barbarian, nor with the dejection of a suppliant. "I have done," said he, addressing himself to the Spanish general, "what became a monarch. I have defended my people to the last extremity. Nothing now remains but to die. Take this dagger," laying his hand on one which Cortes wore, "plant it in my breast, and put an end to a life which can no longer be of use."

[Aug. 13.] As soon as the fate of their sovereign was known, the resistance of the Mexicans ceased: and Cortes took possession of that small part of the capital which yet remained undestroyed. Thus terminated the siege of Mexico, the most memorable event in the conquest of America. It continued seventy-five days, hardly one of which passed without some extraordinary effort of one party in the attack, or of the other in the defence, of a city, on the fate of which both knew that the fortune of the empire depended. As the struggle here was more obstinate, it was likewise more equal, than any between the inhabitants of the Old and New Worlds. The great abilities of Guatimozin, the number of his troops, the peculiar situation of his capital, so far counterbalanced the superiority of the Spaniards in arms and discipline, that they must have relinquished the enter-

prise if they had trusted for success to themselves alone. But Mexico was overturned by the jealousy of neighbours who dreaded its power, and by the revolt of subjects impatient to shake off its yoke. By their effectual aid, Cortes was enabled to accomplish what, without such support, he would hardly have ventured to attempt. How much soever this account of the reduction of Mexico may detract, on the one hand, from the marvellous relations of some Spanish writers, by ascribing that to simple and obvious causes which they attribute to the romantic valour of their countrymen, it adds, on the other, to the merit and abilities of Cortes, who, under every disadvantage, acquired such an ascendancy over unknown nations, as to render them instruments towards carrying his schemes into execution (121).

The exultation of the Spaniards on accomplishing this arduous enterprise was at first excessive. But this was quickly damped by the cruel disappointment of those sanguine hopes, which had animated them amidst so many hardships and dangers. Instead of the inexhaustible wealth which they expected from becoming masters of Montezuma's treasures, and the ornaments of so many temples, their rapaciousness could only collect an inconsiderable booty amidst ruins and desolation. Guatimozin, aware of his impending fate, had ordered what remained of the riches amassed by his ancestors to be thrown into the lake. The Indian auxiliaries, while the Spaniards were engaged in conflict with the enemy, had carried off the most valuable part of the spoil. The sum to be divided among the conquerors was so small, that many of them disdained to accept of the pittance which fell to their share, and all murmured and exclaimed; some against Cortes and his confidants, whom they suspected of having secretly appropriated to their own use a large portion of the riches which should have been brought into the common stock; others against Guatimozin, whom they accused of obstinacy, in refusing to discover the place where he had hidden his treasure.

Arguments, entreaties, and promises were employed in order to soothe them, but with so little effect, that Cortes, from solicitude to check this growing spirit of discontent, gave way to a deed which stains the glory of all his great actions. Without regarding the former dignity of Guatimozin, or feeling any reverence for those virtues which he had displayed, he subjected the unhappy monarch, together with his chief favourite, to torture, in order to force from them a discovery of the royal treasures, which it was supposed they had concealed. Guatimozin bore whatever the refined cruelty of his tormentors could inflict, with the invincible fortitude of an American warrior. His fellow-sufferer, overcome by the violence of the anguish, turned a dejected eye towards his master, which seemed to implore his permission to reveal all that he knew. But the high-spirited prince, darting on him a look of authority mingled with scorn, checked his weakness by asking, "Am I now reposing on a bed of flowers?" Overawed by the reproach, the favourite persevered in his dutiful silence, and expired. Cortes, ashamed of a scene so horrid, rescued the royal victim from the hands of his torturers, and prolonged a life reserved for new indignities and sufferings.

The fate of the capital, as both parties had foreseen, decided that of the empire. The provinces submitted one after another to the conquerors. Small detachments of Spaniards marched through them without interruption, penetrated in different quarters to the

great Southern ocean, which, according to the ideas of Columbus, they imagined would open a short as well as easy passage to the East Indies, and secure to the crown of Castile all the envied wealth of those fertile regions; and the active mind of Cortes began already to form schemes for attempting his important discovery.

He did not know, that during the progress of his victorious arms in Mexico, the very scheme of which he began to form some idea had been undertaken and accomplished. As this is one of the most splendid events in the history of the Spanish discoveries, and has been productive of effects peculiarly interesting to those extensive provinces which Cortes had now subjected to the crown of Castile, the account of its rise and progress merits a particular detail.

Ferdinand Magalhaens, or Magellan, a Portuguese gentleman of honourable birth, having served several years in the East Indies, with distinguished valour, under the famous Albuquerque, demanded the recompence which he thought due to his services, with the boldness natural to a high-spirited soldier. But as his general would not grant his suit, and he expected greater justice from his sovereign, whom he knew to be a good judge and a generous rewarder of merit, he quitted India abruptly, and returned to Lisbon. In order to induce Emanuel to listen more favourably to his claim, he not only stated his past services, but offered to add to them by conducting his countrymen to the Molucca or Spice Islands, by holding a westerly course; which he contended would be both shorter and less hazardous than that which the Portuguese now followed by the Cape of Good Hope, through the immense extent of the Eastern Ocean. This was the original and favourite project of Columbus, and Magellan founded his hopes of success on the ideas of that great navigator, confirmed by many observations, the result of his own naval experience, as well as that of his countrymen, in their intercourse with the East. But though the Portuguese monarchs had the merit of having first awakened and encouraged the spirit of discovery in that age, it was their destiny, in the course of a few years, to reject two grand schemes for this purpose, the execution of which would have been attended with a great accession of glory to themselves, and of power to their kingdom. In consequence of some ill-founded prejudice against Magellan, or of some dark intrigue which contemporary historians have not explained, Emanuel would neither bestow the recompence which he claimed, nor approve of the scheme which he proposed; and dismissed him with a disdainful coldness; intolerable to a man conscious of what he deserved, and animated with the sanguine hopes of success peculiar to those who are capable of forming or of conducting new and great undertakings [A.D. 1517]. In a transport of resentment Magellan formally renounced his allegiance to an ungrateful master, and fled to the Court of Castile, where he expected that his talents would be most justly estimated. He endeavoured to recommend himself by offering to execute under the patronage of Spain, that scheme which he had laid before the court of Portugal, the accomplishment of which, he knew, would wound the monarch against whom he was exasperated in the most tender part. In order to establish the justness of his theory, he produced the same arguments which he had employed at Lisbon; acknowledging, at the same time, that the undertaking was both arduous and expensive, as it could not be attempted but with a squadron of considerable force, and victualled for at least two years. Fortunately, he applied to a minister who was not apt to be deterred,

either by the boldness of a design, or the expense of carrying it into execution. Cardinal Ximenes, who at that time directed the affairs of Spain, discerning at once what an increase of wealth and glory would accrue to his country by the success of Magellan's proposal, listened to it with a most favourable ear. Charles V. on his arrival in his Spanish dominions, entered into the measure with no less ardour, and orders were issued for equipping a proper squadron at the public charge, of which the command was given to Magellan, whom the king honoured with the habit of St. Jago, and the title of captain-general.

On the tenth of August one thousand five hundred and nineteen, Magellan sailed from Seville with five ships, which, according to the ideas of the age, were deemed to be of considerable force, though the burden of the largest did not exceed one hundred and twenty tons. The crews of the whole amounted to two hundred and thirty-four men, among whom were some of the most skilful pilots in Spain, and several Portuguese sailors in whose experience, as more extensive, Magellan placed still greater confidence. After touching at the Canaries, he stood directly south towards the equinoctial line along the coast of America, but was so long retarded by tedious calms, and spent so much time in searching every bay and inlet for that communication with the Southern Ocean which he wished to discover, that he did not reach the river De la Plata till the twelfth of January. [A. D. 1520.] That spacious opening through which its vast body of water pours into the Atlantic allured him to enter; but after sailing up it for some days, he concluded, from the shallowness of the stream and the freshness of the water, that the wished-for strait was not situated there, and continued his course towards the south. On the thirty-first of March he arrived in the port of St. Julian, about forty-eight degrees south of the line, where he resolved to winter. In this uncomfortable station he lost one of his squadron, and the Spaniards suffered so much from the excessive rigour of the climate, that the crews of three of his ships, headed by their officers, rose in open mutiny, and insisted on relinquishing the visionary project of a desperate adventurer, and returning directly to Spain. This dangerous insurrection Magellan suppressed by an effort of courage no less prompt than intrepid, and inflicted exemplary punishment on the ringleaders. With the remainder of his followers, overawed but not reconciled to his scheme, he continued his voyage towards the south, and at length discovered, near the fifty-third degree of latitude, the mouth of a strait, into which he entered, notwithstanding the murmurs and remonstrances of the people under his command. After sailing twenty days in that winding dangerous channel, to which he gave his own name, and where one of his ships deserted him, the great Southern Ocean opened to his view, and with tears of joy he returned thanks to Heaven for having thus far crowned his endeavours with success.

But he was still at a greater distance than he imagined from the object of his wishes. He sailed during three months and twenty days in an uniform direction towards the north-west, without discovering land. In this voyage, the longest that had ever been made in the unbounded ocean, he suffered incredible distress. His stock of provisions was almost exhausted, the water became putrid, the men were reduced to the shortest allowance with which it was possible to sustain life, and the scurvy, the most dreadful of all the maladies with which seafaring people are afflicted, began to spread among the crew.

One circumstance alone afforded them some consolation; they enjoyed an uninterrupted course of fair weather, with such favourable winds, that Magellan bestowed on that ocean the name of *Pacific*, which it still retains. When reduced to such extremity that they must have sunk under their sufferings, they fell in with a cluster of small but fertile islands [March 6], which afforded them refreshments in such abundance, that their health was soon re-established. From these isles, which he called *De los Ladrones*, he proceeded on his voyage, and soon made a more important discovery of the islands now known by the name of the *Philippines*. In one of these he got into an unfortunate quarrel with the natives, who attacked him with a numerous body of troops well armed; and while he fought at the head of his men with his usual valour, he fell by the hands of those barbarians [April 26], together with several of his principal officers.

The expedition was prosecuted under other commanders. After visiting many of the smaller isles scattered in the eastern part of the Indian Ocean, they touched at the great island of Borneo, and at length landed in Tidore, one of the Moluccas, to the astonishment of the Portuguese, who could not comprehend how the Spaniards by holding a westerly course, had arrived at that sequestered seat of their most valuable commerce, which they themselves had discovered by sailing in an opposite direction. There, and in the adjacent isles, the Spaniards found a people acquainted with the benefits of extensive trade, and willing to open an intercourse with a new nation. They took in a cargo of the precious spices, which are the distinguished productions of these islands; and with that, as well as with specimens of the rich commodities yielded by the other countries which they had visited, the *Victory*, which, of the two ships that remained of the squadron, was most fit for a long voyage, set sail for Europe [January 1522], under the command of Juan Sebastian del Cano. He followed the course of the Portuguese, by the Cape of Good Hope, and after many disasters and sufferings he arrived at St. Lucar on the seventh of September one thousand five hundred and twenty-two, having sailed round the globe in the space of three years and twenty-eight days.

Though an untimely fate deprived Magellan of the satisfaction of accomplishing this great undertaking, his contemporaries, just to his memory and talents, ascribed to him not only the honour of having formed the plan, but of having surmounted almost every obstacle to the completion of it; and in the present age his name is still ranked amongst the highest in the roll of eminent and successful navigators. The naval glory of Spain now eclipsed that of every other nation; and by a singular felicity she had the merit, in the course of a few years, of discovering a new continent almost as large as that part of the earth which was formerly known, and of ascertaining by experience the form and extent of the whole of the terraqueous globe.

The Spaniards were not satisfied with the glory of having first encompassed the earth; they expected to derive great commercial advantages from this new and boldest effort of their maritime skill. The men of science among them contended, that the Spice Islands, and several of the richest countries in the east, were so situated as to belong of right to the crown of Castile, in consequence of the partitions made by Alexander VI. The merchants, without attending to this discussion, engaged eagerly in that lucrative and alluring commerce which was now opened to them. The Portuguese, alarmed at the intrusion of such

formidable rivals, remonstrated and negotiated in Europe, while in Asia they obstructed the trade of the Spaniards by force of arms. Charles V. not sufficiently instructed with respect to the importance of this valuable branch of commerce, or distracted by the multiplicity of his schemes and operations, did not afford his subjects proper protection. At last, the low state of his finances, exhausted by the efforts of his arms in every part of Europe, together with the dread of adding a new war with Portugal to those in which he was already engaged, induced him to make over his claim of the Moluccas to the Portuguese for three hundred and fifty thousand ducats. He reserved, however, to the crown of Castile the right of reviving its pretensions on repayment of that sum; but other objects engrossed his attention and that of his successors; and Spain was finally excluded from a branch of commerce in which it was engaging with sanguine expectations of profit.

Though the trade with the Moluccas was relinquished, the voyage of Magellan was followed by commercial effects of great moment to Spain. Philip II., in the year one thousand five hundred and sixty-four, reduced those islands which he discovered in the Eastern ocean to subjection, and established settlements there; between which and the kingdom of New Spain a regular intercourse, the nature of which shall be explained in its proper place, is still carried on. I return now to the transactions in new Spain.

At the time that Cortes was acquiring such extensive territories for his native country, and preparing the way for future conquests, it was his singular fate not only to be destitute of any commission or authority from the sovereign whom he was serving with such successful zeal, but to be regarded as an undutiful and seditious subject. By the influence of Fonseca, bishop of Burgos, his conduct in assuming the government of New Spain was declared to be an irregular usurpation, in contempt of the royal authority; and Christoval de Tapia received a commission, empowering him to supersede Cortes, to seize his person, to confiscate his effects, to make a strict scrutiny into his proceedings, and to transmit the result of all the inquiries carried on in New Spain to the council of the Indies, of which the bishop of Burgos was president. A few weeks after the reduction of Mexico, Tapia landed at Vera Cruz, with the royal mandate to strip its conqueror of his power, and treat him as a criminal. But Fonseca had chosen a very improper instrument to wreak his vengeance on Cortes. Tapia had neither the reputation nor the talents that suited the high command to which he was appointed. Cortes, while he publicly expressed the most respectful veneration for the emperor's authority, secretly took measures to defeat the effect of his commission; and having involved Tapia and his followers in a multiplicity of negotiations and conferences, in which he sometimes had recourse to threats, but more frequently employed bribes and promises, he at length prevailed upon that weak man to abandon a province which he was unworthy of governing.

[May 15.] But notwithstanding the fortunate dexterity with which he had eluded this danger, Cortes was so sensible of the precarious tenure by which he held his power, that he despatched deputies to Spain, with a pompous account of the success of his arms, with further specimens of the productions of the country, and with rich presents to the emperor, as the earnest of future contributions from his new conquests; requesting, in recompence for all this ser-

vices, the approbation of his proceedings, and that he might be intrusted with the government of those dominions, which his conduct and the valour of his followers had added to the crown of Castile. The juncture in which his deputies reached the court was favourable. The internal commotions in Spain, which had disquieted the beginning of Charles's reign were just appeased. The ministers had leisure to turn their attention towards foreign affairs. The account of Cortes's victories filled his countrymen with admiration. The extent and value of his conquests became the object of vast and interesting hopes. Whatever stain he might have contracted, by the irregularity of the steps which he took in order to attain power, was so fully effaced by the splendour and merit of the great actions which this had enabled him to perform, that every heart revolted at the thought of inflicting any censure on a man whose services entitled him to the highest marks of distinction. The public voice declared warmly in favour of his pretensions; and Charles, arriving in Spain about this time, adopted the sentiments of his subjects with a youthful ardour. Notwithstanding the claims of Velasquez, and the partial representations of the bishop of Burgos, the emperor appointed Cortes captain-general and governor of New Spain, judging that no person was so capable of maintaining the royal authority, or of establishing good order both among his Spanish and Indian subjects, as the victorious leader whom the former had long been accustomed to obey, and the latter had been taught to fear and to respect.

Even before his jurisdiction received this legal sanction, Cortes ventured to exercise all the powers of a governor, and by various arrangements, endeavoured to render his conquest a secure and beneficial acquisition to his country. He determined to establish the seat of government in its ancient station, and to raise Mexico again from its ruins; and having conceived high ideas concerning the future grandeur of the state of which he was laying the foundation, he began to re-build its capital on a plan which hath gradually formed the most magnificent city in the New World. At the same time, he employed skilful persons to search for mines in different parts of the country, and opened some which were found to be richer than any which the Spaniards had hitherto discovered in America. He detached his principal officers into the remote provinces, and encouraged them to settle there, not only by bestowing upon them large tracts of land, but by granting them the same dominion over the Indians, and the same right to their service, which the Spaniards had assumed in the islands.

It was not, however, without difficulty, that the Mexican empire could be entirely reduced into the form of a Spanish colony. Enraged and rendered desperate by oppression, the natives often forgot the superiority of their enemies, and ran to arms in defence of their liberties. In every contest, however, the European valour and discipline prevailed. But fatally for the honour of their country, the Spaniards sullied the glory redounding from these repeated victories, by their mode of treating the vanquished people. After taking Guatimozin, and becoming masters of his capital, they supposed that the king of Castile entered on possession of all the rights of the captive monarch, and affected to consider every effort of the Mexicans to assert their own independence, as the rebellion of vassals against their sovereign, or the mutiny of slaves against their master. Under the sanction of those ill-founded maxims, they violated every right that should be held sacred between hostile nations. After each insurrection, they reduced the common

people, in the provinces which they subdued, to the most humiliating of all conditions, that of personal servitude. Their chiefs, supposed to be more criminal, were punished with greater severity, and put to death in the most ignominious or the most excruciating mode that the insolence or the cruelty of their conquerors could devise. In almost every district of the Mexican empire, the progress of the Spanish arms is marked with blood, and with deeds so atrocious, as to disgrace the enterprising valour that conducted them to success. In the country of Panuco sixty caziques or leaders, and four hundred nobles, were burnt at one time. Nor was this shocking barbarity perpetrated in any sudden sally of rage, or by a commander of inferior note. It was the act of Sandoval, an officer whose name is entitled to the second rank in the annals of New Spain, and executed after a solemn consultation with Cortes; and to complete the horror of the scene, the children and relations of the wretched victims were assembled, and compelled to be spectators of their dying agonies. It seems hardly possible to exceed in horror this dreadful example of severity; but it was followed by another, which affected the Mexicans still more sensibly, as it gave them a most feeling proof of their own degradation, and of the small regard which their haughty master retained for the ancient dignity and splendour of their state. On a slight suspicion, confirmed by very imperfect evidence, that Guatimozin had formed a scheme to shake off the yoke, and to excite his former subjects to take arms, Cortes, without the formality of a trial, ordered the unhappy monarch, together with the caziques of Tezeuco and Tacuba, the two persons of the greatest eminence in the empire, to be hanged; and the Mexicans, with astonishment and horror, beheld this disgraceful punishment inflicted upon persons, to whom they were accustomed to look up with reverence hardly inferior to that which they paid to the gods themselves (122). The example of Cortes and his principal officers encouraged and justified persons of subordinate rank to venture upon committing greater excesses. Nuno de Guzman, in particular, stained an illustrious name by deeds of peculiar enormity and rigour, in various expeditions which he conducted.

One circumstance, however, saved the Mexicans from further consumption, perhaps from one as complete as that which had depopulated the islands. The first conquerors did not attempt to search for the precious metals in the bowels of the earth. They were neither sufficiently wealthy to carry on the expensive works, which are requisite for opening those deep recesses where nature has concealed the veins of gold and silver, nor sufficiently skilful to perform the ingenious operations by which those precious metals are separated from their respective ores. They were satisfied with the more simple method, practised by the Indians, of washing the earth carried down rivers and torrents from the mountains, and collecting the grains of native metal deposited there. The rich mines of New Spain, which have poured forth their treasures with such profusion on every quarter of the globe, were not discovered for several years after the conquest. [A. D. 1552, &c.] By that time a more orderly government and police were introduced into the colony; experience, derived from former errors, had suggested many useful and humane regulations for the protection and preservation of the Indians: and though it then became necessary to increase the number of those employed in the mines, and they were engaged in a species of labour more pernicious to the human constitution, they suffered less hardship or

diminution than from the ill-judged but less extensive schemes of the first conquerors.

While it was the lot of the Indians to suffer, their new masters seemed not to have derived any considerable wealth from their ill-conducted researches. According to the usual fate of first settlers in new colonies, it was their lot to encounter danger, and to struggle with difficulties; the fruits of their victories and toils were reserved for times of tranquillity, and reaped by successors of greater industry, but of inferior merit. The early historians of America abound with accounts of the sufferings and of the poverty of its conquerors. In New Spain, their condition was rendered more grievous by a peculiar arrangement. When Charles V. advanced Cortes to the government of that country, he at the same time appointed certain commissioners to receive and administer the royal revenue there with independent jurisdiction. These men, chosen from inferior stations in various departments of public business at Madrid, were so much elevated with their promotion, that they thought they were called to act a part of the first consequence. But being accustomed to the minute formalities of office, and having contracted the narrow ideas suited to the sphere in which they had hitherto moved, they were astonished, on arriving in Mexico, [A. D. 1524,] at the high authority which Cortes exercised, and could not conceive that the mode of administration, in a country recently subdued and settled, must be different from what took place in one where tranquillity and regular government had been long established. In their letters they represented Cortes as an ambitious tyrant, who, having usurped a jurisdiction superior to law, aspired at independence, and by his exorbitant wealth and extensive influence might accomplish those disloyal schemes which he apparently meditated. These insinuations made such deep impression upon the Spanish ministers, most of whom had been formed to business under the jealous and rigid administration of Ferdinand, that, unmindful of all Cortes's past services, and regardless of what he was then suffering in conducting that extraordinary expedition, in which he advanced from the lake of Mexico to the western extremities of Honduras (123), they infused the same suspicions into the mind of their master, and prevailed on him to order a solemn inquest to be made into his conduct, [A. D. 1525] with powers to the licentiate, Ponce de Leon, intrusted with that commission, to seize his person, if he should find that expedient, and send him prisoner to Spain.

The sudden death of Ponce de Leon, a few days after his arrival in New Spain, prevented the execution of this commission. But as the object of his appointment was known, the mind of Cortes was deeply wounded with this unexpected return for services which far exceeded whatever any subject of Spain had rendered to his sovereign. He endeavoured, however, to maintain his station, and to recover the confidence of the court. But every person in office who had arrived from Spain since the conquest was a spy upon his conduct, and with malicious ingenuity gave an unfavourable representation of all his actions. The apprehensions of Charles and his ministers increased. A new commission of inquiry was issued, with more extensive powers [A. D. 1528], and various precautions were taken in order to prevent or to punish him if he should be so presumptuous as to attempt what was inconsistent with the fidelity of a subject. Cortes beheld the approaching crisis of his fortune with all the violent emotions natural to a haughty mind, conscious of high desert, and receiving unworthy treatment. But though some of his des-

perate followers urged him to assert his own rights against his ungrateful country, and with a bold hand to seize that power which the courtiers meanly accused him of coveting, he retained such self-command, or was actuated with such sentiments of loyalty, as to reject their dangerous counsels, and to choose the only course in which he could secure his own dignity, without departing from his duty. He resolved not to expose himself to the ignominy of a trial, in that country which had been the scene of his triumphs; but, without waiting for the arrival of his judges, to repair directly to Castile, and commit himself and his cause to the justice and generosity of his sovereign.

Cortes appeared in his native country with the splendour that suited the conqueror of a mighty kingdom. He brought with him a great part of his wealth, many jewels and ornaments of great value, several curious productions of the country (124), and was attended by some Mexicans of the first rank, as well as by the most considerable of his own officers. His arrival in Spain removed at once every suspicion and fear that had been entertained with respect to his intentions. The emperor, having now nothing to apprehend from the designs of Cortes, received him like a person whom consciousness of his own innocence had brought into the presence of his master, and who was entitled, by the eminence of his services, to the highest marks of distinction and respect. The order of St. Jago, the title of Marquis del Valle de Guaxaca, the grant of an ample territory in New Spain, were successively bestowed upon him; and as his manners were correct and elegant, although he had passed the greater part of his life among rough adventurers, the emperor admitted him to the same familiar intercourse with himself, that was enjoyed by noblemen of the first rank.

But, amidst those external proofs of regard, symptoms of remaining distrust appeared. Though Cortes earnestly solicited to be reinstated in the government of New Spain, Charles, too sagacious to commit such an important charge to a man whom he had once suspected, peremptorily refused to invest him again with powers which he might find it impossible to controul. Cortes, though dignified with new titles [A. D. 1530,], returned to Mexico with diminished authority. The military department, with powers to attempt new discoveries, was left in his hands; but the supreme direction of civil affairs was placed in a board called *The Audience of New Spain*. At a subsequent period, when, upon the increase of the colony, the exertion of authority more united and extensive became necessary, Antonio de Mendoza, a nobleman of high rank, was sent thither as *Viceroy*, to take the government into his hands.

This division of power in New Spain proved, as was unavoidable, the source of perpetual dissension, which embittered the life of Cortes, and thwarted all his schemes. As he had now no opportunity to display his active talents but in attempting new discoveries, he formed various schemes for that purpose, all of which bear impressions of a genius that delighted in what was bold and splendid. He early entertained an idea, that, either by steering through the gulf of Florida along the east coast of North America, some strait would be found that communicated with the Western ocean; or that by examining the isthmus of Darien, some passage would be discovered between the North and South seas. But having been disappointed in his expectations with respect to both, he now confined his views to such voyages of discovery as he could make from the ports of New Spain in the South Sea. There he fitted out succes-

sively several small squadrons, which either perished in the attempt, or returned without making any discovery of moment [A. D. 1536]. Cortes, weary of intrusting the conduct of his operations to others, took the command of a new armament in person, and after enduring incredible hardships, and encountering dangers of every species, he discovered the large peninsula of California, and surveyed the greater part of the gulf which separates it from New Spain. The discovery of a country of such extent would have reflected credit on a common adventurer; but it could add little new honour to the name of Cortes, and was far from satisfying the sanguine expectations which he had formed. Disgusted with ill success, to which he had not been accustomed, and weary of contesting with adversaries to whom he considered it as a disgrace to be opposed, he once more sought for redress in his native country [A. D. 1540].

But his reception there was very different from that which gratitude, and even decency, ought to have secured for him. The merit of his ancient exploits was already, in a great measure, forgotten, or eclipsed by the fame of recent and more valuable conquests in another quarter of America. No service of moment was now expected from a man of declining years, and who began to be unfortunate. The emperor behaved to him with cold civility; his ministers treated him sometimes with neglect, sometimes with insolence. His grievances received no redress; his claims were urged without effect; and after several years spent in fruitless application to ministers and judges, an occupation the most irksome and mortifying to a man of high spirit, who had moved in a sphere where he was more accustomed to command than to solicit, Cortes ended his days on the second of December one thousand five hundred and forty-seven, in the sixty-second year of his age. His fate was the same with that of all the persons who distinguished themselves in the discovery or conquest of the New world. Envied by his contemporaries, and ill requited by the court which he served, he has been admired and celebrated by succeeding ages. Which has formed the most just estimate of his character, an impartial consideration of his actions must determine.

BOOK VI.

[A. D. 1523.] FROM the time that Nugnez de Balboa discovered the great Southern ocean, and received the first obscure hints concerning the opulent countries with which it might open a communication, the wishes and schemes of every enterprising person in the colonies of Darien and Panama were turned towards the wealth of those unknown regions. In an age when the spirit of adventure was so ardent and vigorous, that large fortunes were wasted, and the most alarming dangers braved, in pursuit of discoveries merely possible, the faintest ray of hope was followed with an eager expectation, and the slightest information was sufficient to inspire such perfect confidence, as conducted men to the most arduous undertakings (125).

Accordingly, several armaments were fitted out in order to explore and take possession of the countries to the east of Panama, but under the conduct of leaders whose talents and resources were unequal to the attempt. As the excursions of those adventurers did not extend beyond the limits of the province to which the Spaniards had given the name of Tierra Firme, a mountainous region covered with woods, thinly inhabited, and extremely unhealthy, they re-

turned with dismal accounts concerning the distresses in which they had been exposed, and the unpromising aspect of the places which they had visited. Damped by these tidings, the rage for discovery in that direction abated; and it became the general opinion, that Balboa had founded visionary hopes, on the tale of an ignorant Indian, ill understood, or calculated to deceive.

[A. D. 1524.] But there were three persons settled in Panama, on whom the circumstances which deterred others made so little impression, that the very moment when all considered Balboa's expectations of discovering a rich country, by steering towards the east, as chimerical, they resolved to attempt the execution of his scheme. The names of those extraordinary men were Francisco Pizarro, Diego de Almagro, and Hernando Luque. Pizarro was the natural son of a gentleman of an honourable family by a very low woman, and, according to the cruel fate which often attends the offspring of unlawful love, had been so totally neglected in his youth by the author of his birth, that he seems to have destined him never to rise beyond the condition of his mother. In consequence of this ungenerous idea, he set him, when bordering on manhood, to keep hogs. But the aspiring mind of young Pizarro disdaining that ignoble occupation, he abruptly abandoned his charge, enlisted as a soldier, and after serving some years in Italy, embarked for America, which, by opening such a boundless range to active talents, allured every adventurer whose fortune was not equal to his ambitious thoughts. There Pizarro early distinguished himself. With a temper of mind no less daring than the constitution of his body was robust, he was foremost in every danger, patient under the greatest hardships, and unsubdued by any fatigue. Though so illiterate that he could not even read, he was soon considered as a man formed to command. Every operation committed to his conduct proved successful, as, by a happy but rare conjunction, he united perseverance with ardour, and was cautious in executing, as he was bold in forming, his plans. By engaging early in active life, without any resource but his own talents and industry, and by depending on himself alone in his struggles to emerge from obscurity, he acquired such a thorough knowledge of affairs, and of men, that he was fitted to assume a superior part in conducting the former, and in governing the latter.

Almagro had as little to boast of his descent as Pizarro. The one was a bastard, and the other a foundling. Bred like his companion, in the camp, he yielded not to him in any of the soldierly qualities of intrepid valour, indefatigable activity, or insurmountable constancy, in enduring the hardships inseparable from military service in the New World. But in Almagro these virtues were accompanied with the openness, generosity, and candour, natural to men whose profession is arms; in Pizarro, they were united with the address, the craft, and the dissimulation of a politician, with the art of concealing his own purposes, and with sagacity to penetrate into those of other men.

Fernando de Luque was an ecclesiastic, who acted both as priest and schoolmaster at Panama, and, by means which the contemporary writers have not described, had amassed riches that inspired him with thoughts of rising to greater eminence.

Such were the men destined to overturn one of the most extensive empires on the face of the earth. Their confederacy for this purpose was authorized by Pedrarias, the governor of Panama. Each engaged

to employ his whole fortune in the adventure. Pizarro, the least wealthy of the three, as he could not throw so large a sum as his associates into the common stock, engaged to take the department of greatest fatigue and danger, and to command in person the armament which was to go first upon discovery. Almagro offered to conduct the supplies of provisions and reinforcements of troops, of which Pizarro might stand in need. Luque was to remain at Panama to negotiate with the governor, and superintend whatever was carrying on for the general interest. As the spirit of enthusiasm uniformly accompanied that of adventure in the New World, and by that strange union both acquired an increase of force, this confederacy, formed by ambition and avarice, was confirmed by the most solemn act of religion. Luque celebrated mass, divided a consecrated host into three, and reserving one part to himself gave the other two to his associates, of which they partook; and thus, in the name of the Prince of peace, ratified a contract of which plunder and bloodshed were the objects.

The attempt was begun with a force more suited to the humble condition of the three associates, than to the greatness of the enterprise in which they were engaged. Pizarro set sail from Panama with a single vessel, [Nov. 14.] of small burthen, and a hundred and twelve men. But in that age, so little were the Spaniards acquainted with the peculiarities of climate in America, that the time which Pizarro chose for his departure was the most improper in the whole year; the periodical winds which were then set in, being directly adverse to the course which he proposed to steer. After beating about for seventy days, with much danger and incessant fatigue, Pizarro's progress towards the south-east was not greater than what a skilful navigator will now make in as many hours. He touched at several places on the coast of Tierra Firme, but found every where the same uninviting country which former adventurers had described; the low grounds converted into swamps by an overflowing of rivers; the higher covered with impervious woods; few inhabitants, and those fierce and hostile [A. D. 1525]. Famine, fatigue, or frequent encounters with the natives, and, above all, the distempers of a moist, sultry climate, combined in wasting his slender band of followers. The undaunted resolution of their leader continued, however, for some time, to sustain their spirits, although no sign had yet appeared of discovering those golden regions to which he had promised to conduct them. At length he was obliged to abandon that inhospitable coast, and retire to Chuchama, opposite to the pearl islands, where he hoped to receive a supply of provisions and troops from Panama.

But Almagro having sailed from that port with seventy men, stood directly towards that part of the continent where he hoped to meet with his associates. Not finding him there, he landed his soldiers, who, in searching for their companions, underwent the same distresses, and were exposed to the same dangers, which had driven them out of the country. Repulsed at length by the Indians in a sharp conflict, in which their leader lost one of his eyes by the wound of an arrow, they likewise were compelled to re-embark. Chance led them to the place of Pizarro's retreat, where they found some consolation in recounting to each other their adventures, and comparing their sufferings [June 24]. As Almagro had advanced as far as the river St. Juan, in the province of Popayan, where both the country and inhabitants appeared with a more promising aspect,

that dawn of better fortune was sufficient to determine such sanguine projectors not to abandon their scheme, notwithstanding all that they had suffered in prosecuting it (126).

[A. D. 1526.] Almagro repaired to Panama, in hopes of recruiting their shattered troops. But what he and Pizarro had suffered, gave his countrymen such an unfavourable idea of the service, that it was with difficulty he could levy fourscore men. Feeble as this reinforcement was, Almagro took the command of it, and having joined Pizarro, they did not hesitate about resuming their operations. After a long series of disasters and disappointments, not inferior to those which they had already experienced, part of the armament reached the Bay of St. Matthew, on the coast of Quito, and landing at Tacamez, to the south of the river of Emeralds, they beheld a country more champaign and fertile than any they had yet discovered in the Southern ocean, the natives clad in garments of woollen or cotton stuff, and adorned with several trinkets of gold and silver.

But, notwithstanding those favourable appearances, magnified beyond the truth, both by the vanity of the persons who brought the report from Tacamez, and by the fond imagination of those who listened to them, Pizarro and Almagro durst not venture to invade a country so populous with a handful of men, enfeebled by fatigue and diseases. They retired to the small island of Gallo, where Pizarro remained with part of the troops, and his associate returned to Panama, in hopes of bringing such a reinforcement as might enable them to take possession of the opulent territories, whose existence seemed to be no longer doubtful.

But some of the adventurers, less enterprising or less hardy than their leaders, having secretly conveyed lamentable accounts of their sufferings and losses to their friends at Panama, Almagro met with an unfavourable reception from Pedro de los Rios, who had succeeded Pedrarias in the government of that settlement. After weighing the matter with that cold economical prudence, which appears the first of all virtues to persons whose limited faculties are incapable of conceiving or executing great designs, he concluded an expedition, attended with such certain waste of men, to be so detrimental to an infant and feeble colony, that he not only prohibited the raising of new levies, but despatched a vessel to bring home Pizarro and his companions from the island of Gallo. Almagro and Luque, though deeply affected with those measures, which they could not prevent, and durst not oppose, found means of communicating their sentiments privately to Pizarro, and exhorted him not to relinquish an enterprise that was the foundation of all their hopes, and the only means of re-establishing their reputation and fortune, which were both on the decline. Pizarro's mind, bent with inflexible obstinacy on all its purposes, needed no incentive to persist in the scheme. He peremptorily refused to obey the governor of Panama's orders, and employed all his address and eloquence in persuading his men not to abandon him. But the incredible calamities to which they had been exposed were still so recent in their memories, and the thoughts of re-visiting their families and friends after a long absence, rushed with such joy into their minds, that when Pizarro drew a line upon the sand with his sword, permitting such as wished to return home to pass over it, only thirteen of all the daring veterans in his service had resolution to remain with their commander.

This small but determined band, whose names the

Spanish historians record with deserved praise, as the persons to whose persevering fortitude their country is indebted for the most valuable of all its American possessions, fixed their residence in the island of Gorgona. This, as it was further removed from the coast than Gallo, and uninhabited, they considered as a more secure retreat, where, unmolested, they might wait for supplies from Panama, which they trusted that the activity of their associates would be able to procure. Almagro and Luque were not inattentive or cold solicitors, and their incessant importunity was seconded by the general voice of the colony, which exclaimed loudly against the infamy of exposing brave men, engaged in the public service, and chargeable with no error but what flowed from an excess of zeal and courage, to perish like the most odious criminals in a desert island. Overcome by those entreaties and expostulations, the governor at last consented to send a small vessel to their relief. But that he might not seem to encourage Pizarro to any new enterprise, he would not permit one landman to embark on board of it.

By this time Pizarro and his companions had remained five months in an island, infamous for the most unhealthy climate in that region of America (127). During all this period their eyes were turned towards Panama; in hopes of succour from their countrymen; but worn out at length with fruitless expectations, and dispirited with suffering hardships of which they saw no end, they, in despair, came to a resolution of committing themselves to the ocean on a float, rather than continue in that detestable abode. But, on the arrival of the vessel from Panama, they were transported with such joy, that all their sufferings were forgotten. Their hopes revived, and, with a rapid transition, not unnatural among men accustomed by their mode of life to sudden vicissitudes of fortune, high confidence succeeding to extreme dejection, Pizarro easily induced not only his own followers, but the crew of the vessel from Panama, to resume his former scheme with fresh ardour. Instead of returning to Panama, they stood towards the south-east, and more fortunate in this than in any of their past efforts, they, on the twentieth day after their departure from Gorgona, discovered the coast of Peru. After touching at several villages near the shore, which they found to be no wise inviting, they landed at Tumbez, a place of some note, about three degrees south of the line, distinguished for its stately temple, and a palace of the *Incas* or sovereigns of the country. There the Spaniards feasted their eyes with the first view of the opulence and civilization of the Peruvian empire. They beheld a country fully peopled, and cultivated with an appearance of regular industry; the natives decently clothed, and possessed of ingenuity so far surpassing the other inhabitants of the New World, as to have the use of tame domestic animals. But what chiefly attracted their notice, was such a show of gold and silver, not only in the ornaments of their persons and temples, but in several vessels and utensils for common use, formed of those precious metals, as left no room to doubt that they abounded with profusion in the country. Pizarro and his companions seemed now to have attained to the completion of their most sanguine hopes, and fancied that all their wishes and dreams of rich domains, and inexhaustible treasures, would soon be realized.

But with the slender force then under his command, Pizarro could only view the rich country of which he hoped hereafter to obtain possession. He ranged, however, for some time along the coast, main-

taining every where a peaceable intercourse with the natives, no less astonished at their new visitants, than the Spaniards were with the uniform appearance of opulence and cultivation which they beheld [A. D. 1527]. Having explored the country as far as was requisite to ascertain the importance of the discovery, Pizarro procured from the inhabitants some of their *Llamas* or tame cattle, to which the Spaniards gave the name of sheep, some vessels of gold and silver, as well as some specimens of their other works of ingenuity, and two young men, whom he proposed to instruct in the Castilian language, that they might serve as interpreters in the expedition which he meditated. With these he arrived at Panama, towards the close of the third year from the time of his departure thence. No adventurer of the age suffered hardships or encountered dangers which equal those to which he was exposed during this long period. The patience with which he endured the one, and the fortitude with which he surmounted the other, exceed whatever is recorded in the history of the New World, where so many romantic displays of those virtues occur.

[A. D. 1528]. Neither the splendid relation that Pizarro gave of the incredible opulence of the country which he had discovered, nor his bitter complaints on account of that unseasonable recall of his forces, which had put it out of his power to attempt making any settlement there, could move the governor of Panama to swerve from his former plan of conduct. He still contended, that the colony was not in a condition to invade such a mighty empire, and refused to authorize an expedition which he foresaw would be so alluring that it might ruin the province in which he presided, by an effort beyond its strength. His coldness, however, did not in any degree abate the ardour of the three associates; but they perceived that they could not carry their scheme into execution without the countenance of superior authority, and must solicit their sovereign to grant that permission which they could not extort from his delegate. With this view, after adjusting among themselves, that Pizarro should claim the station of governor, Almagro that of lieutenant-governor, and Luque the dignity of bishop, in the country which they purposed to conquer, they sent Pizarro as their agent to Spain, though their fortunes were now so much exhausted by the repeated efforts which they had made, that they found some difficulty in borrowing the small sum requisite towards equipping him for the voyage.

Pizarro lost no time in repairing to court, and new as the scene might be to him, he appeared before the emperor with the unembarrassed dignity of a man conscious of what his services merited; and he conducted his negotiations with an insinuating dexterity of address, which could not have been expected either from his education or former habits of life. His feeling description of his own sufferings, and his pompous account of the country which he had discovered, confirmed by the specimens of its productions which he exhibited, made such an impression both on Charles and his ministers, that they not only approved of the intended expedition, but seemed to be interested in the success of its leader.

Presuming on those dispositions in his favour, Pizarro paid little attention to the interest of his associates. As the pretensions of Luque did not interfere with his own, he obtained from him the ecclesiastical dignity to which he aspired. For Almagro he claimed only the command of the fortress which should be erected at Tumbez. To himself he secured whatever his boundless ambition could desire.

[July 26.] He was appointed governor, captain-general, and adelantado of all the country which he had discovered, and hoped to conquer, with supreme authority, civil as well as military; and with full right to all the privileges and emoluments usually granted to adventurers in the New World. His jurisdiction was declared to extend two hundred leagues along the coast to the south of the river St. Jago; to be independent of the governor of Panama; and he had power to nominate all the officers who were to serve under him. In return for those concessions, which cost the court of Spain nothing, as the enjoyment of them depended upon the success of Pizarro's own efforts, he engaged to raise two hundred and fifty men, and to provide the ships, arms, and warlike stores requisite towards subjecting to the crown of Castile the country of which the government was allotted him.

[A. D. 1529.] Inconsiderable as the body of men was which Pizarro had undertaken to raise, his funds and credit were so low that he could hardly complete half the number; and after obtaining his patents from the crown, he was obliged to steal privately out of the port of Seville, in order to elude the scrutiny of the officers who had it in charge to examine whether he had fulfilled the stipulations in his contract. Before his departure, however, he received some supply of money from Cortes, who having returned to Spain about this time, was willing to contribute his aid towards enabling an ancient companion, with whose talents and courage he was well acquainted, to begin a career of glory similar to that which he himself had finished.

He landed at Nombre de Dios, and marched across the isthmus of Panama, accompanied by his three brothers, Ferdinand, Juan, and Gonzalo, of whom the first was born in lawful wedlock, the two latter, like himself, were of illegitimate birth, and by Francisco de Alcantara, his mother's brother. They were all in the prime of life, and of such abilities and courage as fitted them to take a distinguished part in his subsequent transactions.

[Oct. 1530.] On his arrival at Panama, Pizarro found Almagro so much exasperated at the manner in which he had conducted the negotiation, that he not only refused to act any longer in concert with a man by whose perfidy he had been excluded from the power and honours to which he had a just claim, but laboured to form a new association, in order to thwart or to rival his former confederate in his discoveries. Pizarro, however, had more wisdom and address than to suffer a rupture so fatal to all his schemes to become irreparable. By offering voluntarily to relinquish the office of adelantado, and promising to concur in soliciting that title, with an independent government, for Almagro, he gradually mitigated the rage of an open-hearted soldier, which had been violent, but was not implacable. Luque, highly satisfied with having been successful in all his own pretensions, cordially seconded Pizarro's endeavours. A reconciliation was effected, and the confederacy renewed on its original terms, that the enterprise should be carried on at the common expense of the associates, and the profits accruing from it should be equally divided among them.

Even after their reunion, and the utmost efforts of their interest, three small vessels, with a hundred and eighty soldiers, thirty-six of whom were horsemen, composed the armament which they were able to fit out. But the astonishing progress of the Spaniards in America had inspired them with such ideas of their own superiority, that Pizarro did not hesitate to sail

with this contemptible force to invade a great empire. Almagro was left at Panama [Feb. 1, 1531], as formerly, to follow him with what reinforcement of men he should be able to muster. As the season for embarking was properly chosen, and the course of navigation between Panama and Peru was now better known, Pizarro completed the voyage in thirteen days; though, by the force of the winds and currents, he was carried about a hundred leagues to the north of Tumbes, the place of his destination and obliged to land his troops in the bay of St. Matthew. Without losing a moment he began to advance towards the south, taking care, however, not to depart far from the sea-shore, both that he might easily effect a junction with the supplies which he expected from Panama, and secure a retreat in case of any disaster, by keeping as near as possible to his ships. But as the country in several parts on the coast of Peru is barren, unhealthy, and thinly peopled; as the Spaniards had to pass all the rivers near their mouth, where the body of water is greatest; and as the imprudence of Pizarro, in attacking the natives when he should have studied to gain their confidence, had forced them to abandon their habitations; famine, fatigue, and diseases of various kinds brought upon him and his followers calamities hardly inferior to those which they had endured in their former expedition. What they now experienced corresponded so ill with the alluring description of the country given by Pizarro, that many began to reproach him, and every soldier must have become cold to the service, if, even in this unfertile region of Peru, they had not met with some appearances of wealth and cultivation, which seemed to justify the report of their leader. At length they reached the province of Coaque [April 14]; and, having surprised the principal settlement of the natives, they seized their vessels and ornaments of gold and silver, to the amount of thirty thousand pesos, with other booty of such value, as dispelled all their doubts, and inspired the most desponding with sanguine hopes.

Pizarro himself was so much delighted with this rich spoil, which he considered as the first fruits of a land abounding with treasure, that he instantly despatched one of his ships to Panama with a large remittance to Almagro; and another to Nicaragua with a considerable sum to several persons of influence in that province, in hopes of alluring adventurers by this early display of the wealth which he had acquired. Meanwhile he continued his march along the coast, and disdaining to employ any means of reducing the natives but force, he attacked them with such violence in their scattered habitations, as compelled them either to retire into the interior country, or to submit to his yoke. This sudden appearance of invaders, whose aspect and manners were so strange, and whose power seemed to be irresistible, made the same dreadful impression as in other parts of America. Pizarro hardly met with resistance until he attacked the island of Puna in the bay of Guayaquil. As that was better peopled than the country through which he had passed, and its inhabitants fiercer and less civilized than those of the continent, they defended themselves with such obstinate valour, that Pizarro spent six months in reducing them to subjection. From Puna he proceeded to Tumbes, where the distempers which raged among his men compelled him to remain for three months.

While he was thus employed, he began to reap advantage from his attention to spread the fame of his first success to Coaque. Two different detachments

arrived from Nicaragua, which, though neither exceeded thirty men, he considered as a reinforcement of great consequence to his feeble band [A. D. 1532], especially as the one was under the command of Sebastian Benalcazar, and the other of Hernando Soto, officers not inferior in merit and reputation to any who had served in America. From Tumbez [May 16] he proceeded to the river Piura, and in an advantageous station near the mouth of it, he established the first Spanish colony in Peru, to which he gave the name of St. Michael.

As Pizarro continued to advance towards the centre of the Peruvian empire, he gradually received more full information concerning its extent and policy, as well as the situation of its affairs at that juncture. Without some knowledge of these, he could not have conducted his operations with propriety; and without a suitable attention to them, it is impossible to account for the progress which the Spaniards had already made, or to unfold the causes of their subsequent success.

At the time when the Spaniards invaded Peru, the dominions of its sovereigns extended in length, from north to south, above fifteen hundred miles along the Pacific ocean. Its breadth, from east to west, was much less considerable, being uniformly bounded by the vast ridge of the Andes, stretching from its one extremity to the other. Peru, like the rest of the New World, was originally possessed by small independent tribes, differing from each other in manners, and in their forms of rude policy. All, however, were so little civilized, that if the traditions concerning their mode of life, preserved among their descendants, deserve credit, they must be classed among the most unimproved savages of America. Strangers to every species of cultivation or regular industry, without any fixed residence, and unacquainted with those sentiments and obligations which form the first bonds of social union, they are said to have roamed about naked in the forests, with which the country was then covered, more like wild beasts than like men. After they had struggled for several ages with the hardships and calamities which are inevitable in such a state, and when no circumstance seemed to indicate the approach of any uncommon effort towards improvement, we are told that there appeared, on the banks of the lake Titiaca, a man and woman of majestic form, clothed in decent garments. They declared themselves to be children of the sun, sent by their beneficent parent, who beheld with pity the miseries of the human race, to instruct and to reclaim them. At their persuasion, enforced by reverence for the divinity in whose name they were supposed to speak, several of the dispersed savages united together, and received their commands as heavenly injunctions, followed them to Cuzco, where they settled and began to lay the foundations of a city.

Manco Capac and Mama Ocollo, for such were the names of those extraordinary personages, having thus collected some wandering tribes, formed that social union, which, by multiplying the desires and uniting the efforts of the human species, excites industry, and leads to improvement. Manco Capac instructed the men in agriculture and other useful arts; Mama Ocollo taught the women to spin and to weave. By the labour of the one sex, subsistence became less precarious; by that of the other, life was rendered more comfortable. After securing the objects of, first necessity in an infant state, by providing food, raiment, and habitations for the rude people of whom he took charge, Manco Capac turned his attention

towards introducing such laws and policy as might perpetuate their happiness. By his institutions, which shall be more particularly explained hereafter, the various relations in private life were established, and the duties resulting from them prescribed with such propriety, as gradually formed a barbarous people to decency of manners. In public administration, the functions of persons in authority were so precisely defined, and the subordination of those under their jurisdiction maintained with such a steady hand, that the society in which he presided soon assumed the aspect of a regular and well governed state.

Thus, according to the Indian tradition, was founded the empire of the *Incas* or *Lords* of Peru. At first its extent was small. The territory of Manco Capac did not reach above eight leagues from Cuzco. But within its narrow precincts he exercised absolute and uncontrolled authority. His successors, as their dominions extended, arrogated a similar jurisdiction over the new subjects which they acquired; the despotism of Asia was not more complete. The *Incas* were not only obeyed as monarchs, but revered as divinities. Their blood was held to be sacred, and by prohibiting intermarriages with the people, was never contaminated by mixing with that of any other race. The family, thus separated from the rest of the nation, was distinguished by peculiarities in dress and ornaments, which it was unlawful for others to assume. The monarch himself appeared with ensigns of royalty reserved for him alone; and received from his subjects marks of obsequious homage and respect, which approached almost to adoration.

But, among the Peruvians, this unbounded power of their monarchs seems to have been uniformly accompanied with attention to the good of their subjects. It was not the rage of conquest, if we may believe the accounts of their countrymen, that prompted the *Incas* to extend their dominions, but the desire of diffusing the blessings of civilization, and the knowledge of the arts which they possessed, among the Barbarous people whom they reduced. During a succession of twelve monarchs, it is said that not one deviated from this beneficent character.

When the Spaniards first visited the coast of Peru, in the year one thousand five hundred and twenty-six, Huana Capac, the twelfth monarch from the founder of the state, was seated on the throne. He is represented as a prince distinguished not only for the pacific virtues peculiar to the race, but eminent for his martial talents. By his victorious arms the kingdom of Quito was subjected, a conquest of such extent and importance as almost doubled the power of the Peruvian empire. He was fond of residing in the capital of that valuable province which he had added to his dominions; and, notwithstanding the ancient and fundamental law of the monarchy against polluting the royal blood by any foreign alliance, he married the daughter of the vanquished monarch of Quito. She bore him a son named Atahualpa, whom, on his death at Quito, which seems to have happened about the year one thousand five hundred and twenty-nine, he appointed his successor in that kingdom, leaving the rest of his dominions to Huascar, his eldest son, by a mother of the royal race. Greatly as the Peruvians revered the memory of a monarch who had reigned with greater reputation and splendour than any of his predecessors, the destination of Huana Capac concerning the succession appeared so repugnant to a maxim coeval with the empire, and

founded on authority deemed sacred, that it was no sooner known at Cuzco than it excited general disgust. Encouraged by those sentiments of his subjects, Huascar required his brother to renounce the government of Quito, and to acknowledge him as his lawful superior. But it had been the first care of Atahualpa to gain a large body of troops which had accompanied his father to Quito. These were the flower of the Peruvian warriors, to whose valour Huana Capac had been indebted for all his victories. Relying on their support, Atahualpa first eluded his brother's demand, and then marched against him in hostile array.

Thus the ambition of two young men, the title of the one founded on ancient usage, and that of the other asserted by the veteran troops, involved Peru in civil war, a calamity to which, under a succession of virtuous princes, it had hitherto been a stranger. In such a contest the issue was obvious. The force of arms triumphed over the authority of laws. Atahualpa remained victorious, and made a cruel use of his victory. Conscious of the defect in his own title to the crown, he attempted to exterminate the royal race, by putting to death all the children of the sun descended from Manco Capac, whom he could seize either by force or stratagem. From a political motive, the life of his unfortunate rival Huascar, who had been taken prisoner in a battle which decided the fate of the empire, was prolonged for some time, that by issuing orders in his name the usurper might more easily establish his own authority.

When Pizarro landed in the bay of St. Matthew, this civil war raged between the two brothers in its greatest fury. Had he made any hostile attempt in his former visit to Peru in the year one thousand five hundred and twenty-seven, he must then have encountered the force of a powerful state, united under a monarch possessed of capacity as well as courage, and unembarrassed with any care that could divert him from opposing his progress. But at this time the two competitors, though they received early accounts of the arrival and violent proceedings of the Spaniards, were so intent upon the operations of a war which they deemed more interesting, that they paid no attention to the motions of an enemy, too inconsiderable in number to excite any great alarm, and to whom it would be easy, as they imagined, to give a check when more at leisure.

By this fortunate coincidence of events, whereof Pizarro could have no foresight, and of which, from his defective mode of intercourse with the people of the country, he remained long ignorant, he was permitted to carry on his operations unmolested, and advance to the centre of a great empire before one effort of its power was exerted to stop his career. During their progress, the Spaniards had acquired some imperfect knowledge of this struggle between the two contending factions. The first complete information with respect to it they received from messengers whom Huascar sent to Pizarro, in order to solicit his aid against Atahualpa, whom he represented as a rebel and an usurper. Pizarro perceived at once the importance of this intelligence, and foresaw so clearly all the advantages which might be derived from this divided state of the kingdom which he had invaded, that without waiting for the reinforcement which he expected from Panama, he determined to push forward, while intestine discord put it out of the power of the Peruvians to attack him with their whole force, and while, by taking part, as circumstances should incline him, with one of the competitors, he might be enabled with greater ease

to crush both. Enterprising as the Spaniards of that age were in all their operations against Americans, and distinguished as Pizarro was among his countrymen for daring courage, we can hardly suppose, that, after having proceeded hitherto slowly and with much caution, he would have changed at once his system of operation, and have ventured upon a measure so hazardous, without some new motive or prospect to justify it.

As he was obliged to divide his troops, in order to leave a garrison in St. Michael, sufficient to defend a station of equal importance as a place of retreat in case of any disaster, and as a port for receiving any supplies which should come from Panama, he began his march with a very slender and ill-accounted train of followers. They consisted of sixty-two horsemen (128), and a hundred and two foot-soldiers, of whom twenty were armed with cross-bows, and three with muskets. He directed his course towards Caxamalca, a small town at the distance of twelve days' march from St. Michael, where Atahualpa was encamped with a considerable body of troops. Before he had proceeded far, an officer despatched by the inca met him with a valuable present from that prince, accompanied with a proffer of his alliance, and assurances of a friendly reception at Caxamalca. Pizarro, according to the usual artifice of his countrymen in America, pretended to come as the ambassador of a very powerful monarch, and declared that he was now advancing with an intention to offer Atahualpa his aid against those enemies who disputed his title to the throne. As the object of the Spaniards in entering their country was altogether incomprehensible to the Peruvians, they had formed various conjectures concerning it, without being able to decide whether they should consider their new guests as beings of a superior nature, who had visited them from some beneficent motive, or as formidable avengers of their crimes, and enemies to their repose and liberty. The continual professions of the Spaniards, that they came to enlighten them with the knowledge of truth, and lead them in the way of happiness, favoured the former opinion; the outrages which they committed, their rapaciousness and cruelty, were awful confirmations of the latter. While in this state of uncertainty, Pizarro's declaration of his pacific intentions so far removed all the inca's fears, that he determined to give him a friendly reception. In consequence of this resolution, the Spaniards were allowed to march in tranquillity across the sandy desert between St. Michael and Motupé, where the most feeble effort of an enemy, added to the unavoidable distresses which they suffered in passing through that comfortless region, must have proved fatal to them (129). From Motupé they advanced towards the mountains which encompassed the low country of Peru, and passed through a defile so narrow and inaccessible, that a few men might have defended it against a numerous army. But here likewise, from the same inconsiderate credulity of the inca, the Spaniards met with no opposition, and took quiet possession of a fort erected for the security of that important station. As they now approached near to Caxamalca, Atahualpa renewed his professions of friendship; and as an evidence of their sincerity, sent them presents of greater value than the former.

On entering Caxamalca, Pizarro took possession of a large court, on one side of which was a house which the Spanish historians call a palace of the inca, and on the other a temple of the sun, the whole surrounded with a strong rampart or wall of earth. When he

had posted his troops in this advantageous station, he dispatched his brother Ferdinand and Hernando Soto to the camp of Atahualpa, which was about a league distant from the town. He instructed them to confirm the declaration which he had formerly made of his pacific disposition, and to desire an interview with the inca, that he might explain more fully the intention of the Spaniards in visiting his country. They were treated with all the respectful hospitality usual among the Peruvians in the reception of their most cordial friends, and Atahualpa promised to visit the Spanish commander next day in his quarters. The decent deportment of the Peruvian monarch, the order of his court, and the reverence with which his subjects approached his person and obeyed his commands, astonished those Spaniards who had never met in America with any thing more dignified than the petty cacique of a barbarous tribe. But their eyes were still more powerfully attracted by the vast profusion of wealth which they observed in the inca's camp. The rich ornaments worn by him and his attendants, the vessels of gold and silver in which the repast offered to them was served up, the multitude of utensils of every kind formed of those precious metals, opened prospects far exceeding any idea of opulence that an European of the sixteenth century could form.

On their return to Caxamalea, while their minds were yet warm with admiration and desire of the wealth which they had beheld, they gave such a description of it to their countrymen as confirmed Pizarro in a resolution which he had already taken. From his own observation of American manners during his long service in the New World, as well as from the advantages which Cortes had derived from seizing Montezuma, he knew of what consequence it was to have the inca in his power. For this purpose, he formed a plan as daring as it was perfidious. Notwithstanding the character that he had assumed, of an ambassador from a powerful monarch who courted an alliance with the inca, and in violation of the repeated offers which he had made to him of his own friendship and assistance, he determined to avail himself of the unsuspecting simplicity with which Atahualpa relied upon his professions, and to seize the person of the inca during the interview to which he had invited him. He prepared for the execution of his scheme with the same deliberate arrangement, and with as little compunction, as if it had reflected no disgrace on himself or his country. He divided his cavalry into three small squadrons, under the command of his brother Ferdinand, Soto, and Benalcázar; his infantry were formed in one body, except twenty of most tried courage, whom he kept near his own person to support him in the dangerous service which he reserved for himself; the artillery, consisting of two field-pieces, and the cross-bowmen, were placed opposite to the avenue by which Atahualpa was to approach. All were commanded to keep within the square, and not to move until the signal for action was given.

[Nov. 16.] Early in the morning the Peruvian camp was all in motion. But as Atahualpa was so solicitous to appear with the greatest splendour and magnificence in his first interview with the strangers, the preparations for this were so tedious, that the day was far advanced before he began his march. Even then, lest the order of the procession should be deranged, he moved so slowly, that the Spaniards became impatient, and apprehensive that some suspicion of their intention might be the cause

of this delay. In order to remove this, Pizarro despatched one of his officers with fresh assurances of his friendly disposition. At length the inca approached. First of all appeared four hundred men, in an uniform dress, as harbingers to clear the way before him. He himself sitting on a throne or couch adorned with plumes of various colours, and almost covered with plates of gold and silver enriched with precious stones, was carried on the shoulders of his principal attendants. Behind him came some chief officers of his court, carried in the same manner. Several bands of singers and dancers accompanied this cavalcade; and the whole plain was covered with troops, amounting to more than thirty thousand men.

As the inca drew near the Spanish quarters, father Vincent Valverde, chaplain to the expedition, advanced with a crucifix in one hand, and a breviary in the other, and in a long discourse explained to him the doctrine of the creation, the fall of Adam, the incarnation, the sufferings and resurrection of Jesus Christ, the appointment of St. Peter as God's vicergerent on earth, the transmission of his apostolic power by succession to the popes, the donation made to the king of Castile, by pope Alexander, of all the regions of the New World. In consequence of all this, he required Atahualpa to embrace the christian faith, to acknowledge the supreme jurisdiction of the pope, and to submit to the king of Castile as his lawful sovereign; promising if he complied instantly with this requisition, that the Castilian monarch would protect his dominions, and permit him to continue in the exercise of his royal authority; but if he should impiously refuse to obey this summons, he denounced war against him in his master's name, and threatened him with the most dreadful effects of his vengeance.

This strange harangue, unfolding deep mysteries, and alluding to unknown facts, of which no power of eloquence could have conveyed at once a distinct idea to an American, was so lamely translated by an unskilful interpreter, little acquainted with the idiom of the Spanish tongue, and incapable of expressing himself with propriety in the language of the inca, that its general tenor was altogether incomprehensible to Atahualpa. Some parts in it, of more obvious meaning, filled him with astonishment and indignation. His reply, however, was temperate. He began with observing, that he was lord of the dominions over which he reigned by hereditary succession; and added, that he could not conceive how a foreign priest should pretend to dispose of territories which did not belong to him; that if such a preposterous grant had been made, he, who was the rightful possessor, refused to confirm it; that he had no inclination to renounce the religious institutions established by his ancestors; nor would he forsake the service of the sun, the immortal divinity whom he and his people revered, in order to worship the god of the Spaniards, who was subject to death; that with respect to other matters contained in his discourse, as he had never heard of them before, and did not now understand their meaning, he desired to know where the priest had learned things so extraordinary. "In this book," answered Valverde, reaching out to him his breviary. The inca opened it eagerly, and turning over the leaves, lifted it to his ear: "This," says he, "is silent; it tells me nothing;" and threw it with disdain to the ground. The enraged monk, running towards his countrymen, cried out, "To arms, christians, to arms; the word of God is insulted; avenge this profanation on those impious dogs (130)."

Pizarro, who, during this long conference, had with difficulty restrained his soldiers, eager to seize the rich spoils of which they had now so near a view, immediately gave the signal of assault. At once the martial music struck up, the cannon and muskets began to fire, the horse sallied out fiercely to the charge, the infantry rushed on sword in hand. The Peruvians, astonished at the suddenness of an attack which they did not expect, and dismayed with the destructive effect of the fire-arms, and the irresistible impression of the cavalry, fled with universal consternation on every side, without attempting either to annoy the enemy or to defend themselves. Pizarro, at the head of his chosen band, advanced directly towards the inca; and though his nobles crowded around him with officious zeal, and fell in numbers at his feet, while they vied one with another in sacrificing their own lives, that they might cover the sacred person of their sovereign, the Spaniards soon penetrated to the royal seat; and Pizarro, seizing the inca by the arm, dragged him to the ground, and carried him as a prisoner to his quarters. The fate of the monarch increased the precipitate flight of his followers. The Spaniards pursued them towards every quarter, and with deliberate and unrelenting barbarity continued to slaughter wretched fugitives, who never once offered to resist. The carnage did not cease until the close of the day. About four thousand Peruvians were killed. Not a single Spaniard fell, nor was one wounded but Pizarro himself, whose hand was slightly hurt by one of his own soldiers, while struggling eagerly to lay hold on the inca (131).

The plunder of the field was rich beyond any idea which the Spaniards had yet formed concerning the wealth of Peru, and they were so transported with the value of the acquisition, as well as the greatness of their success, that they passed the night in the extravagant exultation natural to indigent adventurers on such an extraordinary change of fortune.

At first the captive monarch could hardly believe a calamity, which he so little expected, to be real. But he soon felt all the misery of his fate, and the dejection into which he sunk was in proportion to the height of grandeur from which he had fallen. Pizarro, afraid of losing all the advantages which he hoped to derive from the possession of such a prisoner, laboured to console him with professions of kindness and respect, that corresponded ill with his actions. By residing among the Spaniards, the inca quickly discovered their ruling passion, which indeed they were nowise solicitous to conceal, and, by applying to that, made an attempt to recover his liberty. He offered as a ransom what astonished the Spaniards, even after all they now knew concerning the opulence of his kingdom. The apartment in which he was confined was twenty-two feet in length and sixteen in breadth; he undertook to fill it with vessels of gold as high as he could reach. Pizarro closed eagerly with the tempting proposal, and a line was drawn upon the walls of the chamber, to mark the stipulated height to which the treasure was to rise.

Atahualpa, transported with having obtained some prospect of liberty, took measures instantly for fulfilling his part of the agreement, by sending messengers to Cuzco, Quito, and other places, where gold had been amassed in largest quantities, either for adorning the temples of the gods, or the houses of the inca, to bring what was necessary for completing his ransom directly to Caxamalca. Though

Atahualpa was now in the custody of his enemies, yet so much were the Peruvians accustomed to respect every mandate issued by their sovereign, that his orders were executed with the greatest alacrity. Soothed with hopes of recovering his liberty by this means, the subjects of the inca were afraid of endangering his life by forming any other scheme for his relief; and though the force of the empire was still entire, no preparations were made and no army assembled to avenge their own wrongs or those of their monarch. The Spaniards remained in Caxamalca tranquil and unmolested. Small detachments of their number marched into remote provinces of the empire and instead of meeting with any opposition, were every where received with marks of the most submissive respect (132).

Inconsiderable as those parties were, and desirous as Pizarro might be to obtain some knowledge of the interior state of the country, he could not have ventured upon any diminution of his main body, if he had not about this time [December] received an account of Almagro's having landed at St. Michael with such a reinforcement as would almost double the number of his followers. The arrival of this long-expected succour was not more agreeable to the Spaniards than alarming to the inca. He saw the power of his enemies increase; and as he knew neither the source whence they derived their supplies, nor the means by which they were conveyed to Peru, he could not foresee to what a height the inundation that poured in upon his dominions might rise. While disquieted with such apprehensions, he learned that some Spaniards, in their way to Cuzco, had visited his brother Huascar in the place where he kept him confined, and that the captive prince had represented to them the justice of his own cause, and as an inducement to espouse it, had promised them a quantity of treasure greatly beyond that which Atahualpa had engaged to pay for his ransom. If the Spaniards should listen to this proposal, Atahualpa perceived his own destruction to be inevitable; and suspecting that their insatiable thirst for gold would tempt them to lend a favourable ear to it, he determined to sacrifice his brother's life, that he might save his own [A. D. 1533]; and his orders for this purpose were executed, like all his other commands, with scrupulous punctuality.

Meanwhile Indians daily arrived at Caxamalca from different parts of the kingdom, loaded with treasure. A great part of the stipulated quantity was now amassed, and Atahualpa assured the Spaniards, that the only thing which prevented the whole from being brought in, was the remoteness of the provinces where it was deposited. But such vast piles of gold presented continually to the view of needy soldiers, had so inflamed their avarice, that it was impossible any longer to restrain their impatience to obtain possession of this rich booty. Orders were given for melting down the whole, except some pieces of curious fabric, reserved as a present for the emperor. After setting apart the fifth due to the crown, and a hundred thousand pesos as a donative to the soldiers which arrived with Almagro, there remained one million five hundred and twenty-eight thousand five hundred pesos to Pizarro and his followers. The festival of St. James, the patron saint of Spain, was the day [July 25] chosen for the partition of this enormous sum, and the manner of conducting it strongly marks the strange alliance of fanaticism with avarice, which I have more than once had occasion to point out as a striking feature in the character of the conquerors of the New World.

Though assembled to divide the spoils of an innocent people, procured by deceit, extortion, and cruelty, the transaction began with a solemn invocation of the name of God, as if they could have expected the guidance of Heaven in distributing those wages of iniquity. In this division above eight thousand pesos, at that time not inferior in effective value to as many pounds sterling in the present century, fell to the share of each horseman, and half that sum to each foot soldier. Pizarro himself, and his officers, received dividends in proportion to the dignity of their rank.

There is no example in history of such a sudden acquisition of wealth by military service, nor was ever a sum so great divided among so small a number of soldiers. Many of them having received a recompense for their services far beyond their most sanguine hopes, were so impatient to retire from fatigue and danger, in order to spend the remainder of their days in their native country in ease and opulence, that they demanded their discharge with clamorous importunity. Pizarro, sensible that from such men he could expect neither enterprise in action nor fortitude in suffering, and persuaded that wherever they went the display of their riches would allure adventurers, less opulent but more hardy, to his standard, granted their suit without reluctance, and permitted above sixty of them to accompany his brother Ferdinand, whom he sent to Spain with an account of his success, and the present destined for the emperor.

The Spaniards having divided among them the treasure amassed for the inca's ransom, he insisted with them to fulfil their promise of setting him at liberty. But nothing was further from Pizarro's thoughts. During his long service in the New World, he had imbibed those ideas and maxims of his fellow-soldiers, which led them to consider its inhabitants as an inferior race, neither worthy of the name, nor entitled to the rights, of men. In his compact with Atahualpa, he had no other object than to amuse his captive with such a prospect of recovering his liberty, as might induce him to lend all the aid of his authority towards collecting the wealth of his kingdom. Having now accomplished this, he no longer regarded his plighted faith; and at the very time when the credulous prince hoped to be replaced on his throne, he had secretly resolved to bereave him of life. Many circumstances seemed to have concurred in prompting him to this action, the most criminal and atrocious that stains the Spanish name, amidst all the deeds of violence committed in carrying on the conquests of the New World.

Though Pizarro had seized the inca, in imitation of Cortes's conduct towards the Mexican monarch, he did not possess talents for carrying on the same artful plan of policy. Destitute of the temper and address requisite for gaining the confidence of his prisoner, he never reaped all the advantages which might have been derived from being master of his person and authority. Atahualpa was, indeed, a prince of greater abilities and discernment than Montezuma, and seems to have penetrated more thoroughly into the character and intentions of the Spaniards. Mutual suspicion and distrust accordingly took place between them. The strict attention with which it was necessary to guard a captive of such importance, greatly increased the fatigue of military duty. The utility of keeping him appeared inconsiderable; and Pizarro felt him as an encumbrance, from which he wished to be delivered.

Almagro and his followers had made a demand of an equal share in the inca's ransom; and though

Pizarro had bestowed upon the private men the large gratuity which I have mentioned, and endeavoured to soothe their leader by presents of great value, they still continued dissatisfied. They were apprehensive, that as long as Atahualpa remained a prisoner, Pizarro's soldiers would apply whatever treasure should be acquired, to make up what was wanting of the quantity stipulated for his ransom, and under that pretext exclude them from any part of it. They insisted eagerly on putting the inca to death, that all the adventurers in Peru might thereafter be on an equal footing.

Pizarro himself began to be alarmed with accounts of forces assembling in the remote provinces of the empire, and suspected Atahualpa of having issued orders for that purpose. These fears and suspicions were artfully increased by Philipillo, one of the Indians whom Pizarro had carried off from Tumbez in the year one thousand five hundred and twenty-seven, and whom he employed as an interpreter. The function which he performed admitting this man to familiar intercourse with the captive monarch, he presumed, notwithstanding the meanness of his birth, to raise his affections to a *Coya*, or descendant of the sun, one of Atahualpa's wives; and seeing no prospect of gratifying that passion during the life of the monarch, he endeavoured to fill the ears of the Spaniards with such accounts of the inca's secret designs and preparations, as might awaken their jealousy, and incite them to cut him off.

While Almagro and his followers openly demanded the life of the inca, and Philipillo laboured to ruin him by private machinations, that unhappy prince inadvertently contributed to hasten his own fate. During his confinement he had attached himself with peculiar affections to Ferdinand Pizarro and Hernando Soto; who, as they were persons of birth and education superior to the rough adventurers with whom they served, were accustomed to behave with more decency and attention to the captive monarch. Soothed with this respect from persons of such high rank, he delighted in their society. But in the presence of the governor he was always uneasy and overawed. This dread soon came to be mingled with contempt. Among all the European arts, what he admired most was that of reading and writing; and he long deliberated with himself, whether he should regard it as a natural or acquired talent. In order to determine this, he desired one of the soldiers, who guarded him, to write the name of God on the nail of his thumb. This he showed successively to several Spaniards, asking its meaning; and to his amazement, they all, without hesitation, returned the same answer. At length Pizarro entered; and, on presenting it to him, he blushed, and with some confusion was obliged to acknowledge his ignorance. From that moment Atahualpa considered him as a mean person, less instructed than his own soldiers; and he had not address enough to conceal the sentiments with which this discovery had inspired him. To be the object of a barbarian's scorn, not only mortified the pride of Pizarro, but excited such resentment in his breast, as added force to all the other considerations which prompted him to put the inca to death.

But in order to give some colour of justice to this violent action, and that he himself might be exempted from standing singly responsible for the commission of it, Pizarro resolved to try the inca with all the formalities observed in the criminal courts of Spain. Pizarro himself, and Almagro, with two assistants, were appointed judges, with full power to acquit or to

condemn; an attorney-general was named to carry on the prosecution in the king's name; counsellors were chosen to assist the prisoner in his defence; and clerks were ordained to record the proceedings of court. Before this strange tribunal, a charge was exhibited still more amazing. It consisted of various articles: that Atahualpa, though a bastard, had dispossessed the rightful owner of the throne, and usurped the regal power; that he had put his brother and lawful sovereign to death; that he was an idolater, and had not only permitted, but commanded, the offering of human sacrifices; that he had a great number of concubines; that since his imprisonment he had wasted and embezzled the royal treasures, which now belonged of right to the conquerors; that he had incited his subjects to take arms against the Spaniards. On these heads of accusation, some of which are so ludicrous, others so absurd, that the effrontery of Pizarro, in making them the foundation of a serious procedure, is not less surprising than his injustice, did this strange court go on to try the sovereign of a great empire, over whom he had no jurisdiction. With respect to each of the articles, witnesses were examined; but as they delivered their evidence in their native tongue, Philippilllo had it in his power to give their words whatever turn best suited his malevolent intentions. To judges predetermined in their opinion, this evidence appeared sufficient.

They pronounced Atahualpa guilty, and condemned him to be burnt alive. Friar Valverde prostituted the authority of his sacred function to confirm this sentence, and by his signature warranted it to be just. Astonished at his fate, Atahualpa endeavoured to avert it by tears, by promises, and by entreaties that he might be sent to Spain, where a monarch would be the arbiter of his lot. But pity never touched the unfeeling heart of Pizarro. He ordered him to be led instantly to execution; and, what added to the bitterness of his last moments, the same monk who had just ratified his doom, offered to console, and attempted to convert him. The most powerful argument Valverde employed to prevail with him to embrace the christian faith, was a promise of mitigation in his punishment. The dread of a cruel death extorted from the trembling victim a desire of receiving baptism. The ceremony was performed; and Atahualpa, instead of being burnt, was strangled at the stake.

Happily for the credit of the Spanish nation, even among the profligate adventurers which it sent forth to conquer and desolate the New World, there were persons who retained some tincture of the Castilian generosity and honour. Though, before the trial of Atahualpa, Ferdinand Pizarro had set out for Spain, and Sota was sent on a separate command at a distance from Caxamalca, this odious transaction was not carried on without censure and opposition. Several officers, and among those some of the greatest reputation and most respectable families in the service, not only remonstrated, but protested against this measure of their general, as disgraceful to their country, as repugnant to every maxim of equity, as a violation of public faith, and an usurpation of jurisdiction over an independent monarch, to which they had no title. But their laudable endeavours were vain. Numbers, and the opinions of such as held every thing to be lawful which they deemed advantageous, prevailed. History, however, records even the unsuccessful exertions of virtue with applause; and the Spanish writers, in relating events where the valour of their nation is more conspicuous than its

humanity, have not failed to preserve the names of those who made this laudable effort to save their country from the infamy of having perpetrated such a crime.

On the death of Atahualpa, Pizarro invested one of his sons with the ensigns of royalty, hoping that a young man without experience might prove a more passive instrument in his hands, than an ambitious monarch, who had been accustomed to independent command. The people of Cuzco, and the adjacent country, acknowledged Manco Capac, a brother of Huascar, as inca. But neither possessed the authority which belonged to a sovereign of Peru. The violent convulsions into which the empire had been thrown, first by the civil war between the two brothers, and then by the invasion of the Spaniards, had not only deranged the order of the Peruvian government, but almost dissolved its frame. When they beheld their monarch a captive in the power of strangers, and at last suffering an ignominious death, the people in several provinces, as if they had been set free from every restraint of law and decency, broke out in the most licentious excesses. So many descendants of the sun, after being treated with the utmost indignity, had been cut off by Atahualpa, that not only their influence in the state diminished with their number, but the accustomed reverence for that sacred race sensibly decreased. In consequence of this state of things, ambitious men in different parts of the empire aspired to independent authority, and usurped jurisdiction to which they had no title. The general who commanded for Atahualpa in Quito, seized the brother and children of his master, put them to a cruel death, and disclaiming any connexion with either inca, endeavoured to establish a separate kingdom for himself.

The Spaniards, with pleasure beheld the spirit of discord diffusing itself, and the vigour of government relaxing among the Peruvians. They considered those disorders as symptoms of a state hastening towards its dissolution. Pizarro no longer hesitated to advance towards Cuzco, and he had received such considerable reinforcements, that he could venture with little danger to penetrate so far into the interior part of the country. The account of the wealth acquired at Caxamalca operated as he had foreseen. No sooner did his brother Ferdinand, with the officers and soldiers to whom he had given their discharge after the partition of the inca's ransom, arrive at Panama, and display their riches in the view of their astonished countrymen, than fame spread the account with such exaggeration through all the Spanish settlements on the South Sea, that the governors of Guatimala, Panama, and Nicaragua, could hardly restrain the people under their jurisdiction from abandoning their possessions, and crowding to that inexhaustible source of wealth which seemed to be opened in Peru. In spite of every check and regulation, such numbers resorted thither, that Pizarro began his march at the head of five hundred men, after leaving a considerable garrison in St. Michael, under the command of Benalcazar. The Peruvians had assembled some large bodies of troops to oppose his progress. Several fierce encounters happened, but they terminated like all the actions in America: a few Spaniards were killed or wounded; the natives were put to flight with incredible slaughter. At length Pizarro forced his way to Cuzco, and took quiet possession of that capital. The riches found there, even after all the natives had carried off and concealed, either from a superstitious veneration for the ornaments of their temples, or out of hatred to

their rapacious conquerors, exceeded in value what had been received as Atahualpa's ransom. But as the Spaniards were now accustomed to the wealth of the country, and it came to be parcelled out among a great number of adventurers, this dividend did not excite the same surprise, either from novelty, or the largeness of the sum that fell to the share of each individual (133).

During the march to Cuzco, that son of Atahualpa whom Pizarro treated as inca, died: and as the Spaniards substituted no person in his place, the title of Manco Capac seems to have been universally recognised.

While his fellow-soldiers were thus employed, Benalcazar, governor of St. Michael, an able and enterprising officer, was ashamed of remaining inactive, and impatient to have his name distinguished among the discoverers and conquerors of the New World. The seasonable arrival of a fresh body of recruits from Panama and Nicaragua, put it in his power to gratify this passion. Leaving a sufficient force to protect the infant settlement intrusted to his care, he placed himself at the head of the rest, and set out to attempt the reduction of Quito, where, according to the report of the natives, Atahualpa had left the greatest part of his treasure. Notwithstanding the distance of that city from St. Michael, the difficulty of marching through a mountainous country covered with woods, and the frequent and fierce attacks of the best troops in Peru, commanded by a skilful leader, the valour, good conduct, and perseverance of Benalcazar surmounted every obstacle, and he entered Quito with his victorious troops. But they met with a cruel mortification there. The natives, now acquainted to their sorrow with the predominant passion of their invaders, and knowing how to disappoint it, had carried off all those treasures, the prospect of which had prompted them to undertake this arduous expedition, and had supported them under all the dangers and hardships wherewith they had to struggle in carrying it on.

Benalcazar was not the only Spanish leader who attacked the kingdom of Quito. The fame of its riches attracted a more powerful enemy. Pedro de Alvarado, who had distinguished himself so eminently in the conquest of Mexico, having obtained the government of Guatemala as a recompence for his valour, soon became disgusted with a life of uniform tranquillity, and longed to be again engaged in the bustle of military service. The glory and wealth acquired by the conquerors of Peru heightened this passion, and gave it a determined direction. Believing, or pretending to believe, that the kingdom of Quito did not lie within the limits of the province allotted to Pizarro, he resolved to invade it. The high reputation of the commander allured volunteers from every quarter. He embarked with five hundred men, of whom above two hundred were of such distinction as to serve on horseback. He landed at Puerto Viejo, and without sufficient knowledge of the country, or proper guides to conduct him, attempted to march directly to Quito, by following the course of the river Guayaquil, and crossing the ridge of the Andes towards its head. But in this route one of the most impracticable in all America, his troops endured such fatigue in forcing their way through forests and marshes on the low grounds, and suffered so much from excessive cold when they began to ascend the mountains, that before they reached the plain of Quito, a fifth part of the men and half their horses died, and the rest were so much dispirited and worn out, as to be almost unfit for service (134). There they

met with a body, not of Indians but of Spaniards, drawn up in hostile array against them. Pizarro having received an account of Alvarado's armament, had detached Almagro with some troops to oppose this formidable invader of his jurisdiction; and these were joined by Benalcazar, and his victorious party. Alvarado, though surprised at the sight of enemies whom he did not expect, advanced boldly to the charge. But, by the interposition of some moderate men in each party, an amicable accommodation took place; and the fatal period, when Spaniards suspended their conquests to imbrue their hands in the blood of their countrymen, was postponed a few years. Alvarado engaged to return to his government, upon Almagro's paying him a hundred thousand pesos to defray the expence of his armament. Most of his followers remained in the country; and an expedition, which threatened Pizarro and his colony with ruin, contributed to augment its strength.

By this time Ferdinand Pizarro had landed in Spain. The immense quantities of gold and silver which he imported (135), filled the kingdom with no less astonishment than they had excited in Panama and the adjacent provinces. Pizarro was received by the emperor with the attention due to the bearer of a present so rich as to exceed any idea which the Spaniards had formed concerning the value of their acquisitions in America, even after they had been ten years masters of Mexico. In recompence of his brother's services, his authority was confirmed with new powers and privileges, and the addition of seventy leagues, extending along the coast, to the southward of the territory granted in his former patent. Almagro received the honours which he had so long desired. The title of adelantado, or governor, was conferred upon him, with jurisdiction over two hundred leagues of country, stretching beyond the southern limits of the province allotted to Pizarro. Ferdinand himself did not go unrewarded. He was admitted into the military order of St. Jago, a distinction always acceptable to a Spanish gentleman, and soon set out on his return to Peru, accompanied by many persons of higher rank than had yet served in that country.

Some account of his negotiations reached Peru before he arrived there himself. Almagro no sooner learned that he had obtained a royal grant of an independent government, than pretending that Cuzco, the imperial residence of the incas, lay within its boundaries, he attempted to render himself master of that important station. Juan and Gonzalez Pizarro prepared to oppose him. Each of the contending parties was supported by powerful adherents, and the dispute was on the point of being terminated by the sword, when Francis Pizarro arrived in the capital. The reconciliation between him and Almagro had never been cordial. The treachery of Pizarro in engrossing to himself all the honours and emoluments, which ought to have been divided with his associate, was always present in both their thoughts. The former, conscious of his own perfidy, did not expect forgiveness; the latter, feeling that he had been deceived, was impatient to be avenged; and though avarice and ambition had induced them not only to dissemble their sentiments, but even to act in concert while in pursuit of wealth and power, no sooner did they obtain possession of these, than the same passions which had formed this temporary union gave rise to jealousy and discord. To each of them was attached a small band of interested dependants, who, with the malicious art peculiar to such men, heightened their suspicions, and magnified every appearance of offence.

But with all those seeds of enmity in their minds, and thus assiduously cherished, each was so thoroughly acquainted with the abilities and courage of his rival, that they equally dreaded the consequences of an open rupture. The fortunate arrival of Pizarro at Cuzco, and the address mingled with firmness which he manifested in his expostulations with Almagro and his partisans, averted that evil for the present. A new reconciliation took place; the chief article of which was, that Almagro should attempt the conquest of Chili; and if he did not find in that province an establishment adequate to his merit and expectations, Pizarro, by way of indemnification, should yield up to him a part of Peru [June 12]. This new agreement, though confirmed with the same sacred solemnities as their first contract, was observed with as little fidelity.

Soon after he concluded this important transaction, Pizarro marched back to the countries on the sea-coast, and as he now enjoyed an interval of tranquillity undisturbed by any enemy, either Spanish or Indian, he applied himself with that persevering ardour which distinguishes his character, to introduce a form of regular government into the extensive provinces subject to his authority. Though ill qualified by his education to enter into any disquisition concerning the principles of civil policy, and little accustomed by his former habits of life to attend to its arrangements, his natural sagacity supplied the want both of science and experience. He distributed the country into various districts; he appointed proper magistrates to preside in each; and established regulations concerning the administration of justice, the collection of the royal revenue, the working of the mines, and the treatment of the Indians, extremely simple, but well calculated to promote the public prosperity. But though, for the present, he adapted his plan to the infant state of his colony, his aspiring mind looked forward to its future grandeur. He considered himself as laying the foundation of a great empire, and deliberated long, and with much solicitude, in what place he should fix the seat of government. Cuzco, the imperial city of the incas, was situated in a corner of the empire, above four hundred miles from the sea, and much further from Quito, a province of whose value he had formed a high idea. No other settlement of the Peruvians was so considerable as to merit the name of a town, or to allure the Spaniards to fix their residence in it. But in marching through the country, Pizarro had been struck with the beauty and fertility of the valley of Rimac, one of the most extensive and best cultivated in Peru. There, on the banks of a small river, of the same name with the vale which it waters and enriches, at the distance of six miles from Callao the most commodious harbour in the Pacific ocean, he founded a city which he destined to be the capital of his government [A. D. 1535, January 18]. He gave it the name of Ciudad de los Reyes, either from the circumstance of having laid the first stone at that season when the church celebrates the festival of the three kings, or, as is more probable, in honour of Juana and Charles, the joint sovereigns of Castile. This name it still retains among the Spaniards in all legal and formal deeds; but it is better known to foreigners by that of *Lima*, a corruption of the ancient appellation of the valley in which it is situated. Under his inspection, the buildings advanced with such rapidity, that it soon assumed the form of a city, which, by a magnificent palace that he erected for himself, and by the stately houses built by several of his officers, gave, even in its infancy, some indication of its subsequent grandeur.

In consequence of what had been agreed with Pizarro, Almagro began his march towards Chili; and as he possessed in an eminent degree the virtues most admired by soldiers, boundless liberality and fearless courage, his standard was followed by five hundred and seventy men, the greatest body of Europeans that had hitherto been assembled in Peru. From impatience to finish the expedition, or from that contempt of hardship and danger acquired by all the Spaniards who had served long in America, Almagro, instead of advancing along the level country on the coast, chose to march across the mountains by a route that was shorter indeed, but almost impracticable. In this attempt his troops were exposed to every calamity which men can suffer, from fatigue, from famine, and from the rigour of the climate in those elevated regions of the torrid zone, where the degree of cold is hardly inferior to what is felt within the polar circle. Many of them perished; and the survivors when they descended into the fertile plains of Chili, had new difficulties to encounter. They found there a race of men very different from the people of Peru, intrepid, hardy, independent, and in their bodily constitution, as well as vigour of spirit, nearly resembling the warlike tribes of North America. Though filled with wonder at the first appearance of the Spaniards, and still more astonished at the operations of their cavalry and the effects of their fire arms, the Chileses soon recovered so far from their surprise, as not only to defend themselves with obstinacy, but to attack their enemies with more determined fierceness than any American nation had hitherto discovered. The Spaniards, however, continued to penetrate into the country, and collected some considerable quantities of gold: but were so far from thinking of making any settlement amidst such formidable neighbours, that, in spite of all the experience and valour of their leader, the final issue of the expedition still remained extremely dubious, when they were recalled from it by an unexpected revolution in Peru. The causes of this important event I shall endeavour to trace to their source.

So many adventurers had flocked to Peru from every Spanish colony in America, and all with such high expectations of accumulating independent fortunes at once, that, to men possessed with notions so extravagant, any mention of acquiring wealth gradually, and by schemes of patient industry, would have been not only a disappointment, but an insult. In order to find occupation for men who could not with safety be allowed to remain inactive, Pizarro encouraged some of the most distinguished officers who had lately joined him, to invade different provinces of the empire, which the Spaniards had not hitherto visited. Several large bodies were formed for this purpose; and about the time that Almagro set out for Chili, they marched into remote districts of the country. No sooner did Manco Capac, the inca, observe the inconsiderate security of the Spaniards in thus dispersing their troops, and that only a handful of soldiers remained in Cuzco, under Juan and Gonzalez Pizarro, than he thought that the happy period was at length come for vindicating his own rights, for avenging the wrongs of his country, and extirpating its oppressors. Though strictly watched by the Spaniards, who allowed him to reside in the palace of his ancestors at Cuzco, he found means of communicating his scheme to the persons who were to be intrusted with the execution of it. Among people accustomed to revere their sovereign as a divinity, every hint of his will carries the authority of a command: and they themselves were now convinced, by the daily in-

crease in the number of their invaders, that the fond hopes which they had long entertained of their voluntary departure were altogether vain. All perceived that a vigorous effort of the whole nation was requisite to expel them, and the preparations for it were carried on with the secrecy and silence peculiar to Americans.

After some unsuccessful attempts of the inca to make his escape, Ferdinand Pizarro happening to arrive at that time in Cuzco, [A. D. 1536.] he obtained permission from him to attend a great festival which was to be celebrated a few leagues from the capital. Under pretext of that solemnity, the great men of the empire were assembled. As soon as the inca joined them, the standard of war was erected; and in a short time all the fighting men, from the confines of Quito to the frontier of Chili, were in arms. Many Spaniards, living securely on the settlements allotted them, were massacred. Several detachments as they marched carelessly through a country which seemed to be tamely submissive to their dominion, were cut off to a man. An army amounting (if we may believe the Spanish writers) to two hundred thousand men, attacked Cuzco, which the three brothers endeavoured to defend with only one hundred and seventy Spaniards. Another formidable body invested Lima, and kept the governor closely shut up. There was no longer any communication between the two cities; the numerous forces of the Peruvians spreading over the country, intercepted every messenger; and as the parties in Cuzco and Lima were equally unacquainted with the fate of their countrymen, each boded the worst concerning the other, and imagined that they themselves were the only persons who had survived the general extinction of the Spanish name in Peru.

It was at Cuzco, where the inca commanded in person, that the Peruvians made their chief effort. During nine months they carried on the siege with incessant ardour, and in various forms; and though they displayed not the same undaunted ferocity as the Mexican warriors, they conducted some of their operations in a manner which discovered greater sagacity, and a genius more susceptible of improvement in the military art. They not only observed the advantages which the Spaniards derived from their discipline and their weapons, but they endeavoured to imitate the former, and turned the latter against them. They armed a considerable body of their bravest warriors with the swords, the spears, and bucklers, which they had taken from the Spanish soldiers whom they had cut off in different parts of the country. These they endeavoured to marshal in that regular compact order, to which experience had taught them that the Spaniards were indebted for their irresistible force in action. Some appeared in the field with Spanish muskets, and had acquired skill and resolution enough to use them. A few of the boldest, among whom was the inca himself, were mounted on the horses which they had taken, and advanced briskly to the charge like Spanish cavaliers, with their lances in the rest. It was more by their numbers, however, than by those imperfect essays to imitate European arts and to employ European arms, that the Peruvians annoyed the Spaniards (136). In spite of the valour, heightened by despair, with which the three brothers defended Cuzco, Manco Capac recovered possession of one half of his capital; and in their various efforts to drive him out of it, the Spaniards lost Juan Pizarro, the best beloved of all the brothers, together with some other persons of note. Worn out with the fatigue of incessant duty, distressed with the want of provisions, and despairing of being able any longer to resist an

enemy whose numbers daily increased, the soldiers became impatient to abandon Cuzco, in hopes either of joining their countrymen, if any of them yet survived, or of forcing their way to the sea, and finding some means of escaping from a country which had been so fatal to the Spanish name. While they were brooding over those desponding thoughts, which their officers laboured in vain to dispel, Almagro appeared suddenly in the neighbourhood of Cuzco.

The accounts transmitted to Almagro concerning the general insurrection of the Peruvians, were such as would have induced him, without hesitation, to relinquish the conquest of Chili, and hasten to the aid of his countrymen. But in this resolution he was confirmed by a motive less generous, but more interesting. By the same messenger who brought him intelligence of the inca's revolt, he received the royal patent creating him governor of Chili, and defining the limits of his jurisdiction. Upon considering the tenor of it, he deemed it manifest beyond contradiction, that Cuzco lay within the boundaries of his government, and he was equally solicitous to prevent the Peruvians from recovering possession of their capital, and to wrest it out of the hands of the Pizarros. From impatience to accomplish both, he ventured to return by a new route; and in marching through the sandy plains on the coast, he suffered from heat and drought, calamities of a new species, hardly inferior to those in which he had been involved by cold and famine on the summits of the Andes.

[A. D. 1537.] His arrival at Cuzco was in a critical moment. The Spaniards and Peruvians fixed their eyes upon him with equal solicitude. The former, as he did not study to conceal his pretensions, were at a loss whether to welcome him as a deliverer, or to take precautions against him as an enemy. The latter, knowing the points in contest between him and his countrymen, flattered themselves that they had more to hope than to dread from his operations. Almagro himself, unacquainted with the detail of the events which had happened in his absence, and solicitous to learn the precise posture of affairs, advanced towards the capital slowly, and with great circumspection. Various negotiations with both parties were set on foot. The inca conducted them on his part with much address. At first he endeavoured to gain the friendship of Almagro; and after many fruitless overtures, despairing of any cordial union with a Spaniard, he attacked him by surprise with a numerous body of chosen troops. But the Spanish discipline and valour maintained their wonted superiority. The Peruvians were repulsed with such slaughter, that a great part of their army dispersed, and Almagro proceeded to the gates of Cuzco without interruption.

The Pizarros, as they had no longer to make head against the Peruvians, directed all their attention towards their new enemy, and took measures to obstruct his entry into the capital. Prudence, however, restrained both parties for some time from turning their arms against one another, while surrounded by common enemies, who would rejoice in the mutual slaughter. Different schemes of accommodation were proposed. Each endeavoured to deceive the other, or to corrupt his followers. The generous, open, affable temper of Almagro gained many adherents of the Pizarros, who were disgusted with their harsh domineering manners. Encouraged by this defection, he advanced towards the city by night, surprised the sentinels, or was admitted by them, and investigated the house where the two brothers resided, compelled them after an obstinate defence, to surrender at discretion. Almagro's claim of jurisdiction over Cuzco was uni-

versally acknowledged, and a form of administration established in his name.

Two or three persons only were killed in this first act of civil hostility; but it was soon followed by scenes more bloody. Francis Pizarro having dispersed the Peruvians who had invested Lima, and received some considerable reinforcements from Hispaniola and Nicaragua, ordered five hundred men, under the command of Alonso de Alvarado, to march to Cuzco, in hopes of relieving his brothers, if they and their garrison were not already cut off by the Peruvians. This body, which at that period of the Spanish power in America, must be deemed a considerable force, advanced near to the capital before they knew that they had any enemy more formidable than Indians to encounter. It was with astonishment that they beheld their countrymen posted on the banks of the river Abancay to oppose their progress. Almagro, however, wished rather to gain than to conquer them, and by bribes and promises endeavoured to seduce their leader. The fidelity of Alvarado remained unshaken; but his talents for war were not equal to his virtue. Almagro amused him with various movements, of which he did not comprehend the meaning, while a large detachment of chosen soldiers passed the river by night, [July 12.] fell upon his camp by surprise, broke his troops before they had time to form, and took him prisoner, together with his principal officers.

By the sudden rout of this body, the contest between the two rivals must have been decided, if Almagro had known as well how to improve as how to gain a victory. Rodrigo Orgoñez, an officer of great abilities, who having served under the constable Bourbon, when he led the imperial army to Rome, had been accustomed to bold and decisive measures, advised him instantly to issue orders for putting to death Ferdinand and Gonzalo Pizarro, Alvarado, and a few other persons whom he could not hope to gain, and to march directly with his victorious troops to Lima, before the governor had time to prepare for his defence. But Almagro, though he discerned at once the utility of the counsel, and though he had courage to have carried it into execution, suffered himself to be influenced by sentiments unlike those of a soldier of fortune grown old in service, and by scruples which suited not the chief of a party who had drawn his sword in civil war. Feelings of humanity restrained him from shedding the blood of his opponents; and the dread of being deemed a rebel, deterred him from entering a province which the king had allotted to another. Though he knew that arms must terminate the dispute between him and Pizarro, and resolved not to shun that mode of decision, yet with a timid delicacy preposterous at such a juncture, he was so solicitous that his rival should be considered as the aggressor, that he marched quietly back to Cuzco to wait his approach.

Pizarro was still unacquainted with all the interesting events which had happened near Cuzco. Accounts of Almagro's return, of the loss of the capital, of the death of one brother, of the imprisonment of the other two, and of the defeat of Alvarado, were brought to him at once. Such a tide of misfortunes almost overwhelmed a spirit which had continued firm and erect under the rudest shocks of adversity. But the necessity of attending to his own safety, as well as the desire of revenge, preserved him from sinking under it. He took measures for both with his wonted sagacity. As he had the command of the sea-coast, and expected considerable supplies both of men and military stores, it was no less his interest to gain

time, and to avoid action, than it was that of Almagro to precipitate operations, and bring the contest to a speedy issue. He had recourse to arts which he had formerly practised with success; and Almagro was again weak enough to suffer himself to be amused with a prospect of terminating their differences by some amicable accommodation. By varying his overtures, and shifting his ground as often as it suited his purpose, sometimes seeming to yield to every thing which his rival could desire, and then retracting all that he had granted, Pizarro dexterously protracted the negotiation to such a length, that, though every day was precious to Almagro, several months elapsed without coming to any final agreement. While the attention of Almagro, and of the officers with whom he consulted, was occupied in detecting and eluding the fraudulent intentions of the governor, Gonzalo Pizarro, and Alvarado, found means to corrupt the soldiers to whose custody they were committed, and not only made their escape themselves, but persuaded sixty of the men who formerly guarded them to accompany their flight. Fortune having thus delivered one of his brothers, the governors scrupled not at one act of perfidy more to procure the release of the other. He proposed, that every point in controversy between Almagro and himself should be submitted to the decision of their sovereign; that until his award was known, each should retain undisturbed possession of whatever part of the country he now occupied; that Ferdinand Pizarro should be set at liberty, and return instantly to Spain, together with the officers whom Almagro proposed to send thither to represent the justice of his claims. Obvious as the design of Pizarro was in those propositions, and familiar as his artifices might now have been to his opponent, Almagro, with a credulity approaching to infatuation, relied on his sincerity, and concluded an agreement on these terms.

The moment that Ferdinand Pizarro recovered his liberty, the governor, no longer fettered in his operations by anxiety about his brother's life, threw off every disguise which his concern for it had obliged him to assume. The treaty was forgotten; pacific and conciliating measures were no more mentioned; it was in the field, he openly declared, and not in the cabinet, by arms, and not by negotiation, that it must now be determined who should be master of Peru. The rapidity of his preparations suited such a decisive resolution. Seven hundred men were soon ready to march towards Cuzco [A. D. 1538.] The command of these was given to his two brothers, in whom he could perfectly confide for the execution of his most violent schemes, as they were urged on, not only by the enmity flowing from the rivalry between their family and Almagro, but animated with the desire of vengeance, excited by recollection of their own recent disgrace and sufferings. After an unsuccessful attempt to cross the mountains in the direct road between Lima and Cuzco, they marched towards the south along the coast as far as Nasca, and then turning to the left, penetrated through the defiles in that branch of the Andes which lay between them and the capital. Almagro, instead of hearkening to some of his officers, who advised him to attempt the defence of those difficult passes, waited the approach of the enemy in the plain of Cuzco. Two reasons seem to have induced him to take this resolution. His followers amounted hardly to five hundred, and he was afraid of weakening such a feeble body by sending any detachment towards the mountains. His cavalry far exceeded that of the adverse party, both in number and discipline, and it

was only in an open country that he could avail himself of that advantage.

The Pizarros advanced without any obstruction, but what arose from the nature of the desert and horrid regions through which they marched. As soon as they reached the plain, both factions were equally impatient to bring this long protracted contest to an issue. Though countrymen and friends, the subjects of the same sovereign, and each with the royal standard displayed; and though they beheld the mountains that surrounded the plain in which they were drawn up, covered with a vast multitude of Indians, assembled to enjoy the spectacle of their mutual carnage, and prepared to attack whatever party remained master of the field; so fell and implacable was the rancour which had taken possession of every breast, that not one pacific counsel, not a single overture towards accommodation, proceeded from either side. Unfortunately for Almagro, he was so worn out with the fatigues of service, to which his advanced age was unequal, that at this crisis of his fate he could not exert his wonted activity; and he was obliged to commit the leading of his troops to Orgognez, who, though an officer of great merit, did not possess the same ascendant either over the spirit or affections of the soldiers, as the chief whom they had long been accustomed to follow and revere.

The conflict was fierce, and maintained by each party with equal courage. On the side of Almagro were more veteran soldiers, and a large proportion of cavalry; but these were counterbalanced by Pizarro's superiority in numbers, and by two companies of well disciplined musketeers, which, on receiving an account of the insurrection of the Indians, the emperor had sent from Spain. As the use of fire-arms was not frequent among the adventurers in America, hastily equipped for service at their own expense, this small band of soldiers regularly trained and armed was a novelty in Peru, and decided the fate of the day. Wherever it advanced, the weight of a heavy and well-sustained fire bore down horse and foot before it; and Orgognez, while he endeavoured to rally and animate his troops, having received a dangerous wound, the rout became general. The barbarity of the conquerors stained the glory which they acquired by this complete victory. The violence of civil rage hurried on some to slaughter their countrymen with indiscriminate cruelty; the meanness of private revenge instigated others to single out individuals as the objects of their vengeance. Orgognez, and several officers of distinction, were massacred in cold blood; above a hundred and forty soldiers fell in the field; a large proportion, where the number of combatants was few, and the heat of the contest soon over. Almagro, though so feeble that he could not bear the motion of a horse, had insisted on being carried in a litter to an eminence which overlooked the field of battle. From thence, in the utmost agitation of mind, he viewed the various movements of both parties, and at last beheld the total defeat of his own troops, with all the passionate indignation of a veteran leader long accustomed to victory. He endeavoured to save himself by flight, but was taken prisoner, and guarded with the strictest vigilance.

The Indians, instead of executing the resolution which they had formed, retired quietly after the battle was over; and in the history of the New World, there is not a more striking instance of the wonderful ascendant which the Spaniards had acquired over its inhabitants, than that, after seeing one of the contending parties ruined and dispersed,

and the other weakened and fatigued, they had not courage to fall upon their enemies, when fortune presented an opportunity of attacking them with such advantage.

Cuzco was pillaged by the victorious troops, who found there a considerable booty, consisting partly of the gleanings of the Indian treasures, and partly of the wealth amassed by their antagonists from the spoils of Peru and Chili. But so far did this, and whatever the bounty of their leader could add to it, fall below the high ideas of the recompence which they conceived to be due to their merit, that Ferdinand Pizarro, unable to gratify such extravagant expectations, had recourse to the same expedient which his brother had employed on a similar occasion, and endeavoured to find occupation for this turbulent assuming spirit, in order to prevent it from breaking out into open mutiny. With this view, he encouraged his most active officers to attempt the discovery and reduction of various provinces which had not hitherto submitted to the Spaniards. To every standard erected by the leaders who undertook any of those new expeditions, volunteers resorted with the ardour and hope peculiar to the age. Several of Almagro's soldiers joined them, and thus Pizarro had the satisfaction of being delivered both from the importunity of his discontented friends, and the dread of his ancient enemies.

Almagro himself remained for several months in custody, under all the anguish of suspense. For although his doom was determined by the Pizarros from the moment that he fell into their hands, prudence constrained them to defer gratifying their vengeance, until the soldiers who had served under him, as well as several of their own followers in whom they could not perfectly confide, had left Cuzco. As soon as they set out upon their different expeditions, Almagro was impeached of treason, formally tried, and condemned to die. The sentence astonished him; and though he had often braved death with undaunted spirit in the field, its approach under this ignominious form appalled him so much, that he had recourse to abject supplications, unworthy of his former fame. He besought the Pizarros to remember the ancient friendship between their brother and him, and how much he had contributed to the prosperity of their family; he reminded them of the humanity with which, in opposition to the repeated remonstrances of his most attached friends, he had spared their lives when he had them in his power; he conjured them to pity his age and infirmities, and to suffer him to pass the wretched remainder of his days in bewailing his crimes, and in making his peace with Heaven. The entreaties, says a Spanish historian, of a man so much beloved, touched many an unfeeling heart, and drew tears from many a stern eye. But the brothers remained inflexible. As soon as Almagro knew his fate to be inevitable, he met it with the dignity and fortitude of a veteran. He was strangled in prison, and afterwards publicly beheaded. He suffered in the in the seventy-fifth year of his age, and left one son by an Indian woman of Panama, whom, though at that time a prisoner in Lima, he named as successor to his government, pursuant to a power which the emperor had granted him.

[A.D. 1539.] As, during the civil dissensions in Peru, all intercourse with Spain was suspended, the detail of the extraordinary transactions there did not soon reach the court. Unfortunately for the victorious faction, the first intelligence was brought thither by some of Almagro's officers, who left the country upon the ruin of their cause; and they related

what had happened with every circumstance unfavourable to Pizarro and his brothers. Their ambition, their breach of the most solemn engagements, their violence and cruelty, were painted with all the malignity and exaggeration of party hatred. Ferdinand Pizarro, who arrived soon after, and appeared in court with extraordinary splendour, endeavoured to efface the impression which their accusations had made, and to justify his brother and himself by representing Almagro as the aggressor. The emperor and his ministers, though they could not pronounce which of the contending factions was most criminal, clearly discerned the fatal tendency of their dissensions. It was obvious, that while the leaders, intrusted with the conduct of two infant colonies, employed the arms which should have been turned against the common enemy in destroying one another, all attention to the public good must cease, and there was reason to dread that the Indians might improve the advantage which the disunion of the Spaniards presented to them, and extirpate both the victors and vanquished. But the evil was more apparent than the remedy. Where the information which had been received was so defective and suspicious, and the scene of action so remote, it was almost impossible to chalk out the line of conduct that ought to be followed, and before any plan that should be approved of in Spain could be carried into execution, the situation of the parties, and the circumstances of affairs, might alter so entirely as to render its effects extremely pernicious.

Nothing therefore remained but to send a person to Peru, vested with extensive and discretionary power, who, after viewing deliberately the posture of affairs with his own eyes, and inquiring upon the spot into the conduct of the different leaders, should be authorized to establish the government in that form which he deemed most conducive to the interest of the parent state, and the welfare of the colony. The man selected for this important charge was Christoval Vaca de Castro, a judge in the court of royal audience at Valladolid; and his abilities, integrity, and firmness, justified the choice. His instructions, though ample, were not such as to fetter him in his operations. According to the different aspect of affairs, he had power to take upon him different characters. If he found the governor still alive, he was to assume only the title of judge, to maintain the appearance of acting in concert with him, and to guard against giving any just cause of offence to a man who had merited so highly of his country. But if Pizarro were dead, he was intrusted with a commission that he might then produce, by which he was appointed his successor in the government of Peru. This attention to Pizarro, however, seems to have flowed rather from a dread of his power, than from any approbation of his measures; for at the very time that the court seemed so solicitous not to irritate him, his brother Ferdinand was arrested at Madrid and confined to a prison, where he remained above twenty years.

[A. D. 1540.] While Vaca de Castro was preparing for his voyage, events of great moment happened in Peru. The governor considering himself, upon the death of Almagro, as the unrivalled possessor of that vast empire, proceeded to parcel out its territories among the conquerors; and had this division been made with any degree of impartiality, the extent of country which he had to bestow was sufficient to have gratified his friends, and to have gained his enemies. But Pizarro conducted this transaction, not with the equity and candour of a judge attentive

to discover and to reward merit, but with the illiberal spirit of a party leader. Large districts, in parts of the country most cultivated and populous, were set apart as his own property, or granted to his brothers, his adherents, and favourites. To others lots less valuable and inviting were assigned. The followers of Almagro, amongst whom were many of the original adventurers to whose valour and perseverance Pizarro was indebted for his success, were totally excluded from any portion in those lands, towards the acquisition of which they had contributed so largely. As the vanity of every individual set an immoderate value upon his own services, and the idea of each concerning the recompence due to them arose gradually to a more exorbitant height in proportion as their conquests extended, all who were disappointed in their expectations, exclaimed loudly against the rapaciousness and partiality of the governor. The partisans of Almagro murmured in secret, and meditated revenge.

Rapid as the progress of the Spaniards in South America had been since Pizarro landed in Peru, their avidity of dominion was not yet satisfied. The officers to whom Ferdinand Pizarro gave the command of different detachments, penetrated into several new provinces, and though some of them were exposed to great hardships in the cold and barren regions of the Andes, and others suffered distress not inferior amidst the woods and marshes of the plains, they made discoveries and conquests which not only extended their knowledge of the country, but added considerably to the territories of Spain in the New World. Pedro de Valdivia reassumed Almagro's scheme of invading Chili, and notwithstanding the fortitude of the natives in defending their possessions, made such progress in the conquest of the country, that he founded the city of St. Jago, and gave a beginning to the establishment of the Spanish dominion in that province. But of all the enterprises undertaken about this period, that of Gonzalo Pizarro was the most remarkable. The governor, who seems to have resolved that no person in Peru should possess any station of distinguished eminence or authority but those of his own family, had deprived Benalcázar, the conqueror of Quito, of his command in that kingdom, and appointed his brother Gonzalo to take the government of it. He instructed him to attempt the discovery and conquest of the country to the east of the Andes, which, according to the information of the Indians, abounded with cinnamon and other valuable spices. Gonzalo, not inferior to any of his brothers in courage, and no less ambitious of acquiring distinction, eagerly engaged in this difficult service. He set out from Quito at the head of three hundred and forty soldiers, near one-half of whom were horsemen; with four thousand Indians to carry their provisions. In forcing their way through the defiles, or over the ridges, of the Andes, excess of cold and fatigue, to neither of which they were accustomed, proved fatal to the greater part of their wretched attendants. The Spaniards, though more robust, and inured to a variety of climates, suffered considerably, and lost some men; but when they descended into the low country their distress increased. During two months it rained incessantly, without any interval of fair weather long enough to dry their clothes. The immense plains upon which they were now entering, either altogether without inhabitants, or occupied by the rudest and least industrious tribes in the New World, yielded little subsistence. They could not advance a step but as they cut a road through woods, or made

it through marshes. Such incessant toil, and continual scarcity of food, seem more than sufficient to have exhausted and dispirited any troops. But the fortitude and perseverance of the Spaniards in the sixteenth century were insuperable. Allured by frequent but false accounts of rich countries before them, they persisted in struggling on, until they reached the banks of the Coca or Napo, one of the large rivers whose waters pour into the Maragnon, and contribute to its grandeur. There, with infinite labour, they built a bark, which they expected would prove of great utility, in conveying them over rivers, in procuring provisions, and in exploring the country. This was manned with fifty soldiers, under the command of Francis Orellana, the officer next in rank to Pizarro. The stream carried them down with such rapidity, that they were soon far a-head of their countrymen, who followed slowly and with difficulty by land.

At this distance from his commander, Orellana, a young man of an aspiring mind, began to fancy himself independent, and transported with the predominant passion of the age, he formed the scheme of distinguishing himself as a discoverer, by following the course of the Maragnon, until it joined the ocean, and by surveying the vast regions through which it flows. This scheme of Orellana's was as bold as it was treacherous. For, if he be chargeable with the guilt of having violated his duty to his commander, and with having abandoned his fellow-soldiers in a pathless desert, where they had hardly any hopes of success, or even of safety, but what were founded on the service which they expected from the bark; his crime is, in some measure, balanced by the glory of having ventured upon a navigation of near two thousand leagues, through unknown nations, in a vessel hastily constructed, with green timber, and by very unskilful hands, without provisions, without a compass, or a pilot. But his courage and alacrity supplied every defect. Committing himself fearlessly to the guidance of the stream, the Napo bore him along to the south, until he reached the great channel of the Maragnon. Turning with it towards the coast, he held on his course in that direction. He made frequent descents on both sides of the river, sometimes seizing by force of arms the provisions of the fierce savages seated on its banks, and sometimes procuring a supply of food by a friendly intercourse with more gentle tribes. After a long series of dangers, which he encountered with amazing fortitude, and of distresses which he supported with no less magnanimity, he reached the ocean (137), where new perils awaited him. These he likewise surmounted, and got safe to the Spanish settlement in the island of Cubagua; from thence he sailed to Spain. The vanity natural to travellers who visit regions unknown to the rest of mankind, and the art of an adventurer solicitous to magnify his own merit, concurred in prompting him to mingle an extraordinary proportion of the marvellous in the narrative of his voyage. He pretended to have discovered nations so rich, that the roofs of their temples were covered with plates of gold; and described a republic of women so warlike and powerful, as to have extended their dominion over a considerable tract of the fertile plains which he had visited. Extravagant as those tales were, they gave rise to an opinion, that a region abounding with gold, distinguished by the name of *El Dorado*, and a community of Amazons, were to be found in this part of the New World; and such is the propensity of mankind to believe what is wonderful, that it has been slowly and with

difficulty that reason and observation have exploded those fables. The voyage, however, even when stripped of every romantic embellishment, deserves to be recorded, not only as one of the most memorable occurrences in that adventurous age, but as the first event which led to any certain knowledge of the extensive countries that stretch eastward from the Andes to the ocean.

No words can describe the consternation of Pizarro, when he did not find the bark at the confluence of the Napo and Maragnon, where he had ordered Orellana to wait for him. He would not allow himself to suspect that a man whom he had intrusted with such an important command, could be so base and so unfeeling as to desert him at such a juncture. But imputing his absence from the place of rendezvous to some unknown accident, he advanced above fifty leagues along the banks of the Maragnon, expecting every moment to see the bark appear with a supply of provisions [A. D. 1541]. At length he came up with an officer whom Orellana had left to perish in the desert, because he had the courage to remonstrate against his perfidy. From him he learned the extent of Orellana's crime, and his followers perceived at once their own desperate situation, when deprived of their only resource. The spirit of the stoutest-hearted veteran sunk within him, and all demanded to be led back instantly. Pizarro, though he assumed an appearance of tranquillity, did not oppose their inclination. But he was now twelve hundred miles from Quito; and in that long march the Spaniards encountered hardships greater than those which they had endured in their progress outward, without the alluring hopes which then soothed and animated them under their sufferings. Hunger compelled them to feed on roots and berries, to eat all their dogs and horses, to devour the most loathsome reptiles, and even to gnaw the leather of their saddles and sword-belts. Four thousand Indians, and two hundred and ten Spaniards, perished in this wild disastrous expedition, which continued near two years; and as fifty men were aboard the bark with Orellana, only four-score got back to Quito. These were naked like savages, and so emaciated with famine, or worn out with fatigue, that they had more the appearance of spectres than men.

But, instead of returning to enjoy the repose which his condition required, Pizarro, on entering Quito, received accounts of a fatal event that threatened calamities more dreadful to him than those through which he had passed. From the time that his brother made that partial division of his conquests which has been mentioned, the adherents of Almagro, considering themselves as proscribed by the party in power, no longer entertained any hope of bettering their condition. Great numbers in despair resorted to Lima, where the house of young Almagro was always open to them, and the slender portion of his father's fortune which the governor allowed him to enjoy, was spent in affording them subsistence. The warm attachment with which every person who had served under the elder Almagro devoted himself to his interests, was quickly transferred to his son, who was now grown up to the age of manhood, and possessed all the qualities which captivate the affections of soldiers. Of a graceful appearance, dexterous at all martial exercises, bold, open, generous, he seemed to be formed for command; and as his father, conscious of his own inferiority, from the total want of education, had been extremely attentive to have him instructed in every science becoming a gentleman, the accomplishments which he had acquired heightened

the respect of his followers, as they gave him distinction and eminence among illiterate adventurers. In this young man the Almagrians found a point of union which they wanted, and looking up to him as their head, were ready to undertake any thing for his advancement. Nor was affection for Almagro their only incitement; they were urged on by their own distresses. Many of them, destitute of common necessities (138), and weary of loitering away life, a burden to their chief, or to such of their associates as had saved some remnant of their fortune from pillage and confiscation, longed impatiently for an occasion to exert their activity and courage, and began to deliberate how they might be avenged on the author of all their misery. Their frequent cabals did not pass unobserved; and the governor was warned to be on his guard against men who meditated some desperate deed, and had resolution to execute it. But either from the native intrepidity of his mind, or from contempt of persons whose poverty seemed to render their machinations of little consequence, he disregarded the admonitions of his friends. "Be in no pain," said he carelessly, "about my life; it is perfectly safe, as long as every man in Peru knows that I can in a moment cut off any head which dares to harbour a thought against it." This security gave the Almagrians full leisure to digest and ripen every part of their scheme; and Juan de Harrada, an officer of great abilities, who had the charge of Almagro's education, took the direction of their consultations with all the zeal which this connexion inspired, and with all the authority which the ascendant that he was known to have over the mind of his pupil gave him.

On Sunday the twenty-sixth of June, at mid-day, the season of tranquillity and repose in all sultry climates, Herrada, at the head of eighteen of the most determined conspirators, sallied out of Almagro's house in complete armour; and, drawing their swords, as they advanced hastily towards the governor's palace, cried out, "Long live the king, but let the tyrant die!" Their associates, warned of their motions by a signal, were in arms at different stations ready to support them. Though Pizarro was usually surrounded by a numerous train of attendants as suited the magnificence of the most opulent subject of the age in which he lived, yet as he was just risen from table, and most of his domestics had retired to their own apartments, the conspirators passed through the two outer courts of the palace unobserved. They were at the bottom of a staircase before a page in waiting could give the alarm to his master, who was conversing with a few friends in a large hall. The governor, whose steady mind no form of danger could appal, starting up, called for arms, and commanded Francisco de Chaves to make fast the door. But that officer, who did not retain so much presence of mind as to obey this prudent order, running to the top of the staircase, wildly asked the conspirators what they meant, and whither they were going? Instead of answering, they stabbed him to the heart, and burst into the hall. Some of the persons who were there threw themselves from the windows; others attempted to fly; and a few drawing their swords followed their leader into an inner apartment. The conspirators, animated with having the object of their vengeance now in view, rushed forward after them. Pizarro, with no other arms than his sword and buckler, defended the entry; and supported by his half-brother Alcantara, and his little knot of friends, he maintained the unequal contest with intrepidity worthy of his past ex-

ploits, and with the vigour of a youthful combatant, "Courage," cried he, "companions! we are yet enow to make those traitors repent of their audacity." But the armour of the conspirators protected them, while every thrust they made took effect. Alcantara fell dead at his brother's feet; his other defenders were mortally wounded. The governor, so weary that he could hardly wield his sword, and no longer able to parry the many weapons furiously aimed at him, received a deadly thrust full in the throat, sunk to the ground, and expired.

As soon as he was slain, the assassins ran out into the streets, and waving their bloody swords, proclaimed the death of the tyrant. Above two hundred of their associates having joined them, they conducted young Almagro in solemn procession through the city, and assembling the magistrates and principal citizens, compelled them to acknowledge him as lawful successor to his father in his government. The palace of Pizarro, together with the houses of several of his adherents, were pillaged by the soldiers, who had the satisfaction at once of being avenged on their enemies, and of enriching themselves by the spoils of those through whose hands all the wealth of Peru had passed.

The boldness and success of the conspiracy, as well as the name and popular qualities of Almagro, drew many soldiers to his standard. Every adventurer of desperate fortune, all who were dissatisfied with Pizarro, and from the rapaciousness of his government in the latter years of his life, the number of malcontents was considerable, declared without hesitation in favour of Almagro, and he was soon at the head of eight hundred of the most gallant veterans in Peru. As his youth and inexperience disqualified him from taking the command of them himself, he appointed Herrada to act as general. But though Almagro speedily collected such a respectable force, the acquiescence in his government was far from being general. Pizarro had left many friends to whom his memory was dear; the barbarous assassination of a man to whom his country was so highly indebted, filled every impartial person with horror. The ignominious birth of Almagro, as well as the doubtful title on which he founded his pretensions, led others to consider him as an usurper. The officers who commanded in some provinces refused to recognise his authority, until it was confirmed by the emperor. In others, particularly at Cuzco, the royal standard was erected, and preparations were begun in order to revenge the murder of their ancient leader.

Those seeds of discord, which could not have lain long dormant, acquired great vigour and activity when the arrival of Vaca de Castro was known. After a long and disastrous voyage, he was driven by stress of weather into a small harbour in the province of Popayan; and proceeding from thence by land, after a journey no less tedious than difficult, he reached Quito. In his way he received accounts of Pizarro's death, and of the events which followed upon it. He immediately produced the royal commission, appointing him governor of Peru, with the same privileges and authority; and his jurisdiction was acknowledged without hesitation by Benalcazar, adelantado or lieutenant-general for the emperor in Popayan, and by Pedro de Puelles, who, in the absence of Gonzalo Pizarro, had the command of the troops left in Quito. Vaca de Castro not only assumed the supreme authority, but showed that he possessed the talents which the exercise of it at that juncture required. By his influence and address he soon assembled such

a body of troops, as not only to set him above all fear of being exposed to any insult from the adverse party, but enabled him to advance from Quito with the dignity that became his character. By despatching persons of confidence to the different settlements in Peru, with a formal notification of his arrival and of his commission, he communicated to his countrymen the royal pleasure with respect to the government of the country. By private emissaries, he excited such officers as had discovered their disapprobation of Almagro's proceedings, to manifest their duty to their sovereign by supporting the person honoured with his commission. Those measures were productive of great effects. Encouraged by the approach of the new governor, or prepared by his machinations, the loyal were confirmed in their principles, and avowed them with greater boldness; the timid ventured to declare their sentiments; the neutral and wavering, finding it necessary to choose a side, began to lean to that which now appeared to be the safest, as well as the most just.

Almagro observed the rapid progress of this spirit of disaffection to his cause, and in order to give an effectual check to it before the arrival of Vaca de Castro, he set out at the head of his troops for Cuzco, [A. D. 1542,] where the most considerable body of opponents had erected the royal standard, under the command of Pedro Alvarez Holguin. During his march thither, Herrada, the skilful guide of his youth and of his counsels, died; and from that time his measures were conspicuous for their violence, but concerted with little sagacity, and executed with no address. Holguin, who, with forces far inferior to those of the opposite party, was descending towards the coast at the very time that Almagro was on his way to Cuzco, deceived his inexperienced adversary by a very simple stratagem, avoided an engagement, and effected a junction with Alvarado, an officer of note, who had been the first to declare against Almagro as an usurper.

Soon after, Vaca de Castro entered their camp with the troops which he brought from Quito, and erecting the royal standard before his own tent, he declared that, as governor, he would discharge in person all the functions of general of their combined forces. Though formed by the tenor of his past life to the habits of a sedentary and pacific profession, he at once assumed the activity, and discovered the decision, of an officer long accustomed to command. Knowing his strength to be now far superior to that of the enemy, he was impatient to terminate the contest by a battle. Nor did the followers of Almagro, who had no hopes of obtaining a pardon for a crime so atrocious as the murder of the governor, decline that mode of decision. They met at Chupaz, about two hundred miles from Cuzco, and fought with all the fierce animosity inspired by the violence of civil rage, the rancour of private enmity, the eagerness of revenge, and the last efforts of despair. Victory, after remaining long doubtful, declared at last for Vaca de Castro. The superior number of his troops, his own intrepidity, and the martial talents of Francisco de Carvajal, a veteran officer formed under the great captain in the wars of Italy, and who on that day laid the foundation of his future fame in Peru, triumphed over the bravery of his opponents, though led on by young Almagro with a gallant spirit, worthy of a better cause, and deserving another fate. The carnage was great in proportion to the number of the combatants.—Many of the vanquished, especially such as were conscious that they might be charged with being accessory to the assassination of Pizarro, rushing on the

swords of the enemy, chose to fall like soldiers, rather than wait an ignominious doom. Of fourteen hundred men, the total amount of combatants on both sides, five hundred lay dead on the field, and the number of the wounded was still greater.

If the military talents displayed by Vaca de Castro, both in the council and field, surprised the adventurers in Peru, they were still more astonished at his conduct after the victory. As he was by nature a rigid dispenser of justice, persuaded that it required examples of extraordinary severity to restrain the licentious spirit of soldiers so far removed from the seat of government, he proceeded directly to try his prisoners as rebels. Forty were condemned to suffer the death of traitors, others were banished from Peru. Their leader, who made his escape from the battle, being betrayed by some of his officers, was publicly beheaded in Cuzco; and in him the name of Almagro, and the spirit of the party, was extinct.

During those violent convulsions in Peru, the emperor and his ministers were intently employed in preparing regulations, by which they hoped, not only to re-establish tranquillity there, but to introduce a more perfect system of internal policy into all their settlements in the New World. It is manifest from all the events recorded in the history of America, that, rapid and extensive as the Spanish conquests there had been, they were not carried on by any regular exertion of the national force, but by the occasional efforts of private adventurers. After fitting out a few of the first armaments for discovering new regions, the court of Spain, during the busy reigns of Ferdinand and of Charles V., the former the most intriguing prince of the age, and the latter the most ambitious, was encumbered with such a multiplicity of schemes, and involved in war with so many nations of Europe, that he had not leisure to attend to distant and less interesting objects. The care of prosecuting discovery, or of attempting conquest was abandoned to individuals; and with such ardour did men push forward in this new career, on which novelty, the spirit of adventure, avarice, ambition, and the hope of meriting heaven, prompted them with combined influence to enter, that in less than half a century almost the whole of that extensive empire which Spain now possesses in the New World, was subjected to its dominion. As the Spanish court contributed nothing towards the various expeditions undertaken in America, it was not entitled to claim much from their success. The sovereignty of the conquered provinces, with the fifth of the gold and silver, was reserved for the crown; every thing else was seized by the associates in each expedition as their own right. The plunder of the countries which they invaded served to indemnify them for what they had expended in equipping themselves for the service, and the conquered territory was divided among them, according to rules which custom had introduced, as permanent establishments which their successful valour merited. In the infancy of those settlements, when their extent as well as their value were unknown, many irregularities escaped observation, and it was found necessary to connive at many excesses. The conquered people were frequently pillaged with destructive rapacity, and their country parcelled out among its new masters in exorbitant shares, far exceeding the highest recompence due to their services. The rude conquerors of America, incapable of forming their establishments upon any general or extensive plan of policy, attentive only to private interest, unwilling to forego present gain from the prospect of remote or

public benefit, seem to have had no object but to amass sudden wealth, without regarding what might be the consequences of the means by which they acquired it. But when time at length discovered to the Spanish court the importance of its American possessions, the necessity of new-modelling their whole frame became obvious, and in place of the maxims and practices prevalent among military adventurers, it was found requisite to substitute the institutions of regular government.

One evil in particular called for an immediate remedy. The conquerors of Mexico and Peru imitated the fatal example of their countrymen settled in the islands, and employed themselves in searching for gold and silver with the same inconsiderate eagerness. Similar effects followed. The natives employed in this labour by masters, who in imposing tasks had no regard either to what they felt or to what they were able to perform, pined away and perished so fast, that there was reason to apprehend that Spain, instead of possessing countries peopled to such a degree as to be susceptible of progressive improvement, would soon remain proprietor only of a vast uninhabited desert.

The emperor and his ministers were so sensible of this, and so solicitous to prevent the extinction of the Indian race, which threatened to render their acquisitions of no value, that from time to time various laws, which I have mentioned, had been made for securing to that unhappy people more gentle and equitable treatment. But the distance of America from the seat of empire, the feebleness of government in the new colonies, the avarice and audacity of soldiers unaccustomed to restraint, prevented those salutary regulations from operating with any considerable influence. The evil continued to grow, and at this time the emperor found an interval of leisure from the affairs of Europe to take it into attentive consideration. He consulted not only with his ministers and the members of the council of the Indies, but called upon several persons who had resided long in the New World, to aid them with the result of their experience and observation. Fortunately for the people of America, among these was Bartholomew de las Casas, who happened to be then at Madrid on a mission from a chapter of his order at Chiapa. Though since the miscarriage of his former scheme for the relief of the Indians, he had continued shut up in his cloister, or occupied in religious functions, his zeal in behalf of the former objects of his pity was so far from abating, that, from an increased knowledge of their sufferings, its ardour had augmented. He seized eagerly this opportunity of reviving his favourite maxims concerning the treatment of the Indians. With the moving eloquence natural to a man on whose mind the scene which he had beheld had made a deep impression, he described the irreparable waste of the human species in the New World, the Indian race almost totally swept away in the islands in less than fifty years, and hastening to the extinction on the continent with the same rapid decay. With the decisive tone of one strongly prepossessed with the truth of his own system, he imputed all this to a single cause, to the exactions and cruelty of his countrymen, and contended that nothing could prevent the depopulation of America, but the declaring of its natives to be freemen, and treating them as subjects, not as slaves. Nor did he confide for the success of this proposal in the powers of his oratory alone. In order to enforce them, he composed his famous treatises concerning the destruction of Ame-

rica, in which he relates, with many horrid circumstances, but with apparent marks of exaggerated description, the devastation of every province which had been visited by the Spaniards.

The emperor was deeply afflicted with the recital of so many actions shocking to humanity. But as his views extended far beyond those of Las Casas, he perceived that relieving the Indians from oppression was but one step towards rendering his possessions in the New World a valuable acquisition, and would be of little avail, unless he could circumscribe the power and usurpations of his own subjects there. The conquerors of America, however great their merit had been towards their country, were mostly persons of such mean birth, and of such an abject rank in society, as gave no distinction in the eye of a monarch. The exorbitant wealth with which some of them returned, gave umbrage to an age not accustomed to see men in inferior condition elevated above their level, and rising to emulate or to surpass the ancient nobility in splendour. The territories which their leaders had appropriated to themselves were of such enormous extent (139), that if the country should ever be improved in proportion to the fertility of the soil, they must grow too wealthy and too powerful for subjects. It appeared to Charles that this abuse required a remedy no less than the other, and that the regulations concerning both must be enforced by a mode of government more vigorous than had been introduced into America.

With this view he framed a body of laws, containing many salutary appointments with respect to the constitution and powers of the supreme council of the Indies; concerning the station and jurisdiction of the royal audiences in different parts of America; the administration of justice; the order of government, both ecclesiastical and civil. These were approved of by all ranks of men. But together with them were issued the following regulations, which excited universal alarm, and occasioned the most violent convulsions: "That as the *repartimientos* or shares of land seized by several persons appeared to be excessive, the royal audiences are empowered to reduce them to a moderate extent: That upon the death of any conqueror or planter, the lands and Indians granted to him shall not descend to his widow or children, but return to the crown: That the Indians shall henceforth be exempt from personal service, and shall not be compelled to carry the baggage of travellers, to labour in the mines, or to dive in the pearl fisheries: That the stated tribute due by them to their superior shall be ascertained, and they shall be paid as servants for any work they voluntarily perform: That all persons who are or have been in public offices, all ecclesiastics of every denomination, all hospitals and monasteries, shall be deprived of the lands and Indians allotted to them, and these be annexed to the crown: That every person in Peru, who had any criminal concern in the contests between Pizarro and Almagro, should forfeit his lands and Indians."

All the Spanish ministers who had hitherto been intrusted with the direction of American affairs, and who were best acquainted with the state of the country, remonstrated against those regulations as ruinous to their infant colonies. They represent that the number of Spaniards who had hitherto emigrated to the New World was so extremely small, that nothing could be expected from any effort of theirs towards improving the vast regions over which they were scattered; that the success of every scheme for this purpose must depend upon the ministry and

service of the Indians, whose native indolence and aversion to labour, no prospect of benefit or promise of reward could surmount; that the moment the right of imposing a task, and exacting the performance of it, was taken from their masters, every work of industry must cease, and all the sources from which wealth began to pour in upon Spain must be stopped for ever. But Charles, tenacious at all times of his own opinions, and so much impressed at present with the view of the disorders which reigned in America, that he was willing to hazard the application even of a dangerous remedy, persisted in his resolution of publishing the laws. That they might be carried into execution with greater vigour and authority, he authorized Francisco Tello de Sandoval to repair to Mexico as *visitador* or superintendent of that country, and to co-operate with Antonio de Mendoza, the viceroy, in enforcing them. He appointed Blasco Nunez Vela to be governor of Peru with the title of viceroy; and in order to strengthen his administration, he established a court of royal audience in Lima, in which four lawyers of eminence were to preside as judges.

The viceroy and superintendent sailed at the same time; and an account of the laws which they were to enforce reached America before them. The entry of Sandoval into Mexico was viewed as the prelude of general ruin. The unlimited grant of liberty to the Indians affected every Spaniard in America without distinction; and there was hardly one who might not on some pretext be included under the other regulations, and suffer by them. But the colony in New Spain had now been so long accustomed to the restraints of law and authority under the steady and prudent administration of Mendoza, that how much soever the spirit of the new statutes was detested and dreaded, no attempt was made to obstruct the publication of them by any act of violence unbecoming subjects. The magistrates and principal inhabitants, however, presented dutiful addresses to the viceroy and superintendent, representing the fatal consequences of enforcing them. Happily for them, Mendoza, by long residence in the country, was so thoroughly acquainted with its state, that he knew what was for its interest as well as what it could bear; and Sandoval, though new in office, displayed a degree of moderation seldom possessed by persons just entering upon the exercise of power. They engaged to suspend, for some time, the execution of what was offensive in the new laws, and not only consented that a deputation of citizens should be sent to Europe to lay before the emperor the apprehensions of his subjects in New Spain with respect to their tendency and effects, but they concurred with them in supporting their sentiments. Charles, moved by the opinion of men whose abilities and integrity entitled them to decide concerning what fell immediately under their own view, granted such a relaxation of the rigour of the laws as re-established the colony in its former tranquillity.

[A. D. 1543.] In Peru the storm gathered with an aspect still more fierce and threatening, and was not so soon dispelled. The conquerors of Peru, of a rank much inferior to those who had subjected Mexico to the Spanish crown, further removed from the inspection of the parent state, and intoxicated with the sudden acquisition of wealth, carried on all their operations with greater license and irregularity than any body of adventurers in the New World. Amidst the general subversion of law and order, occasioned by two successive civil wars, when each individual was at liberty to decide for himself, without any guide but

his own interest or passions, this turbulent spirit rose above all sense of subordination. To men thus corrupted by anarchy, the introduction of regular government, the power of a viceroy, and the authority of a respectable court of judicature, would of themselves have appeared formidable restraints, to which they would have submitted with reluctance. But they revolted with indignation against the idea of complying with laws, by which they were to be stripped at once of all they had earned so hardly during many years of service and suffering. As the account of the new laws spread successively through the different settlements, the inhabitants ran together, the women in tears, and the men exclaiming against the injustice and ingratitude of their sovereign in depriving them, unheard and unconvicted, of their possessions. "Is this," cried they, "the recompence due to persons, who, without public aid, at their own expense, and by their own valour, have subjected to the crown of Castile territories of such immense extent and opulence? Are these the rewards bestowed for having endured unparalleled distress, for having encountered every species of danger in the service of their country? Whose merit is so great, whose conduct has been so irreproachable, that he may not be condemned by some penal clause in regulations, conceived in terms as loose and comprehensive as if it had been intended that all should be entangled in their snare? Every Spaniard of note in Peru has held some public office, and all, without distinction, have been constrained to take an active part in the contest between the two rival chiefs. Were the former to be robbed of their property because they had done their duty? Were the latter to be punished on account of what they could not avoid? Shall the conquerors of this great empire, instead of receiving marks of distinction, be deprived of the natural consolation of providing for their widows and children, and leave them to depend for subsistence on the scanty supply they can extort from unfeeling courtiers? We are not able now, continued they, to explore unknown regions in quest of more secure settlements; our constitutions debilitated with age, and our bodies covered with wounds, are no longer fit for active service; but still we possess vigour sufficient to assert our just rights, and we will not tamely suffer them to be wrested from us."

By discourses of this sort, uttered with vehemence, and listened to with universal approbation, their passions were inflamed to such a pitch, that they were prepared for the most violent measures, and began to hold consultations in different places, how they might oppose the entrance of the viceroy and judges, and prevent not only the execution but the promulgation of the new laws. From this, however, they were diverted by the address of Vaca de Castro, who flattered them with hopes, that as soon as the viceroy and judges should arrive, and had leisure to examine their petitions and remonstrances, they would concur with them in endeavouring to procure some mitigation in the rigour of laws, which had been framed without due attention either to the state of the country or to the sentiments of the people. A greater degree of accommodation to these, and even some concessions on the part of government, were now become requisite to compose the present ferment, and to soothe the colonists into submission, by inspiring them with confidence in their superiors. But without profound discernment, conciliating manners, and flexibility of temper, such a plan could not be carried on. The viceroy possessed none of these. Of all the qualities that fit men for high command, he was endowed only with integrity and courage: the former harsh and un-

complying, the latter bordering so frequently on rashness or obstinacy, that in his situation they were defects rather than virtues. From the moment that he landed at Tumbes, [March 4] Nugnez Vela seems to have considered himself merely as an executive officer, without any discretionary power; and, regardless of whatever he observed or heard concerning the state of the country, he adhered to the letter of the regulations with unrelenting rigour. In all the towns through which he passed the natives were declared to be free; every person in public office was deprived of his lands and servants; and, as an example of obedience to others, he would not suffer a single Indian to carry his own baggage in his march towards Lima. Amazement and consternation went before him as he approached; and so little solicitous was he to prevent these from augmenting, that on entering the capital he openly avowed, that he came to obey the orders of his sovereign, not to dispense with his laws. This harsh declaration was accompanied with what rendered it still more intolerable, haughtiness in deportment, a tone of arrogance and decision in discourse, and an insolence of office grievous to men little accustomed to hold civil authority in high respect. Every attempt to procure a suspension or mitigation of the new laws, the viceroy considered as flowing from a spirit of disaffection that tended to rebellion. Several persons of rank were confined, and some put to death, without any form of trial. Vaca de Castro was arrested, and notwithstanding the dignity of his former rank, and his merit in having prevented a general insurrection in the colony, he was loaded with chains, and shut up in the common gaol.

But however general the indignation was against such proceedings, it is probable the hand of authority would have been strong enough to suppress it, or to prevent it bursting out with open violence, if the malcontents had not been provided with a leader of credit and eminence to unite and to direct their efforts. From the time that the purport of the new regulations was known in Peru, every Spaniard there turned his eyes towards Gonzalo Pizarro, as the only person able to avert the ruin with which they threatened the colony. From all quarters, letters and addresses were sent to him, conjuring him to stand forth as their common protector, and offering to support him in the attempt with their lives and fortunes. Gonzalo, though inferior in talents to his brothers, was equally ambitious, and of courage no less daring. The behaviour of an ungrateful court towards his brothers and himself dwelt continually on his mind. Ferdinand a state prisoner in Europe, the children of the governor in custody of the viceroy, and sent aboard his fleet, himself reduced to the condition of a private citizen in a country, for the discovery and conquest of which Spain was indebted to his family; these thoughts prompted him to seek for vengeance, and to assert the rights of his family, of which he now considered himself as the guardian and the heir. But as no Spaniard can easily surmount that veneration for his sovereign which seems to be interwoven in his frame, the idea of marching in arms against the royal standard filled him with horror. He hesitated long, and was still unresolved, when the violence of the viceroy, the universal call of his countrymen, and the certainty of becoming soon a victim himself to the severity of the new laws, moved him to quit his residence at Chuquisaca de la Plata, and repair to Cuzco. All the inhabitants went out to meet him, and received him with transports of joy as the deliverer of the colony. In the fervour of their

zeal, they elected him procurator-general of the Spanish nation in Peru, to solicit the repeal of the late regulations. They empowered him to lay their remonstrances before the royal audience in Lima, and, upon pretext of danger from the Indians, authorized him to march thither in arms, [A.D. 1534.] Under sanction of this nomination, Pizarro took possession of the royal treasure, appointed officers, levied soldiers, seized a large train of artillery which Vaca de Castro had deposited in Gumanga, and set out for Lima, as if he had been advancing against a public enemy. Disaffection having now assumed a regular form, and being united under a chief of such distinguished name, many persons of note resorted to his standard; and a considerable part of the troops, raised by the viceroy to oppose his progress, deserted to him in a body.

Before Pizarro reached Lima, a revolution had happened there, which encouraged him to proceed with almost certainty of success. The violence of the viceroy's administration was not more formidable to the Spaniards of Peru, than his overbearing haughtiness was odious to his associates, the judges of the royal audience. During their voyage from Spain some symptoms of coldness between the viceroy and them began to appear. But as soon as they entered upon the exercise of their respective offices, both parties were so much exasperated by frequent contests arising from interference of jurisdiction and contrariety of opinion, that their mutual disgust soon grew into open enmity. The judges thwarted the viceroy in every measure, set at liberty prisoners whom he had confined, justified the malcontents, and applauded their remonstrances. At a time when both departments of government should have united against the approaching enemy, they were contending with each other for superiority. The judges at length prevailed. The viceroy, universally odious, and abandoned even by his own guards, was seized in his palace, [Sept. 18] and carried to a desert island on the coast, to be kept there until he could be sent home to Spain. The judges, in consequence of this, having assumed the supreme direction of affairs into their own hands, issued a proclamation suspending the execution of the obnoxious laws, and sent a message to Pizarro, requiring him, as they had already granted whatever he could request, to dismiss his troops, and to repair to Lima with fifteen or twenty attendants. They could hardly expect that a man so daring and ambitious would tamely comply with this requisition. It was made probably with no such intention, but only to throw a decent veil over their own conduct; for Cepeda, the president of the court of audience, a pragmatical and aspiring lawyer, seems to have held a secret correspondence with Pizarro, and had already formed the plan, which he afterwards executed, of devoting himself to his service. The imprisonment of the viceroy, the usurpation of the judges, together with the universal confusion and anarchy consequent upon events so singular and unexpected, opened new and vast prospects to Pizarro. He now beheld the supreme power within his reach. Nor did he want courage to push on towards the object which fortune presented to his view. Carvajal, the prompter of his resolutions and guide of all his actions, had long fixed his eye upon it as the only end at which Pizarro ought to aim. Instead of the inferior function of procurator for the Spanish settlements in Peru, he openly demanded to be governor and captain-general of the whole province, and required the court of audience to grant him a commission to that effect. At the head of twelve hundred men, within a mile of Lima, where there

was neither leader nor army to oppose him, such a request carried with it the authority of a command. But the judges either from unwillingness to relinquish power, or from a desire of preserving some attention to appearances, hesitated, or seemed to hesitate, about complying with what he demanded. Carvajal, impatient of delay, and impetuous in all his operations, marched into the city by night, seized several officers of distinction obnoxious to Pizarro, and hanged them without the formality of a trial. Next morning the court of audience issued a commission in the emperor's name, appointing Pizarro governor of Peru, with full powers, civil as well as military, and he entered the town that day with extraordinary pomp, to take possession of his new dignity.

[Oct. 28.] But amidst the disorder and turbulence which accompanied this total dissolution of the frame of government, the minds of men, set loose from the ordinary restraints of law and authority, acted with such capricious irregularity, that events no less extraordinary than unexpected followed in a rapid succession. Pizarro had scarcely begun to exercise the new powers with which he was invested, when he beheld formidable enemies rise up to oppose him. The viceroy having been put on board a vessel by the judges of the audience, in order that he might be carried to Spain under custody of Juan Alvarez, one of their own number; as soon as they were out at sea, Alvarez, either touched with remorse, or moved by fear, knelt down to his prisoner, declaring him from that moment to be free, and that he himself, and every person in the ship, would obey him as the legal representative of their sovereign. Nuguez Vela ordered the pilot of the vessel to shape his course towards Tumbez, and as soon as he landed there erected the royal standard, and resumed his functions of viceroy. Several persons of note, to whom the contagion of the seditious spirit which reigned at Cuzco and Lima had not reached, instantly avowed their resolution to support his authority. The violence of Pizarro's government, who observed every individual with the jealousy natural to usurpers, and who punished every appearance of disaffection with unforgiving severity, soon augmented the number of the viceroy's adherents, as it forced some leading men in the colony to fly to him for refuge. While he was gathering such strength at Tumbez, that his forces began to assume the appearance of what was considered as an army in America, Diego Centeno, a bold and active officer, exasperated by the cruelty and oppression of Pizarro's lieutenant-governor in the province of Chareas, formed a conspiracy against his life, cut him off, and declared for the viceroy.

[A. D. 1545.] Pizarro, though alarmed with those appearances of hostility in the opposite extremes of the empire, was not disconcerted. He prepared to assert the authority to which he had attained with the spirit and conduct of an officer accustomed to command, and marched directly against the viceroy, as the enemy who was nearest as well as most formidable. As he was master of the public revenues in Peru, and most of the military men were attached to his family, his troops were so numerous, that the viceroy, unable to face them, retreated towards Quito. Pizarro followed him; and in that long march, through a wild mountainous country, suffered hardships and encountered difficulties, which no troops but those accustomed to serve in America could have endured or surmounted. The viceroy had scarcely reached Quito, when the vanguard of Pizarro's forces appeared, led by Carvajal, who though near four-

score, was as hardy and active as any young soldier under his command. Nuguez Vela instantly abandoned a town incapable of defence, and with a rapidity more resembling a flight than a retreat, marched into the province of Popayan. Pizarro continued to pursue; but finding it impossible to overtake him, returned to Quito. From thence he despatched Carvajal to oppose Centeno, who was growing formidable in the southern provinces of the empire, and he himself remained there to make head against the viceroy.

By his own activity, and the assistance of Benalcázar, Nuguez Vela soon assembled four hundred men in Popayan. As he retained, amidst all his disasters, the same elevation of mind, and the same high sense of his own dignity, he rejected with disdain the advice of some of his followers, who urged him to make overtures of accommodation to Pizarro, declaring that it was only by the sword that a contest with rebels could be decided [A. D. 1546.] With this intention he marched back to Quito. Pizarro, relying on the superior number, and still more on the discipline and valour, of his troops, advanced resolutely to meet him [Jan. 18.] The battle was fierce and bloody, both parties fighting like men who knew that the possession of a great empire, the fate of their leaders, and their own future fortune, depended upon the issue of that day. But Pizarro's veterans pushed forward with such regular and well-directed force, that they soon began to make an impression on their enemies. The viceroy, by extraordinary exertions, in which the abilities of a commander and the courage of a soldier were equally displayed, held victory for some time in suspense. At length he fell, pierced with many wounds; and the rout of his followers became general. They were hotly pursued. His head was cut off, and placed on the public gibbet in Quito, which Pizarro entered in triumph. The troops assembled by Centeno were dispersed soon after by Carvajal, and he himself compelled to fly to the mountains, where he remained for several months concealed in a cave. Every person in Peru, from the frontiers of Popayan to those of Chili, submitted to Pizarro; and by his fleet, under Pedro de Hinojosa, he had not only the unrivalled command of the South sea, but had taken possession of Panama, and placed a garrison in Nombre de Dios, on the opposite side of the isthmus, which rendered him master of the only avenue of communication between Spain and Peru that was used at that period.

After this decisive victory Pizarro and his followers remained for some time at Quito, and during the first transports of their exultation they ran into every excess of licentious indulgence, with the riotous spirit usual among low adventurers upon extraordinary success. But amidst this dissipation, their chief and his confidants were obliged to turn their thoughts sometimes to what was serious, and deliberated with much solicitude concerning the part that he ought now to take. Carvajal, no less bold and decisive in council than in the field, had from the beginning warned Pizarro, that in the career on which he was entering it was vain to think of holding a middle course; that he must either boldly aim at all, or attempt nothing. From the time that Pizarro obtained possession of the government of Peru, he inculcated the same maxim with greater earnestness. Upon receiving an account of the victory at Quito, he remonstrated with him in a tone still more peremptory. "You have usurped," said he, in a letter written to Pizarro on that occasion, "the supreme power in this country, in contempt of the emperor's

commission to the viceroy. You have marched in hostile array against the royal standard; you have attacked the representative of your sovereign in the field, have defeated him, and cut off his head. Think not that ever a monarch will forgive such insults on his dignity, or that any reconciliation with him can be cordial or sincere. Depend no longer on the precarious favour of another. Assume yourself the sovereignty over a country, to the dominion of which your family has a title founded on the rights both of discovery and conquest. It is in your power to attach every Spaniard in Peru of any consequence invariably to your interest, by liberal grants of lands and of Indians, or by instituting ranks of nobility, and creating titles of honour similar to those which are courted with so much eagerness in Europe. By establishing orders of knighthood, with privileges and distinctions resembling those in Spain, you may bestow a gratification upon the officers in your service, suited to the ideas of military men. Nor is it to your countrymen only that you ought to attend; endeavour to gain the natives. By marrying the Coya, or daughter of the Sun next in succession to the crown, you will induce the Indians, out of veneration for the blood of their ancient princes, to unite with the Spaniards in support of your authority. Thus, at the head of the ancient inhabitants of Peru, as well as of the new settlers there, you may set at defiance the power of Spain, and repel with ease any feeble force which it can send at such a distance." Cepeda, the lawyer, who was now Pizarro's confidential counsellor, warmly seconded Carvajal's exhortations, and employed whatever learning he possessed in demonstrating that all the founders of great monarchies had been raised to pre-eminence, not by the antiquity of their lineage, or the validity of their rights, but by their own aspiring valour and personal merit.

Pizarro listened attentively to both, and could not conceal the satisfaction with which he contemplated the object that they presented to his view. But, happily for the tranquillity of the world, few men possess that superior strength of mind, and extent of abilities, which are capable of forming and executing such daring schemes as cannot be accomplished without overturning the established order of society, and violating those maxims of duty which men are accustomed to hold sacred. The mediocrity of Pizarro's talents circumscribed his ambition within more narrow limits. Instead of aspiring at independent power, he confined his views to the obtaining from the court of Spain a confirmation of the authority which he now possessed; and for that purpose he sent an officer of distinction thither, to give such a representation of his conduct, and of the state of the country, as might induce the emperor and his ministers, either from inclination or from necessity, to continue him in his present station.

While Pizarro was deliberating with respect to the part which he should take, consultations were held in Spain, with no less solicitude, concerning the measures which ought to be pursued in order to re-establish the emperor's authority in Peru. Though unacquainted with the last excesses of outrage to which the malcontents had proceeded in that country, the court had received an account of the insurrection against the viceroy, of his imprisonment, and the usurpation of the government by Pizarro. A revolution so alarming called for an immediate interposition of the emperor's abilities and authority. But as he was fully occupied at that time in Ger-

many, in conducting the war against the famous league of Smalkalde, one of the most interesting and arduous enterprises in his reign, the care of providing a remedy for the disorders in Peru devolved upon his son Philip, and the counsellors whom Charles had appointed to assist him in the government of Spain during his absence. At first view, the actions of Pizarro and his adherents appeared so repugnant to the duty of subjects towards their sovereign, that the greater part of the ministers insisted on declaring them instantly to be guilty of rebellion, and on proceeding to punish them with exemplary rigour. But when the fervour of their zeal and indignation began to abate, innumerable obstacles to the execution of this measure presented themselves. The veteran bands of infantry, the strength and glory of the Spanish armies, were then employed in Germany. Spain, exhausted of men and money by a long series of wars, in which she had been involved by the restless ambition of two successive monarchs, could not easily equip an armament of sufficient force to reduce Pizarro. To transport any respectable body of troops to a country so remote as Peru, appeared almost impossible. While Pizarro continued master of the South sea, the direct route by Nombre de Dios and Panama was impracticable. An attempt to march to Quito by land through the new kingdom of Granada, and the province of Popayan, across regions of prodigious extent, desolate, unhealthy, or inhabited by fierce and hostile tribes, would be attended with insurmountable danger and hardships. The passage to the South sea by the straits of Magellan was so tedious, so uncertain, and so little known in that age, that no confidence could be placed in any effort carried on in a course of navigation so remote and precarious. Nothing then remained but to relinquish the system which the ardour of their loyalty had first suggested, and to attempt by lenient measures what could not be effected by force. It was manifest, from Pizarro's solicitude to represent his conduct in a favourable light to the emperor, that notwithstanding the excesses of which he had been guilty, he still retained sentiments of veneration for his sovereign. By a proper application to these, together with some such concessions as should discover a spirit of moderation and forbearance in government, there was still room to hope that he might be yet reclaimed, or the ideas of loyalty natural to Spaniards might so far revive among his followers, that they would no longer lend their aid to uphold his usurped authority.

The success, however, of this negociation, no less delicate than it was important, depended entirely on the abilities and address of the person to whom it should be committed. After weighing with much attention the comparative merit of various persons, the Spanish ministers fixed with unanimity of choice upon Pedro de la Gasca, a priest in no higher station than that of counsellor to the inquisition. Though in no public office, he had been occasionally employed by government in affairs of trust and consequence, and had conducted them with no less skill than success; displaying a gentle and insinuating temper, accompanied with much firmness; probity, superior to any feeling of private interest, and a cautious circumspection in concerting measures, followed by such vigour in executing them as is rarely found in alliance with the other. These qualities marked him out for the function to which he was destined. The emperor, to whom Gasca was not unknown, warmly approved of the choice, and

communicated it to him in a letter containing expressions of good-will and confidence, no less honourable to the prince who wrote than to the subject who received it. Gasca, notwithstanding his advanced age and feeble constitution, and though, from the apprehensions natural to a man, who, during the course of his life, had never been out of his own country, he dreaded the effects of a long voyage, and of an unhealthy climate, did not hesitate a moment about complying with the will of his sovereign. But as a proof that it was from this principle alone he acted, he refused a bishopric which was offered to him, in order that he might appear in Peru with a more dignified character; he would accept of no higher title than that of president of the court of audience in Lima; and declared that he would receive no salary on account of his discharging the duties of that office. All he required was, that the expense of supporting his family should be defrayed by the public; and as he was to go like a minister of peace with his gown and breviary, and without any retinue but a few domestics, this would not load the revenue with any enormous burthen.

But while he discovered such disinterested moderation with respect to whatever related personally to himself, he demanded his official powers in a very different tone. He insisted, as he was to be employed in a country so remote from the seat of government, where he could not have recourse to his sovereign for new instructions on every emergence, and as the whole success of his negotiations must depend upon the confidence which the people with whom he had to treat could place in the extent of his powers, that he ought to be invested with unlimited authority; that his jurisdiction must reach to all persons and to all causes; that he must be empowered to pardon, to punish, or to reward, as circumstances and the behaviour of different men might require; that in case of resistance from the malcontents, he might be authorized to reduce them to obedience by force of arms, to levy troops for that purpose, and to call for assistance from the governors of all the Spanish settlements in America. These powers, though manifestly conducive to the great objects of his mission, appeared to the Spanish ministers to be inalienable prerogatives of royalty, which ought not to be delegated to a subject, and they refused to grant them. But the emperor's views were more enlarged. As, from the nature of his employment, Gasca must be intrusted with discretionary power in several points, and all his efforts might prove ineffectual if he was circumscribed in any one particular, Charles scrupled not to invest him with authority to the full extent that he demanded. Highly satisfied with this fresh proof of his master's confidence, Gasca hastened his departure, and, without either money or troops, set out to quell a formidable rebellion.

[July 27.] On his arrival at Nombre de Dios he found Herman Mexia, an officer of note, posted there, by order of Pizarro, with a considerable body of men, to oppose the landing of any hostile forces. But Gasca appeared in such pacific guise, with a train so little formidable, and with a title of no such dignity as to excite terror, that he was received with much respect. From Nombre de Dios he advanced to Panama, and met with a similar reception from Hinojosa, whom Pizarro had intrusted with the government of that town, and the command of his fleet stationed there. In both places he held the same language, declaring that he was sent by his sovereign as a messenger of peace, not as a minister of vengeance; that he came to redress all their grievances, to

revoke the laws which had excited alarm, to pardon past offences, and to re-establish order and justice in the government of Peru. His mild deportment, the simplicity of his manners, the sanctity of his profession, and a winning appearance of candour, gained credit to his declarations. The veneration due to a person clothed with legal authority, and acting in virtue of a royal commission, began to revive among men accustomed for some time to nothing more respectable than an usurped jurisdiction. Hinojosa, Mexia, and several other officers of distinction, to each of whom Gasca applied separately, were gained over to his interest, and waited only for some decent occasion of declaring openly in his favour.

This the violence of Pizarro soon afforded them. As soon as he heard of Gasca's arrival at Panama, though he received, at the same time, an account of the nature of his commission, and was informed of his offers, not only to render every Spaniard in Peru easy concerning what was past, by an act of general oblivion, but secure with respect to the future by repealing the obnoxious laws; instead of accepting with gratitude his sovereign's gracious concessions, he was so much exasperated on finding that he was not to be continued in his station as governor of the country, that he instantly resolved to oppose the president's entry into Peru, and to prevent his exercising any jurisdiction there. To this desperate resolution he added another highly preposterous. He sent a new deputation to Spain to justify this conduct, and to insist, in name of all the communities in Peru, for a confirmation of the government to himself during life, as the only means of preserving tranquillity there. The persons intrusted with this strange commission intimated the intention of Pizarro to the president, and required him, in his name, to depart from Panama and return to Spain. They carried likewise secret instructions to Hinojosa, directing him to offer Gasca a present of fifty thousand pesos, if he would comply voluntarily with what was demanded of him; and if he should continue obstinate, to cut him off, either by assassination or poison.

Many circumstances concurred in pushing on Pizarro to those wild measures. Having been once accustomed to supreme command, he could not bear the thoughts of descending to a private station. Conscious of his own demerit, he suspected that the emperor studied only to deceive him, and would never pardon the outrages which he had committed. His chief confidants, no less guilty, entertained the same apprehensions. The approach of Gasca without any military force excited no terror. There were now above six thousand Spaniards settled in Peru; and at the head of these he doubted not to maintain his own independence, if the court of Spain should refuse to grant what he required. But he knew not that a spirit of defection had already begun to spread among those whom he trusted most. Hinojosa, amazed at Pizarro's precipitate resolution of setting himself in opposition to the emperor's commission, and disdaining to be his instrument in perpetrating the odious crimes pointed out in his secret instructions, publicly recognised the title of the president to the supreme authority in Peru. The officers under his command did the same. Such was the contagious influence of the example, that it reached even the deputies who had been sent from Peru; and at the time when Pizarro expected to hear either of Gasca's return to Spain, or of his death, he received an account of his being master of the fleet, of Panama, and of the troops stationed there.

[A.D. 1547.] Irritated almost to madness by events

so unexpected, he openly prepared for war; and in order to give some colour of justice to his arms, he appointed the court of audience in Lima to proceed to the trial of Gasca, for the crimes of having seized his ships, seduced his officers, and prevented his deputies from proceeding in their voyage to Spain. Cepeda, though acting as a judge in virtue of the royal commission, did not scruple to prostitute the dignity of his function by finding Gasca guilty of treason, and condemning him to death on that account. Wild, and even ridiculous, as this proceeding was, it imposed on the low illiterate adventurers with whom Peru was filled, by the semblance of legal sanction warranting Pizarro to carry on hostilities against a convicted traitor. Soldiers accordingly resorted from every quarter to his standard, and he was soon at the head of a thousand men, the best equipped that had ever taken the field in Peru.

Gasca, on his part, perceiving that force must be employed in order to accomplish the purpose of his mission, was no less assiduous in collecting troops from Nicaragua, Carthagena, and other settlements on the continent; and with such success, that he was soon in a condition to detach a squadron of his fleet, with a considerable body of soldiers, to the coast of Peru. Their appearance excited a dreadful alarm (April); and though they did not attempt for some time to make any descent, they did more effectual service, by setting ashore in different places persons who dispersed copies of the act of general indemnity, and the revocation of the late edicts; and who made known everywhere the pacific intentions, as well as mild temper, of the president. The effect of spreading this information was wonderful. All who were dissatisfied with Pizarro's violent administration, all who retained any sentiments of fidelity to their sovereign, began to meditate revolt. Some openly deserted a cause which they now deemed to be unjust. Centeno, leaving the cave in which he lay concealed, assembled about fifty of his former adherents, and with this feeble half-armed band advanced boldly to Cuzco. By a sudden attack in the night-time, in which he displayed no less military skill than valour, he rendered himself master of that capital, though defended by a garrison of five hundred men. Most of these having ranged themselves under his banners, he had soon the command of a respectable body of troops.

Pizarro, though astonished at beholding one enemy approaching by sea, and another by land, at a time when he trusted to the union of all Peru in his favour, was of a spirit more undaunted, and more accustomed to the vicissitudes of fortune, than to be disconcerted or appalled. As the danger from Centeno's operations was the most urgent, he instantly set out to oppose him. Having provided horses for all his soldiers, he marched with amazing rapidity. But every morning he found his force diminished, by numbers who had left him during the night; and though he became suspicious to excess, and punished without mercy all whom he suspected, the rage of desertion was too violent to be checked. Before he got within sight of the enemy at Huarina, near the lake Titiac, he could not muster more than four hundred soldiers. But these he justly considered as men of tried attachment, on whom he might depend. They were indeed the boldest and most desperate of his followers, conscious, like himself, of crimes for which they could hardly expect forgiveness, and without any hope but in the success of their arms (October 20). With these he did not hesitate to attack Centeno's troops (141), though double to his

own in number. The royalists did not decline the combat. It was the most obstinate and bloody that had hitherto been fought in Peru. At length the intrepid valour of Pizarro, and the superiority of Carvajal's military talents, triumphed over numbers, and obtained a complete victory. The booty was immense, and the treatment of the vanquished cruel. By this signal success the reputation of Pizarro was re-established, and being now deemed invincible in the field, his army increased daily in number.

But events happened in other parts of Peru, which more than counterbalanced the splendid victory at Huarina. Pizarro had scarcely left Lima, when the citizens weary of his oppressive dominion, erected the royal standard, and Aldana, with a detachment of soldiers from the fleet, took possession of the town. About the same time, Gasca landed at Tumbes with five hundred men. Encouraged by his presence, every settlement in the low country declared for the king. The situation of the two parties was now perfectly reversed: Cuzco and the adjacent provinces were possessed by Pizarro: all the rest of the empire, from Quito southward, acknowledged the jurisdiction of the president. As his numbers augmented fast, Gasca advanced into the interior part of the country. His behaviour still continued to be gentle and unassuming; he expressed, on every occasion, his ardent wish of terminating the contest without bloodshed. More solicitous to reclaim than to punish, he upbraided no man for past offences, but received them as a father receives penitent children returning to a sense of their duty. Though desirous of peace, he did not slacken his preparations for war. He appointed the general rendezvous of his troops in the fertile valley of Xauxa, on the road to Cuzco. There he remained for some months, not only that he might have time to make another attempt towards an accommodation with Pizarro, but that he might train his new soldiers to the use of arms, and accustom them to the discipline of a camp, before he led them against a body of victorious veterans. Pizarro, intoxicated with the success which had hitherto accompanied his arms, and elated with having again near a thousand men under his command, refused to listen to any terms, although Cepeda, together with several of his officers, and even Carvajal himself (142), gave it as their advice to close with the president's offer of a general indemnity, and the revocation of the obnoxious laws.

(Dec. 29.) Gasca having tried in vain every expedient to avoid imbruing his hands in the blood of his countrymen, began to move towards Cuzco, at the head of sixteen hundred men.

(A. D. 1548.) Pizarro, confident of victory, suffered the royalists to pass all the rivers which lie between Guamanga and Cuzco without opposition, and to advance within four leagues of that capital, flattering himself that a defeat in such a situation as rendered escape impracticable would at once terminate the war. He then marched out to meet the enemy, and Carvajal chose his ground, and made the disposition of the troops with the discerning eye, and profound knowledge in the art of war, conspicuous in all his operations. As the two armies moved forwards slowly to the charge (April 9), the appearance of each was singular. In that of Pizarro, composed of men enriched with the spoils of the most opulent country in America, every officer, and almost all the private men, were clothed in stuffs of silk, or brocade, embroidered in gold and silver; and their horses, their arms, and their standards, were adorned with all the pride of military pomp. That of Gasca,

though not so splendid, exhibited what was no less striking. He himself, accompanied by the archbishop of Lima, the bishops of Quito and Cuzco, and a great number of ecclesiastics, marching along the lines, blessing the men, and encouraging them to a resolute discharge of their duty.

When both armies were just ready to engage, Cepeda set spurs to his horse, galloped off, and surrendered himself to the president. Garcilasso de la Vega, and other officers of note, followed his example. The revolt of persons in such high rank struck all with amazement. The mutual confidence on which the union and strength of armies depend, ceased at once. Distrust and consternation spread from rank to rank. Some silently slipped away, others threw down their arms: the greatest number went over to the royalists. Pizarro, Carvajal, and some leaders, employed authority, threats, and entreaties, to stop them, but in vain. In less than half an hour, a body of men, which might have decided the fate of the Peruvian empire, was totally dispersed. Pizarro, seeing all irretrievably lost, cried out in amazement to a few officers who still faithfully adhered to him, "What remains for us to do?"—"Let us rush," replied one of them, "upon the enemy's firmest battalion, and die like Romans." Dejected with such a reverse of fortune, he had not spirit to follow this soldierlike council, and, with a tameness disgraceful to his former fame, he surrendered to one of Gasca's officers. Carvajal, endeavouring to escape, was overtaken and seized.

Gasca, happy in this bloodless victory, did not stain it with cruelty. Pizarro, Carvajal, and a small number of the most distinguished or notorious offenders, were punished capitally. Pizarro was beheaded on the day after he surrendered. He submitted to his fate with a composed dignity, and seemed desirous to atone by repentance for the crimes which he had committed. The end of Carvajal was suitable to his life. On his trial he offered no defence. When the sentence, adjudging him to be hanged, was pronounced, he carelessly replied, "One can die but once." During the interval, between the sentence and execution, he discovered no sign either of remorse for the past, or of solicitude about the future; scoffing at all who visited him, in his usual sarcastic vein of mirth, with the same quickness of repartee and gross pleasantries as at any other period of his life. Cepeda, more criminal than either, ought to have shared the same fate; but the merit of having deserted his associates at such a critical moment, and with such decisive effect, saved him from immediate punishment. He was sent, however, as a prisoner to Spain, and died in confinement.

In the minute detail which the contemporary historians have given of the civil dissensions that raged in Peru, with little interruption during ten years, many circumstances occur so striking, and which indicate such an uncommon state of manners, as to merit particular attention.

Though the Spaniards who first invaded Peru were of the lowest order in society, and the greater part of those who afterwards joined them were persons of desperate fortune, yet in all the bodies of troops brought into the field by the different leaders who contended for superiority, not one man acted as a hired soldier, that followed his standard for pay. Every adventurer in Peru considered himself as a conqueror, entitled by his services, to an establishment in that country which had been acquired by his valour. In the contests between the rival chiefs, each chose his side as he was directed by his own

judgment or affections. He joined his commander as a companion of his fortune, and disdained to degrade himself by receiving the wages of a mercenary. It was to their sword, not to pre-eminence in office, or nobility of birth, that most of the leaders whom they followed were indebted for their elevation; and each of their adherents hoped, by the same means, to open a way for himself to the possession of power and wealth.

But though the troops in Peru served without any regular pay, they were raised at immense expense. Among men accustomed to divide the spoils of an opulent country, the desire of obtaining wealth acquired incredible force. The ardour of pursuit augmented in proportion to the hope of success. Where all were intent on the same object, and under the dominion of the same passion, there was but one mode of gaining men, or of securing their attachment. Officers of name and influence, besides the promise of future establishments, received in hand large gratuities from the chief with whom they engaged. Gonzalo Pizarro, in order to raise a thousand men, advanced five hundred thousand pesos. Gasca expended, in levying the troops which he led against Pizarro, nine hundred thousand pesos. The distribution of property, bestowed as the reward of services, was still more exorbitant. Cepeda, as the recompence of his perfidy and address, in persuading the court of royal audience to give the sanction of its authority to the usurped jurisdiction of Pizarro, received a grant of lands which yielded an annual income of a hundred and fifty thousand pesos. Hinojosa, who, by his early defection from Pizarro, and surrender of the fleet to Gasca, decided the fate of Peru, obtained a district of country affording two hundred thousand pesos of yearly value. While such rewards were dealt out to the principal officers, with more than royal munificence, proportional shares were conferred upon those of inferior rank.

Such a rapid change of fortune produced its natural effects. It gave birth to new wants, and new desires. Veterans, long accustomed to hardship and toil, acquired of a sudden a taste for profuse and inconsiderate dissipation, and indulged in all the excesses of military licentiousness. The riot of low debauchery occupied some; a relish for expensive luxuries spread among others. The meanest soldier in Peru would have thought himself degraded by marching on foot; and at a time when the prices of horses in that country were exorbitant, each insisted on being furnished with one before he would take the field. But though less patient under the fatigue and hardships of service, they were ready to face danger and death with as much intrepidity as ever; and animated by the hope of new rewards, they never failed, on the day of battle, to display all their ancient valour.

Together with their courage, they retained all the ferocity by which they were originally distinguished. Civil discord never raged with a more fell spirit than among the Spaniards in Peru. To all the passions which usually envenom contests among countrymen, avarice was added, and rendered their enmity more rancorous. Eagerness to seize the valuable forfeitures expected upon the death of every opponent, shut the door against mercy. To be wealthy, was of itself sufficient to expose a man to accusation, or to subject him to punishment. On the slightest suspicions, Pizarro condemned many of the most opulent inhabitants in Peru to death. Carvajal, without searching for any pretext to justify his cruelty, cut off many more. The number of those who suffered by the

hands of the executioner, was not much inferior to what fell in the field (143); and the greater part were condemned without the formality of any legal trial.

The violence with which the contending parties treated their opponents was not accompanied with its usual attendants, attachment and fidelity to those with whom they acted. The ties of honour, which ought to be held sacred among soldiers, and the principle of integrity, interwoven as thoroughly in the Spanish character as in that of any nation, seem to have been equally forgotten. Even regard for decency, and the sense of shame, were totally lost. During their dissensions, there was hardly a Spaniard in Peru who did not abandon the party which he had originally espoused, betray the associates with whom he had united, and violate the engagements under which he had come. The viceroy Nugnez Vela was ruined by the treachery of Cepeda and the other judges of the royal audience, who were bound by the duties of their function to have supported his authority. The chief advisers and companions of Gonzalo Pizarro's revolt were the first to forsake him, and submit to his enemies. His fleet was given up to Gasca, by the man whom he had singled out among his officers to intrust with that important command. On the day that was to decide his fate, an army of veterans, in sight of the enemy, threw down their arms without striking a blow, and deserted a leader who had often conducted them to victory. Instances of such general and avowed contempt of the principles and obligations which attach man to man, and bind them together in social union, rarely occur in history. It is only where men are far removed from the seat of government, where the restraints of law and order are little felt, where the prospect of gain is unbounded, and where immense wealth may cover the crimes by which it is acquired, that we can find any parallel to the levity, the rapaciousness, the perfidy, and corruption prevalent among the Spaniards in Peru.

On the death of Pizarro, the malcontents in every corner of Peru laid down their arms, and tranquillity seemed to be perfectly re-established. But two very interesting objects still remained to occupy the president's attention. The one was to find immediately such employment for a multitude of turbulent and daring adventurers with which the country was filled, as might prevent them from exciting new commotions. The other, to bestow proper gratifications upon those to whose loyalty and valour he had been indebted for his success. The former of these was in some measure accomplished, by appointing Pedro de Valdivia to prosecute the conquest of Chili; and by empowering Diego Centeno to undertake the discovery of the vast regions bordering on the river De la Plata. The reputation of those leaders, together with the hopes of acquiring wealth, and of rising to consequence in some unexplored country, alluring many of the most indigent and desperate soldiers to follow their standards, drained off no inconsiderable portion of that mutinous spirit which Gasca dreaded.

The latter was an affair of greater difficulty, and to be adjusted with a more attentive and delicate hand. The *repartimientos*, or allotments of lands and Indians, which fell to be distributed in consequence of the death or forfeiture of the former possessors, exceeded two millions of pesos of yearly rent. Gasca, when now absolute master of this immense property, retained the same disinterested sentiments which he had originally professed, and refused to reserve the smallest portion of it for himself. But the number

of claimants was great and whilst the vanity or avarice of every individual fixed the value of his own services, and estimated the recompence which he thought due to him, the pretensions of each were so extravagant, that it was impossible to satisfy all. Gasca listened to them one by one, with the most patient attention; and that he might have leisure to weigh the comparative merit of their several claims with accuracy, he retired with the archbishop of Lima, and a single secretary, to a village twelve leagues from Cuzco. There he spent several days in allotting to each a district of lands and number of Indians, in proportion to his idea of their past services and future importance. But that he might get beyond the reach of the fierce storm of clamour and rage which he foresaw would burst out on the publication of his decree, notwithstanding the impartial equity with which he had framed it, he set out for Lima, leaving the instrument of partition sealed up, with orders not to open it for some days after his departure.

[Aug. 24.] The indignation excited by publishing the decree of partition was not less than Gasca had expected. Vanity, avarice, emulation, envy, shame, rage; and all the other passions which most vehemently agitate the minds of men when both their honour and their interest are deeply affected, conspired in adding to its violence. It broke out with all the fury of military insolence. Calumny, threats, and curses, were poured out openly upon the president. He was accused of ingratitude, of partiality, and of injustice. Among soldiers prompt to action, such seditious discourse would have been soon followed by deeds no less violent, and they already began to turn their eyes towards some discontented leaders, expecting them to stand forth in redress of their wrongs. By some vigorous interpositions of government, a timely check was given to this mutinous spirit, and the danger of another civil war averted for the present.

[A. D. 1549.] Gasca, however, perceiving that the flame was suppressed rather than extinguished, laboured with the utmost assiduity to soothe the malcontents, by bestowing large gratuities on some, by promising *repartimientos*, when they fell vacant, to others, and by caressing and flattering all. But that the public security might rest on a foundation more stable than their good affection, he endeavoured to strengthen the hands of his successors in office, by re-establishing the regular administration of justice in every part of the empire. He introduced order and simplicity into the mode of collecting the royal revenue. He issued regulations concerning the treatment of the Indians, well calculated to protect them from oppression, and to provide for their instruction in the principles of religion, without depriving the Spaniards of the benefit accruing from their labour. [A. D. 1550.] Having now accomplished every object of his mission, Gasca, longing to return again to a private station, committed the government of Peru to the court of audience, and set out for Spain. [Feb. 1.] As, during the anarchy and turbulence of the four last years, there had been no remittance made of the royal revenue, he carried with him thirteen hundred thousand pesos of public money, which the economy and order of his administration enabled him to save, after paying all the expenses of the war.

He was received in his native country with universal admiration of his abilities and of his virtue. Both were, indeed, highly conspicuous. Without army, or fleet, or public funds; with a train so

simple, that only three thousand ducats were expended in equipping him, he set out to oppose a formidable rebellion. By his address and talents he supplied all those defects, and seemed to create instruments for executing his designs. He acquired such a naval force, as gave him the command of the sea. He raised a body of men able to cope with the veteran bands which gave law to Peru. He vanquished their leader, on whose arms victory had hitherto attended; and in place of anarchy and usurpation, he established the government of laws, and the authority of the rightful sovereign. But the praise bestowed on his abilities was exceeded by that which his virtue merited. After residing in a country where wealth presented allurements which had seduced every person who had hitherto possessed power there, he returned from that trying station with integrity not only untainted, but unsuspected. After distributing among his countrymen possessions of greater extent and value than had ever been in the disposal of a subject in any age or nation, he himself remained in his original state of poverty; and at the very time when he brought such a large recruit to the royal treasury, he was obliged to apply by petition for a small sum to discharge some petty debts which he had contracted during the course of his service. Charles was not insensible to such disinterested merit. Gasca was received by him with the most distinguishing marks of esteem, and being promoted to the bishopric of Palencia, he passed the remainder of his days in the tranquillity of retirement, respected by his country, honoured by his sovereign, and beloved by all.

Notwithstanding all Gasca's wise regulations, the tranquillity of Peru was not of long continuance. In a country where the authority of government had been almost forgotten during the long prevalence of anarchy and misrule, where there were disappointed leaders ripe for revolt, and seditious soldiers ready to follow them, it was not difficult to raise combustion. Several successive insurrections desolated the country for some years. But as those, though fierce, were only transient storms, excited rather by the ambition and turbulence of particular men, than by general or public motives, the detail of them is not the object of this history. These commotions in Peru, like every thing of extreme violence, either in the natural or political body, were not of long duration, and by carrying off the corrupted humours which had given rise to the disorders, they contributed in the end to strengthen the society which at first they threatened to destroy. During their fierce contests, several of the first invaders of Peru, and many of those licentious adventurers whom the fame of their success had allured thither, fell by each other's hands. Each of the parties, as they alternately prevailed in the struggle, gradually cleared the country of a number of turbulent spirits, by executing, proscribing, or banishing their opponents. Men less enterprising, less desperate, and more accustomed to move in the path of sober and peaceable industry, settled in Peru; and the royal authority was gradually established as firmly there as in other Spanish colonies.

BOOK VII.

As the conquest of the two great empires of Mexico and Peru forms the most splendid and interesting period in the history of America, a view of their political institutions, and a description of their national manners, will exhibit the human species to

the contemplation of intelligent observers in a very singular stage of its progress (144).

When compared with other parts of the New World, Mexico and Peru may be considered as polished states. Instead of small, independent, hostile tribes, struggling for subsistence amidst woods and marshes, strangers to industry and arts, unacquainted with subordination, and almost without the appearance of regular government, we find countries of great extent subjected to the dominion of one sovereign; the inhabitants collected together in cities; the wisdom and foresight of rulers employed in providing for the maintenance and security of the people; the empire of laws in some measure established; the authority of religion recognized; many of the arts essential to life brought to some degree of maturity, and the dawn of such as are ornamental beginning to appear.

But if the comparison be made with the people of the ancient continent, the inferiority of America in improvement will be conspicuous, and neither the Mexicans nor Peruvians will be entitled to rank with those nations which merit the name of civilized. The people of both the great empires in America, like the rude tribes around them, were totally unacquainted with the useful metals, and the progress which they had made in extending their dominion over the animal creation was inconsiderable. The Mexicans had gone no further than to tame and rear turkeys, ducks, a species of small dogs, and rabbits. By this feeble essay of ingenuity, the means of subsistence were rendered somewhat more plentiful and secure, than when men depend solely on hunting; but they had no idea of attempting to subdue the more robust animals, or of deriving any aid from their ministry in carrying on works of labour. The Peruvians seem to have neglected the inferior animals, and not rendered any of them domestic except the duck; but they were more fortunate in taming the Llama, an animal peculiar to their country, of a form which bears some resemblance to a deer, and some to a camel, and is of a size somewhat larger than a sheep. Under the protection of man, this species multiplied greatly. Its wool furnished the Peruvians with clothing, its flesh with food. It was even employed as a beast of burden, and carried a moderate load with much patience and docility. It was never used for draught; and the breed being confined to the mountainous country, its service, if we may judge by incidents which occur in the early Spanish writers, was not very extensive among the Peruvians in their original state.

In tracing the line by which nations proceed towards civilization, the discovery of the useful metals, and the acquisition of dominion over the animal creation, have been marked as steps of capital importance in their progress. In our continent, long after men had obtained both, society continued in that state which is denominated barbarous. Even with all that command over nature which these confer, many ages elapse, before industry becomes so regular as to render subsistence secure, before the arts which supply the wants and furnish the accommodations of life are brought to any considerable degree of perfection, and before any idea is conceived of the various institutions requisite in a well-ordered society. The Mexicans and Peruvians, without knowledge of the useful metals, or the aid of domestic animals, laboured under disadvantages which must have greatly retarded their progress, and in their highest state of improvement their power was so limited, and their operations so feeble, that they

can hardly be considered as having advanced beyond the infancy of civil life.

After this general observation concerning the most singular and distinguishing circumstance in the state of both the great empires in America, I shall endeavour to give such a view of the constitution and interior police of each, as may enable us to ascertain their place in the political scale, to allot them their proper station between the rude tribes in the New World, and the polished states of the ancient, and to determine how far they had risen above the former, as well as how much they fell below the latter.

Mexico was first subjected to the Spanish crown. But our acquaintance with its laws and manners is not, from that circumstance, more complete. What I have remarked concerning the defective and inaccurate information on which we must rely with respect to the condition and customs of the savage tribes in America, may be applied likewise to our knowledge of the Mexican empire. Cortes, and the rapacious adventurers who accompanied him, had no leisure or capacity to enrich either civil or natural history with new observations. They undertook their expedition in quest of one object, and seemed hardly to have turned their eyes towards any other. Or if, during some short interval of tranquillity, when the occupations of war ceased, and the ardour of plunder was suspended, the institutions and manners of the people whom they had invaded, drew their attention, the inquiries of illiterate soldiers were conducted with so little sagacity and precision, that the accounts given by them of the policy and order established in the Mexican monarchy are superficial, confused, and inexplicable. It is rather from incidents which they relate occasionally, than from their own deductions and remarks, that we are enabled to form some idea of the genius and manners of that people. The obscurity in which the ignorance of its conquerors involved the annals of Mexico, was augmented by the superstition of those who succeeded them. As the memory of past events was preserved among the Mexicans by figures painted on skins, on cotton cloth, on a kind of pasteboard, or on the bark of trees, the early missionaries, unable to comprehend their meaning, and struck with their uncouth forms, conceived them to be monuments of idolatry which ought to be destroyed, in order to facilitate the conversion of the Indians. In obedience to an edict issued by Juan de Zummaraga, a Franciscan monk, the first bishop of Mexico, as many records of the ancient Mexican story as could be collected were committed to the flames. In consequence of this fanatical zeal of the monks who first visited New Spain, (which their successors soon began to lament,) whatever knowledge of remote events such rude monuments contained was almost entirely lost; and no information remained concerning the ancient revolutions and policy of the empire, but what was derived from tradition, or from some fragments of their historical paintings that escaped the barbarous researches of Zummaraga. From the experience of all nations it is manifest, that the memory of past transactions can neither be long preserved, nor be transmitted with any fidelity, by tradition. The Mexican paintings, which are supposed to have served as annals of their empire, are few in number, and of ambiguous meaning. Thus, amidst the uncertainty of the former, and the obscurity of the latter, we must glean what intelligence can be collected from the scanty materials scattered in the Spanish writers.

According to the account of the Mexicans themselves, their empire was not of long duration. Their

country, as they relate, was originally possessed, rather than peopled, by small independent tribes, whose mode of life and manners resembled those of the rudest savages which we have described. But about a period corresponding to the beginning of the tenth century, in the christian era, several tribes moved in successive migrations from unknown regions towards the north and north west, and settled in different provinces of *Anahuac*, the ancient name of New Spain. These, more civilized than the original inhabitants, began to form them to the arts of social life. At length, towards the commencement of the thirteenth century, the Mexicans, a people more polished than any of the former, advanced from the border of the Californian gulf, and took possession of the plains adjacent to the great lake near the centre of the country. After residing there about fifty years, they founded a town, since distinguished by the name of *Mexico*, which, from humble beginnings, soon grew to be the most considerable city in the New World. The Mexicans, long after they were established in their new possessions, continued, like other martial tribes in America, unacquainted with regal dominion, and were governed in peace, and conducted in war, by such as were entitled to pre-eminence by their wisdom or their valour. But among them, as in other states whose power and territories become extensive, the supreme authority centered at last in a single person; and when the Spaniards under Cortes invaded the country, Montezuma was the ninth monarch in order who had swayed the Mexican sceptre, not by hereditary right, but by election.

Such is the traditional tale of the Mexicans concerning the progress of their own empire. According to this, its duration was very short. From the first migration of their parent tribe, they can reckon little more than three hundred years. From the establishment of monarchical government, not above a hundred and thirty years according to one account, or a hundred and ninety-seven, according to another computation, had elapsed. If, on one hand, we suppose the Mexican state to have been of higher antiquity, and to have subsisted during such a length of time as the Spanish accounts of its civilization would naturally lead us to conclude, it is difficult to conceive how, among a people who possessed the art of recording events by pictures, and who considered it as an essential part of their national education to teach their children to repeat their historical songs which celebrated the exploits of their ancestors, the knowledge of past transactions should be so slender and limited. If, on the other hand, we adopt their own system with respect to the antiquities of their nation, it is no less difficult to account either for that improved state of society, or for the extensive dominion to which their empire had attained, when first visited by the Spaniards. The infancy of nations is so long, and, even when every circumstance is favourable to their progress, they advance so slowly towards any maturity of strength or policy, that the recent origin of the Mexicans seems to be a strong presumption of some exaggeration in the splendid descriptions which have been given of their government and manners.

But it is not by theory or conjectures that history decides with regard to the state or character of nations. It produces facts as the foundation of every judgment which it ventures to pronounce. In collecting those which must regulate our opinion in the present inquiry, some occur that suggest an idea of considerable progress in civilization in the Mexican empire, and others which seem to indicate that it had advanced but little beyond the savage tribes

around it. Both shall be exhibited to the view of the reader, that from comparing them, he may determine on which side the evidence preponderates.

In the Mexican empire, the right of private property was perfectly understood, and established in its full extent. Among several savage tribes, we have seen, that the idea of a title to the separate and exclusive possession of any object was hardly known; and that among all it was extremely limited and ill defined. But in Mexico, where agriculture and industry had made some progress, the distinction between property in land and property in goods had taken place. Both might be transferred from one person to another by sale or barter; both might descend by inheritance. Every person who could be denominated a freeman had property in land. This, however, they held by various tenures. Some possessed it in full right, and it descended to their heirs. The title of others to their lands was derived from the office or dignity which they enjoyed; and when deprived of the latter, they lost possession of the former. Both these modes of occupying land were deemed noble, and peculiar to citizens of the highest class. The tenure by which the great body of the people held their property, was very different. In every district a certain quantity of land was measured out in proportion to the number of families. This was cultivated by the joint labour of the whole; its produce was deposited in a common storehouse, and divided among them according to their respective exigencies. The members of the *Calpulle*, or associations, could not alienate their share of the common estate; it was an indivisible permanent property, destined for the support of their families. In consequence of this distribution of the territory of the state, every man had an interest in its welfare, and the happiness of the individual was connected with the public security. Another striking circumstance, which distinguishes the Mexican empire from those nations in America we have already described, is the number and greatness of its cities. While society continues in a rude state, the wants of men are so few, and they stand so little in need of mutual assistance, that their inducements to crowd together are extremely feeble. Their industry at the same time is so imperfect, that it cannot secure subsistence for any considerable number of families settled in one spot. They live dispersed, at this period, from choice as well as from necessity, or, at the utmost, assemble in small hamlets on the banks of the river which supplies them with food, or on the border of some plain left open by nature, or cleared by their own labour. The Spaniards, accustomed to this mode of habitation among all the savage tribes with which they were hitherto acquainted, were astonished, on entering New Spain, to find the natives residing in towns of such extent as resembled those of Europe. In the first fervour of their admiration, they compared Zempoalla, though a town only of the second or third size, to the cities of the greatest note in their own country. When, afterwards, they visited in succession Tlascala, Cholula, Tacuba, Tezeuco, and Mexico itself, their amazement increased so much, that it led them to convey ideas of their magnitude and populousness bordering on what is incredible. Even when there is leisure for observation, and no interest that leads to deceive, conjectural estimates of the number of people in cities are extremely loose, and usually much exaggerated. It is not surprising, then, that Cortes and his companions, little accustomed to such computations, and powerfully tempted to magnify, in order to exalt the merit of their own discoveries and

conquests, should have been betrayed into this common error, and have raised their descriptions considerably above truth. For this reason, some considerable abatement ought to be made from their calculations of the number of inhabitants in the Mexican cities, and we may fix the standard of their population much lower than they have done; but still they will appear to be cities of such consequence, as are not to be found but among people who have made some considerable progress in the arts of social life (145). From their accounts, we can hardly suppose Mexico, the capital of the empire, to have contained fewer than sixty thousand inhabitants.

The separation of professions among the Mexicans is a symptom of improvement no less remarkable. Arts, in the early ages of society, are so few and so simple, that each man is sufficiently master of them all, to gratify every demand of his own limited desires. The savage can form his bow, point his arrows, rear his hut, and hollow his canoe, without calling in the aid of any hand more skilful than his own. Time must have augmented the wants of men, and ripened their ingenuity, before the productions of art became so complicated in their structure, or so curious in their fabric, that a particular course of education was requisite towards forming the artificer to expertness in contrivance and workmanship. In proportion as refinement spreads, the distinction of professions increases, and they branch out into more numerous and minute subdivisions. Among the Mexicans this separation of the arts necessary in life had taken place to a considerable extent. The functions of the mason, the weaver, the goldsmith, the painter, and of several other crafts were carried on by different persons. Each was regularly instructed in his calling. To it alone his industry was confined; and by assiduous application to one object, together with the persevering patience peculiar to Americans, their artisans attained to a degree of neatness and perfection in work, far beyond what could have been expected from the rude tools which they employed. Their various productions were brought into commerce, and by the exchange of them in the stated markets held in the cities, not only were their mutual wants supplied, in such orderly intercourse as characterizes an improved state of society, but their industry was daily rendered persevering and inventive.

The distinction of ranks established in the Mexican empire is the next circumstance that merits attention. In surveying the savage tribes of America, we observed, that consciousness of equality, and impatience of subordination, are sentiments natural to man in the infancy of civil life. During peace, the authority of a superior is hardly felt among them, and even in war it is but little acknowledged. Strangers to the idea of property, the difference in condition resulting from the inequality of it is unknown. Birth or titles confer no pre-eminence; it is only by personal merit and accomplishments that distinction can be acquired. The form of society was very different among the Mexicans. The great body of the people was in a most humiliating state. A considerable number, known by the name of *Mayeques*, nearly resembled in condition those peasants who, under various denominations, were considered, during the prevalence of the feudal system, as instruments of labour attached to the soil. The *Mayeques* could not change their place of residence without permission of the superior on whom they depended. They were conveyed, together with the lands on which they were settled, from one proprietor to another; and were bound to

cultivate the ground, and to perform several kinds of servile work. Others were reduced to the lowest form of subjection, that of domestic servitude, and felt the utmost rigour of that wretched state. Their condition was held to be so vile, and their lives deemed to be of so little value, that a person who killed one of these slaves was not subjected to any punishment. Even those considered as freemen were treated by their haughty lords as beings of an inferior species. The nobles, possessed of ample territories were divided into various classes, to each of which peculiar titles belonged. Some of these titles, like their lands, descended from father to son in perpetual succession. Others were annexed to particular offices, or conferred during life as marks of personal distinction. The monarch, exalted above all, enjoyed extensive power, and supreme dignity. Thus, the distinction of ranks was completely established, in a line of regular subordination, reaching from the highest to the lowest member of the community. Each of these knew what he could claim, and what he owed. The people, who were not allowed to wear a dress of the same fashion, or to dwell in houses of a form similar to those of the nobles, accosted them with the most submissive reverence. In the presence of their sovereign, they durst not lift their eyes from the ground, or look him in the face. The nobles themselves, when admitted to an audience of their sovereign, entered barefooted, in mean garments, and, as his slaves, paid him homage approaching to adoration. This respect, due from inferiors to those above them in rank, was prescribed with such ceremonious accuracy, that it incorporated with the language, and influenced its genius and idiom. The Mexican tongue abounded in expressions of reverence and courtesy. The style and appellations used in the intercourse between equals, would have been so unbecoming in the mouth of one in a lower sphere, when he accosted a person in higher rank, as to be deemed an insult (146). It is only in societies, which time and the institution of regular government have moulded into form, that we find such an orderly arrangement of men into different ranks, and such nice attention paid to their various rights.

The spirit of the Mexicans, thus familiarized and bended to subordination, was prepared for submitting to monarchical government. But the descriptions of their policy and laws by the Spaniards who overturned them, are so inaccurate and contradictory, that it is difficult to delineate the form of their constitution with any precision. Sometimes they represent the monarchs of Mexico as absolute, deciding according to their pleasure with respect to every operation of the state. On other occasions, we discover the traces of established customs and laws, framed in order to circumscribe the power of the crown, and we meet with rights and privileges of the nobles which seemed to be opposed as barriers against its encroachments. This appearance of inconsistency has arisen from inattention to the innovations of Montezuma upon the Mexican policy. His aspiring ambition subverted the original system of government, and introduced a pure despotism. He disregarded the ancient laws, violated the privileges held most sacred, and reduced his subjects of every order to the level of slaves. The chiefs, or nobles of the first rank, submitted to the yoke with such reluctance, that, from impatience to shake it off, and hope of recovering their rights, many of them courted the protection of Cortes, and joined a foreign power against their domestic oppressor. It is not then under the dominion of Montezuma, but

under the government of his predecessors, that we can discover what was the original form and genius of Mexican policy. From the foundation of the monarchy to the election of Montezuma, it seems to have subsisted with little variation. That body of citizens which may be distinguished by the name of nobility, formed the chief and most respectable order in the state. They were of various ranks, as has been already observed, and their honours were acquired and transmitted in different manners. Their number seems to have been great. According to an author accustomed to examine with attention what he relates, there were in the Mexican empire thirty of this order, each of whom had in his territories about an hundred thousand people, and subordinate to these, there were about three thousand nobles of a lower class. The territories belonging to the chiefs of Tezeuco and Tacuba were hardly inferior in extent to those of the Mexican monarch. Each of these possessed complete territorial jurisdiction, and levied taxes from their own vassals. But all followed the standard of Mexico in war, serving with a number of men in proportion to their domain, and most of them paid tribute to its monarch as their superior lord.

In tracing those great lines of the Mexican constitution, an image of feudal policy, in its most rigid form, rises to view, and we discern its three distinguishing characteristics, a nobility possessing almost independent authority, a people depressed into the lowest state of subjection, and a king intrusted with the executive power of the state. Its spirit and principles seem to have operated in the New World, in the same manner as in the ancient. The jurisdiction of the crown was extremely limited. All real and effective authority was retained by the Mexican nobles in their own hands, and the shadow of it only left to the king. Jealous to excess of their own rights, they guarded with the most vigilant anxiety against the encroachments of their sovereigns. By a fundamental law of the empire it was provided, that the king should not determine concerning any point of general importance, without the approbation of a council composed of the prime nobility. Unless he obtained their consent, he could not engage the nation in war, nor could he dispose of the most considerable branch of the public revenue at pleasure; it was appropriated to certain purposes, from which it could not be diverted by the regal authority alone. In order to secure full effect to those constitutional restraints, the Mexican nobles did not permit their crown to descend by inheritance, but disposed of it by election. The right of election seems to have been originally vested in the whole body of nobility, but was afterwards committed to six electors, of whom the chiefs of Tezeuco and Tacuba were always two. From respect for the family of their monarchs, the choice fell generally upon some person sprung from it. But as the activity and valour of their prince were of greater moment to a people perpetually engaged in war, than a strict adherence to the order of birth, collaterals of mature age, or of distinguished merit, were often preferred to those who were nearer the throne in direct descent. To this maxim in their policy, the Mexicans appeared to be indebted for such a succession of able and warlike princes, as raised their empire in a short period to that extraordinary height of power which it had attained when Cortes landed in New Spain.

While the jurisdiction of the Mexican monarchs continued to be limited, it is probable that it was

exercised with little ostentation. But as their authority became more extensive, the splendour of their government augmented. It was in this last state that the Spaniards beheld it; and struck with the appearance of Montezuma's court, they described its pomp at great length, and with much admiration. The number of his attendants, the order, the silence, and the reverence with which they served him; the extent of his royal mansion, the variety of its apartments allotted to different officers, and the ostentation with which this grandeur was displayed, whenever he permitted his subjects to behold him, seem to resemble the magnificence of the ancient monarchies in Asia, rather than the simplicity of the infant states in the New World.

But it was not in the mere parade of royalty that the Mexican potentates exhibited their power; they manifested it more beneficially in the order and regularity with which they conducted the internal administration and police of their dominions. Complete jurisdiction, civil as well as criminal, over its own immediate vassals, was vested in the crown. Judges were appointed for each department, and if we may rely on the account which the Spanish writers give of the maxims and laws upon which they founded their decisions with respect to the distribution of property and the punishment of crimes, justice was administered in the Mexican empire with a degree of order and equity resembling what takes place in societies highly civilized.

Their attention in providing for the support of government was not less sagacious. Taxes were laid upon land, upon the acquisitions of industry, and upon commodities of every kind exposed to sale in the public markets. These duties were considerable, but not arbitrary or unequal. They were imposed according to established rules, and each knew what share of the common burden he had to bear. As the use of money was unknown, all the taxes were paid in kind, and thus not only the natural productions of all the different provinces in the empire, but every species of manufacture, and every work of ingenuity and art, were collected in the public storehouses. From those the emperor supplied his numerous train of attendants in peace, and his armies during war, with food, with clothes, and ornaments. People of inferior condition, neither possessing land, nor engaged in commerce, were bound to the performance of various services. By their stated labour the crown lands were cultivated, public works were carried on, and the various houses belonging to the emperor were built and kept in repair (147).

The improved state of government among the Mexicans is conspicuous, not only in points essential to the being of a well ordered society, but in several regulations of inferior consequence with respect to police. The institution which I have already mentioned, of public couriers, stationed at proper intervals, to convey intelligence from one part of the empire to the other, was a refinement in police not introduced into any kingdom of Europe at that period. The structure of the capital city in a lake, with artificial dykes, and causeways of great length, which served as avenues to it from different quarters, erected in the water with no less ingenuity than labour, seems to be an idea that could not have occurred to any but a civilized people. The same observation may be applied to the structure of the aqueducts, or conduits by which they conveyed a stream of fresh water, from a considerable distance, into the city, along one of the causeways (148). The appointment of a number of

persons to clean the streets, to light them by fires kindled in different places, and to patrol as watchmen during the night, discovers a degree of attention which even polished nations are late in acquiring.

The progress of the Mexicans in various arts, is considered as the most decisive proof of their superior refinement. Cortes, and the early Spanish authors, describe this with rapture, and maintain, that the most celebrated European artists could not surpass or even equal them in ingenuity and neatness of workmanship. They represented men, animals, and other objects, by such a disposition of various coloured feathers, as is said to have produced all the effects of light and shade, and to have imitated nature with truth and delicacy. Their ornaments of gold and silver have been described to be of a fabric no less curious. But in forming any idea, from general descriptions, concerning the state of arts among nations imperfectly polished, we are extremely ready to err. In examining the works of people whose advances in improvement are nearly the same with our own, we view them with a critical and often with a jealous eye. Whereas, when conscious of our own superiority, we survey the arts of nations comparatively rude, we are astonished at works executed by them under such manifest disadvantages, and, in the warmth of our admiration, are apt to represent them as productions more finished than they really are. To the influence of this illusion, without supposing any intention to deceive, we may impute the exaggeration of some Spanish authors, in their accounts of the Mexican arts.

It is not from those descriptions, but from considering such specimens of their arts as are still preserved, that we must decide concerning their degree of merit. As the ship in which Cortes sent to Charles V. the most curious productions of the Mexican artisans, which were collected by the Spaniards when they first pillaged the empire, was taken by a French corsair, the remains of their ingenuity are less numerous than those of the Peruvians. Whether any of their works with feathers, in imitation of painting, be still extant in Spain, I have not learned; but many of their ornaments in gold and silver, as well as various utensils employed in common life, are deposited in the magnificent cabinet of natural and artificial productions lately opened by the king of Spain: and I am informed by persons on whose judgment and taste I can rely, that these boasted efforts of their art are uncouth representations of common objects, or very coarse images of the human and some other forms, destitute of grace and propriety. The justness of these observations is confirmed by inspecting the wooden prints and copper-plates of their paintings, which have been published by various authors. In them, every figure of men, of quadrupeds, or birds, as well as every representation of inanimated nature, is extremely rude and awkward. The hardest Egyptian style, stiff and imperfect as it was, is more elegant. The scrawls of children delineate objects almost as accurately.

But however low the Mexican paintings may be ranked, when viewed merely as works of art, a very different station belongs to them, when considered as the records of their country, as historical monuments of its policy and transactions; and they become curious as well as interesting objects of attention. The noblest and most beneficial invention of which human ingenuity can boast, is that of writing. But the first essays of this art, which hath contributed more than all others to the improve-

ment of the species, were very rude, and it advanced towards perfection slowly, and by a gradual progression. When the warrior, eager for fame, wished to transmit some knowledge of his exploits to succeeding ages; when the gratitude of a people to their sovereign prompted them to hand down an account of his beneficent deeds to posterity; the first method of accomplishing this which seems to have occurred to them, was to delineate, in the best manner they could, figures representing the action of which they were solicitous to preserve the memory. Of this, which has very properly been called *picture writing*, we find traces among some of the most savage tribes of America. When a leader returns from the field, he strips a tree of its bark, and with red paint scratches upon it some uncouth figures, which represent the order of his march, the number of his followers, the enemy whom he attacked, the scalps and captives which he brought home. To those simple annals he trusts for renown, and soothes himself with hope that by their means he shall receive praise from warriors of future times.

Compared with those awkward essays of their savage countrymen, the paintings of the Mexicans may be considered as works of composition and design. They were not acquainted, it is true, with any other method of recording transactions, than that of delineating the objects which they wished to represent. But they could exhibit a more complex series of events in progressive order, and describe, by a proper disposition of figures, the occurrences of a king's reign from his accession to his death; the progress of an infant's education from its birth until it attain to the years of maturity; the different recompences and marks of distinction conferred upon warriors, in proportion to the exploits which they had performed. Some singular specimens of this picture-writing have been preserved, which are justly considered as the most curious monuments of art brought from the New World. The most valuable of these was published by Purchas in sixty-six plates. It is divided into three parts. The first contains the history of the Mexican empire under its ten monarchs. The second is a tribute-roll, representing what each conquered town paid into the royal treasury. The third is a code of their institutions, domestic, political, and military. Another specimen of Mexican painting has been published in thirty-two plates, by the present archbishop of Toledo. To both is annexed a full explanation of what the figures were intended to represent, which was obtained by the Spaniards from Indians well acquainted with their own arts. The style of painting in all these is the same. They represent *things* not *words*. They exhibit images to the eye, not ideas to the understanding. They may, therefore, be considered as the earliest and most imperfect essay of men in their progress towards discovering the art of writing. The defects in this mode of recording transactions must have been early felt. To paint every occurrence was, from its nature, a very tedious operation; and as affairs became more complicated, and events multiplied in society, its annals must have swelled to an enormous bulk. Besides this, no objects could be delineated but those of sense; the conceptions of the mind had no corporeal form, and as long as picture-writing could not convey an idea of these, it must have been a very imperfect art. The necessity of improving it must have roused and sharpened invention, and the human mind holding the same course in the New

World as in the Old, might have advanced by the same successive steps, first from an actual picture to the plain hieroglyphic; next to the allegorical symbol; then to the arbitrary character; until, at length, an alphabet of letters was discovered, capable of expressing all the various combinations of sound employed in speech. In the paintings of the Mexicans we accordingly perceive, that this progress was begun among them. Upon an attentive inspection of the plates which I have mentioned, we may observe some approach to the plain or simple hieroglyphic, where some principal part or circumstance in the subject is made to stand for the whole. In the annals of their kings, published by Purchas, the towns conquered by each are uniformly represented in the same manner by a rude delineation of a house; but in order to point out the particular towns which submitted to their victorious arms, peculiar emblems, sometimes natural objects, and sometimes artificial figures, are employed. In the tribute-roll published by the archbishop of Toledo, the house, which was properly the picture of the town, is omitted, and the emblem alone is employed to represent it. The Mexicans seem even to have made some advances beyond this, towards the use of the more figurative and fanciful hieroglyphic. In order to describe a monarch who had enlarged his dominions by force of arms, they painted a target ornamented with darts, and placed it between him and those towns which he subdued. But it is only in one instance, the notation of numbers, that we discern any attempt to exhibit ideas which had no corporeal form. The Mexican painters had invented artificial marks, or *signs of convention*, for this purpose. By means of these, they computed the years of their kings' reigns, as well as the amount of tribute to be paid into the royal treasury. The figure of a circle represented unit, and in small numbers the computation was made by repeating it. Larger numbers were expressed by a peculiar mark, and they had such as denoted all integral numbers, from twenty to eight thousand. The short duration of their empire prevented the Mexicans from advancing further in that long course which conducts men from the labour of delineating real objects to the simplicity and ease of alphabetic writing. Their records, notwithstanding some dawn of such ideas as might have led to a more perfect style, can be considered as little more than a species of picture-writing, so far improved as to mark their superiority over the savage tribes of America; but still so defective, as to prove that they had not proceeded far beyond the first stage in that progress which must be completed before any people can be ranked among polished nations (150).

Their mode of computing time may be considered as a more decisive evidence of their progress in improvement. They divided their year into eighteen months, each consisting of twenty days, amounting in all to three hundred and sixty. But as they observed that the course of the sun was not completed in that time, they added five days to the year. These, which were properly intercalary days, they termed *supernumerary* or *waste*; and as they did not belong to any month, no work was done, and no sacred rite performed on them; they were devoted wholly to festivity and pastime. This near approach to philosophical accuracy is a remarkable proof that the Mexicans had bestowed some attention upon inquiries and speculations, to which men in a very rude state never turn their thoughts.

Such are the most striking particulars in the man-

ners and policy of the Mexicans, which exhibit them to view as a people considerably refined. But from other circumstances, one is apt to suspect that their character, and many of their institutions, did not differ greatly from those of the other inhabitants of America.

Like the rude tribes around them, the Mexicans were incessantly engaged in war, and the motives which prompted them to hostility seem to have been the same. They fought in order to gratify their vengeance, by shedding the blood of their enemies. In battle they were chiefly intent on taking prisoners, and it was by the number of these that they estimated the glory of victory. No captive was ever ransomed or spared. All were sacrificed without mercy, and their flesh devoured with the same barbarous joy as among the fiercest savages. On some occasions it rose to even wilder excesses. Their principal warriors covered themselves with the skins of the unhappy victims, and danced about the streets, boasting of their own valour, and exulting over their enemies. Even in their civil institutions we discover traces of that barbarous disposition which their system of war inspired. The four chief counsellors of the empire were distinguished by titles, which could have been assumed only by a people who delighted in blood. This ferocity of character prevailed among all the nations of New Spain. The Tlascalans, the people of Mechoacan, and other states at enmity with the Mexicans, delighted equally in war, and treated their prisoners with the same cruelty. In proportion as mankind combine in social union, and live under the influence of equal laws and regular policy, their manners soften, sentiments of humanity arise, and the rights of the species come to be understood. The fierceness of war abates, and even while engaged in hostility, men remember what they owe one to another. The savage fight to destroy, the citizen to conquer. The former neither pities nor spares, the latter has acquired sensibility which tempers his rage. To this sensibility the Mexicans seem to have been perfect strangers, and among them war was carried on with so much of its original barbarity, that we cannot but suspect their degree of civilization to have been very imperfect.

Their funeral rites were not less bloody than those of the most savage tribes. On the death of any distinguished personage, especially of the emperor, a certain number of his attendants were chosen to accompany him to the other world; and those unfortunate victims were put to death without mercy, and buried in the same tomb.

Though their agriculture was more extensive than that of the roving tribes who trusted chiefly to their bow for food, it seems not to have supplied them with such subsistence as men require when engaged in efforts of active industry. The Spaniards appear not to have been struck with any superiority of the Mexicans over the other people of America in bodily vigour. Both, according to their observation, were of such a feeble frame as to be unable to endure fatigue, and the strength of one Spaniard exceeded that of several Indians. This they imputed to their scanty diet, on poor fare, sufficient to preserve life, but not to give firmness to their constitution. Such a remark could hardly have been made with respect to any people furnished plentifully with the necessaries of life. The difficulty which Cortes found in procuring subsistence for his small body of soldiers, who were often constrained to live on the spontaneous productions of the earth, seems to confirm the remark of the Spanish writers and gives no high

idea of the state of cultivation in the Mexican empire.

A practice that was universal in New Spain appears to favour this opinion. The Mexican women gave suck to their children for several years, and during that time did not cohabit with their husbands. This precaution against a burdensome increase of progeny, though necessary, as I have already observed, among savages, who from the hardships of their condition, and the precariousness of their subsistence, find it impossible to rear a numerous family, can be hardly supposed to have continued among a people who lived at ease and in abundance.

The vast extent of the Mexican empire, which has been considered, and with justice, as the most decisive proof of a considerable progress in regular government and police, is one of those facts in the history of the New World which seems to have been admitted without due examination or sufficient evidence. The Spanish historians, in order to magnify the valour of their countrymen, are accustomed to represent the dominion of Montezuma as stretching over all the provinces of New Spain from the Northern to the Southern ocean. But a great part of the mountainous country was possessed by the *Otomies*, a fierce uncivilized people, who seem to have been the residue of the original inhabitants. The provinces towards the north and west of Mexico were occupied by the *Chichimecas*, and other tribes of hunters. None of these recognised the Mexican monarch as their superior. Even in the interior and more level country, there were several cities and provinces which had never submitted to the Mexican yoke. *Tlasecala*, though only twenty-one leagues from the capital of the empire, was an independent and hostile republic. *Cholula*, though still nearer, had been subjected only a short time before the arrival of the Spaniards. *Tepeaca*, at the distance of thirty leagues from Mexico, seems to have been a separate state, governed by its own laws. *Mechoacan*, the frontier of which extended within forty leagues of Mexico, was a powerful kingdom, remarkable for its implacable enmity to the Mexican name. By these hostile powers the Mexican empire was circumscribed on every quarter, and the high ideas which we are apt to form of it from the description of the Spanish historians, should be considerably moderated.

In consequence of this independence of several states in New Spain upon the Mexican empire, there was not any considerable intercourse between its various provinces. Even in the interior country, not far distant from the capital, there seem to have been no roads to facilitate the communication of one district with another; and when the Spaniards first attempted to penetrate into its several provinces, they had to open their way through forests and marshes. Cortes, in his adventurous march from Mexico to Honduras in 1525, met with obstructions, and endured hardships, little inferior to those with which he must have struggled in the most uncivilized regions of America. In some places he could hardly force a passage through impervious woods, and plains overflowed with water. In others he found so little cultivation, that his troops were frequently in danger of perishing by famine. Such facts correspond ill with the pompous description which the Spanish writers give of Mexican police and industry, and convey an idea of a country nearly similar to that possessed by the Indian tribes in North America. Here and there a treading or a war-path, as they are called in North America, led from one settlement

to another, but generally there appeared no sign of any established communication, few marks of industry, and fewer monuments of art.

A proof of this imperfection in their commercial intercourse, no less striking, is their want of money, or some universal standard by which to estimate the value of commodities. The discovery of this is among the steps of greatest consequence in the progress of nations. Until it has been made, all their transactions must be so awkward, so operose, and so limited, that we may boldly pronounce that they have advanced but a little way in their career. The invention of such a commercial standard is of such high antiquity in our hemisphere, and rises so far beyond the era of authentic history, as to appear almost coeval with the existence of society. The precious metals seem to have been early employed for this purpose, and from their permanent value, their divisibility, and many other qualities, they are better adapted to serve as a common standard than any other substance of which nature has given us the command. But in the New World, where these metals abound most, this use of them was not known. The exigencies of rude tribes, or of monarchies imperfectly civilized, did not call for it. All their commercial intercourse was carried on by barter, and their ignorance of any common standard by which to facilitate that exchange of commodities which contributes so much towards the comfort of life, may be justly mentioned as an evidence of the infant state of their policy. But even in the New World the inconvenience of wanting some general instrument of commerce began to be felt, and some efforts were making towards supplying that defect. The Mexicans, among whom the number and greatness of their cities gave rise to a more extended commerce than in any other part of America, had begun to employ a common standard of value, which rendered smaller transactions much more easy. As chocolate was the favourite drink of persons in every rank of life, the nuts or almonds of cacao, of which it is composed, were of such universal consumption, that, in their stated markets, these were willingly received in return for commodities of small price. Thus they came to be considered as the instrument of commerce, and the value of what one wishes to dispose of was estimated by the number of nuts of the cacao which he might expect in exchange for it. This seems to be the utmost length which the Americans had advanced towards the discovery of any expedient for supplying the use of money. And if the want of it is to be held, on one hand, as a proof of their barbarity, this expedient for supplying that want should be admitted, on the other, as an evidence no less satisfying, of some progress which the Mexicans had made in refinement and civilization, beyond the savage tribes around them.

In such a rude state were many of the Mexican provinces when first visited by their conquerors. Even their cities, extensive and populous as they were, seem more fit to be the habitation of men just emerging from barbarity, than the residence of a polished people. The description of Tlascala nearly resembles that of an Indian village. A number of low struggling huts, scattered about irregularly, according to the caprice of each proprietor, built with turf and stone and thatched with reeds, without any light but what they received by a door, so low that it could not be entered upright. In Mexico, though from the peculiarity of its situation, the disposition of the houses was more orderly, the

structure of the greater part was equally mean. Nor does the fabric of their temples, and other public edifices, appear to have been such as entitled them to the high praise bestowed upon them by many Spanish authors. As far as one can gather from their obscure and inaccurate descriptions, the great temple of Mexico, the most famous in New Spain, which has been represented as a magnificent building, raised to such a height that the ascent to it was by a flight of a hundred and fourteen steps, was a solid mass of earth of a square form, faced partly with stone. Its base on each side extended ninety feet, and decreasing gradually as it advanced in height, it terminated in a quadrangle of about thirty feet, where were placed a shrine of the deity, and two altars on which the victims were sacrificed. All the other celebrated temples of New Spain exactly resembled that of Mexico (152). Such structures convey no high idea of progress in art and ingenuity; and one can hardly conceive that a form more rude and simple could have occurred to a nation in its first efforts towards erecting any great work.

Greater skill and ingenuity were displayed, if we may believe the Spanish historians, in the houses of the emperor, and in those of the principal nobility. There, some elegance of design was visible, and a commodious arrangement of the apartments was attended to. But if buildings corresponding to such descriptions had ever existed in the Mexican cities, it is probable that some remains of them would still be visible. From the manner in which Cortes conducted the siege of Mexico, we can indeed easily account for the total destruction of whatever had any appearance of splendour in that capital. But as only two centuries and a half have elapsed since the conquest of New Spain, it seems altogether incredible that in a period so short every vestige of this boasted elegance and grandeur should have disappeared; and that in the other cities, particularly in those which did not suffer by the destructive hand of the conquerors, there are not any ruins which can be considered as monuments of their ancient magnificence.

Even in a village of the rudest Indians, there are buildings of greater extent and elevation than common dwelling-houses. Such as are destined for holding the council of the tribe, and in which all assemble on occasions of public festivity, may be called stately edifices, when compared with the rest. As among the Mexicans the distinction of ranks was established, and property was unequally divided, the number of distinguished structures in their towns would of course be greater than in other parts of America. But these seem not to have been either so solid or magnificent as to merit the pompous epithets which some Spanish authors employ in describing them. It is probable, that, though more ornamented, and built on a larger scale, they were erected with the same slight materials which the Indians employed in their common buildings (153), and time, in a space much less than two hundred and fifty years, may have swept away all remains of them (154).

From this enumeration of facts, it seems upon the whole to be evident, that the state of society in Mexico was considerably advanced beyond that of the savage tribes which we have delineated. But it is no less manifest, that with respect to many particulars, the Spanish accounts of their progress appear to be highly embellished. There is not a more frequent or a more fertile source of deception in describing the manners and arts of savage nations,

or of such as are imperfectly civilized, than that of applying to them the names and phrases appropriated to the institutions and refinements of polished life. When the leader of a small tribe, or the head of a rude community, is dignified with the name of king or emperor, the place of his residence can receive no other name but that of his palace; and whatever his attendants may be, they must be called his court. Under such appellations they acquire, in our estimation, an importance and dignity which does not belong to them. The illusion spreads, and giving a false colour to every part of the narrative, the imagination is so much carried away with the resemblance, that it becomes difficult to discern objects as they really are. The Spaniards, when they first touched on the Mexican coast, were so much struck with the appearance of attainments in policy and in the arts of life, far superior to those of the rude tribes with which they were hitherto acquainted, that they fancied they had at length discovered a civilized people in the New World. This comparison between the people of Mexico and their uncultivated neighbours, they appear to have kept constantly in view, and observing with admiration many things which marked the pre-eminence of the former, they employ, in describing their imperfect policy and infant arts, such terms as are applicable to the institutions of men far beyond them in improvement. Both these circumstances concur in detracting from the credit due to the descriptions of Mexican manners by the early Spanish writers. By drawing a parallel between them and those of people so much less civilized, they raised their own ideas too high. By their mode of describing them, they conveyed ideas to others no less exalted above truth. Later writers have adopted the style of the original historians, and imprinted upon it. The colours with which De Solis delineates the character and describes the actions of Montezuma, the splendour of his court, the laws and policy of his empire, are the same that he must have employed in exhibiting to view the monarch and institutions of a highly polished people.

But though we may admit, that the warm imagination of the Spanish writers has added some embellishment to their descriptions, this will not justify the decisive and peremptory tone with which several authors pronounce all their accounts of the Mexican power, policy, and laws, to be the fictions of men who wished to deceive, or who delighted in the marvellous. There are few historical facts that can be ascertained by evidence more unexceptionable than may be produced in support of the material articles in the description of the Mexican constitution and manners. Eye-witnesses relate what they beheld. Men who had resided among the Mexicans, both before and after the conquest, describe institutions and customs which were familiar to them. Persons of professions so different that objects must have presented themselves to their view under every various aspect; soldiers, priests, and lawyers, all concur in their testimony. Had Cortes ventured to impose upon his sovereign, by exhibiting to him a picture of imaginary manners, there wanted not enemies and rivals who were qualified to detect his deceit, and who would have rejoiced in exposing it. But according to the just remark of an author, whose ingenuity has illustrated, and whose eloquence has adorned, the history of America, this supposition is in itself as improbable as the attempt would have been audacious. Who among the destroyers of this great empire was so enlightened by science, or so attentive to the progress and operations of men in social life,

as to frame a fictitious system of policy, so well combined and so consistent, as that which they delineate in their accounts of the Mexican government? Where could they have borrowed the idea of many institutions in legislation and police, to which, at that period, there was nothing parallel in the nations with which they were acquainted? There was not, at the beginning of the sixteenth century, a regular establishment of posts for conveying intelligence to the sovereign of any kingdom in Europe. The same observation will apply to what the Spaniards relate with respect to the structure of the city of Mexico, the regulations concerning its police, and various laws established for the administration of justice, or securing the happiness of the community. Whoever is accustomed to contemplate the progress of nations, will often, at very early stages of it, discover a premature and unexpected dawn of those ideas, which gave rise to institutions that are the pride and ornament of its most advanced period. Even in a state as imperfectly polished as the Mexican empire, the happy genius of some sagacious observer, excited or aided by circumstances unknown to us, may have introduced institutions which are seldom found but in societies highly refined. But it is almost impossible that the illiterate conquerors of the New World should have formed, in any one instance, a conception of customs and laws beyond the standard of improvement in their own age and country. Or if Cortes had been capable of this, what inducement had those by whom he was superseded to continue the deception? Why should Corita, or Motolinea, or Acosta, have amused their sovereign or their fellow-citizens with a tale purely fabulous?

In one particular, however, the guides whom we must follow, have represented the Mexicans to be more barbarous, perhaps, than they really were. Their religious tenets, and the rites of their worship, are described by them as wild and cruel in an extreme degree. Religion, which occupies no considerable place in the thoughts of a savage, whose conceptions of any superior power are obscure, and his sacred rites few as well as simple, was formed among the Mexicans into a regular system, with its complete train of priests, temples, victims, and festivals. This, of itself, is a clear proof that the state of the Mexicans was very different from that of the ruder American tribes. But from the extravagance of their religious notions, or the barbarity of their rites, no conclusion can be drawn with certainty concerning the degree of their civilization. For nations, long after their ideas begin to enlarge, and their manners to refine, adhere to systems of superstition founded on the crude conceptions of early ages. From the genius of the Mexican religion we may, however, form a most just conclusion with respect to its influence upon the character of the people. The aspect of superstition in Mexico was gloomy and atrocious. Its divinities were clothed with terror, and delighted in vengeance. They were exhibited to the people under detestable forms, which created horror. The figures of serpents, of tigers, and of other destructive animals, decorated their temples. Fear was the only principle that inspired their votaries. Fasts, mortifications, and penances, all rigid, and many of them excruciating to an extreme degree, were the means employed to appease the wrath of their gods; and the Mexicans never approached their altars without sprinkling them with blood drawn from their own bodies. But, of all offerings, human sacrifices were deemed the most acceptable. This religious belief, mingling with the implacable spirit of vengeance,

and adding new force to it, every captive taken in war was brought to the temple, was devoted as a victim to the deity, and sacrificed with rites no less solemn than cruel (155). The heart and head were the portion consecrated to the gods; the warrior by whose prowess the prisoner had been seized, carried off the body to feast upon it with his friends. Under the impression of ideas so dreary and terrible, and accustomed daily to scenes of bloodshed rendered awful by religion, the heart of man must harden and be steeled to every sentiment of humanity. The spirit of the Mexicans was accordingly unfeeling, and the genius of their religion so far counterbalanced the influence of policy and arts, that notwithstanding their progress in both, their manners, instead of softening, became more fierce. To what circumstances it was owing that superstition assumed such a dreadful form among the Mexicans, we have not sufficient knowledge of their history to determine. But its influence is visible, and produced an effect that is singular in the history of the human species. The manners of the people in the New World who had made the greatest progress in the arts of policy, were, in several respects, the most ferocious, and the barbarity of some of their customs exceeded even those of the savage state.

The empire of Peru boasts of a higher antiquity than that of Mexico. According to the traditional accounts collected by the Spaniards, it had subsisted four hundred years, under twelve successive monarchs. But the knowledge of their ancient story, which the Peruvians could communicate to their conquerors, must have been both imperfect and uncertain (156). Like the other American nations, they were totally unacquainted with the art of writing, and destitute of the only means, by which the memory of past transactions can be preserved with any degree of accuracy. Even among people to whom the use of letters is known, the era where the authenticity of history commences is much posterior to the introduction of writing. That noble invention continued, every where, to be long subservient to the common business and wants of life, before it was employed in recording events, with a view of conveying information from one age to another. But in no country did ever tradition alone carry down historical knowledge, in any full continued stream, during a period of half the length that the monarchy of Peru is said to have subsisted.

The *Quipos*, or knots on cords of different colours, which are celebrated by authors fond of the marvellous, as if they had been regular annals of the empire, imperfectly supplied the place of writing. According to the obscure description of them by Acosta, which Garcilasso de la Vega has adopted with little variation and no improvement, the quipos seem to have been a device for rendering calculation more expeditious and accurate. By the various colours different objects were denoted, and by each knot a distinct number. Thus an account was taken, and a kind of register kept, of the inhabitants in each province, or of the general productions collected there for public use. But as by these knots, however varied or combined, no moral or abstract idea, no operation or quality of the mind, could be represented, they contributed little towards preserving the memory of ancient events and institutions. By the Mexican paintings and symbols, rude as they were, more knowledge of remote transactions seems to have been conveyed than the Peruvians could derive from their boasted quipos. Had the latter been even of more extensive use and better adapted

to supply the place of written records, they perished so generally, together with other monuments of Peruvian ingenuity, in the wreck occasioned by the Spanish conquest, and the civil wars subsequent to it, that no accession of light or knowledge comes from them. All the zeal of Garcilasso de la Vega for the honour of that race of monarchs from whom he descended, all the industry of his researches, and the superior advantages with which he carried them on, opened no source of information unknown to the Spanish authors who wrote before him. In his *Royal Commentaries*, he confines himself to illustrate what they had related concerning the antiquities and institutions of Peru; and his illustrations, like their accounts, are derived entirely from the traditional tales current among his countrymen.

Very little credit then is due to the minute details which have been given of the exploits, the battles, the conquests, and private character of the early Peruvian monarchs. We can rest upon nothing in their story, as authentic, but a few facts so interwoven in the system of religion and policy, as preserved the memory of them from being lost: and upon the description of such customs and institutions as continued in force at the time of the conquest, and fell under the immediate observation of the Spaniards. By attending carefully to these, and endeavouring to separate them from what appears to be fabulous, or of doubtful authority, I have laboured to form an idea of the Peruvian government and manners.

The people of Peru, as I have always observed, had not advanced beyond the rudest form of savage life, when Manco Capac, and his consort Mama Ocollo, appeared to instruct and civilize them. Who these extraordinary personages were, whether they imported their system of legislation and knowledge of arts from some country more improved, or, if natives of Peru, how they acquired ideas so far superior to those of the people whom they addressed, are circumstances with respect to which the Peruvian tradition conveys no information. Manco Capac and his consort, taking advantage of the propensity in the Peruvians to superstition, and particularly of their veneration for the sun, pretended to be children of that glorious luminary, and to deliver their instructions in his name, and by authority from him. The multitude listened and believed. What reformation in policy and manners the Peruvians ascribe to those founders of their empire, and how, from the precepts of the inca and his consort, their ancestors gradually acquired some knowledge of those arts, and some relish for that industry, which render subsistence secure and life comfortable, has been formerly related. Those blessings were originally confined within narrow precincts; but in process of time, the successors of Manco Capac extended their dominion over all the regions that stretch to the west of the Andes from Chili to Quito, establishing, in every province their peculiar policy and religious institutions.

The most singular and striking circumstance in the Peruvian government, is the influence of religion upon its genius and laws. Religious ideas make such a feeble impression on the mind of a savage, that their effect upon his sentiments and manners is hardly perceptible. Among the Mexicans, religion, reduced into a regular system, and holding a considerable place in their public institutions, operated with conspicuous efficacy in forming the peculiar character of that people. But in Peru, the whole system of policy was founded on religion. The inca

appeared not only as a legislator, but as the messenger of Heaven. His precepts were received not merely as the injunction of a superior, but as the mandates of the Deity. His race was to be held sacred; and in order to preserve it distinct, without being polluted by any mixture of less noble blood, the sons of Manco Capac married their own sisters, and no person was ever admitted to the throne who could not claim it by such a pure descent. To those *Children of the Sun*, for that was the appellation bestowed upon the offspring of the first inca, the people looked up with the reverence due to beings of a superior order. They were deemed to be under the immediate protection of the Deity from whom they issued, and by him every order of the reigning inca was supposed to be dictated.

From those ideas two consequences resulted. The authority of the inca was unlimited and absolute, in the most extensive meaning of the words. Whenever the decrees of a prince are considered as the commands of the Divinity, it is not only an act of rebellion, but of impiety, to dispute or oppose his will. Obedience becomes a duty of religion; and as it would be profane to control a monarch who is believed to be under the guidance of Heaven, and presumptuous to advise him, nothing remains but to submit with implicit respect. This must necessarily be the effect of every government established on pretensions of intercourse with superior powers. Such accordingly was the blind submission which the Peruvians yielded to their sovereigns. The persons of highest rank and greatest power in their dominions acknowledged them to be of a more exalted nature: and in testimony of this, when admitted into their presence, they entered with a burden upon their shoulders, as an emblem of their servitude, and willingness to bear whatever the inca was pleased to impose. Among their subjects, force was not requisite to second their commands. Every officer intrusted with the execution of them was revered, and according to the account of an intelligent observer of Peruvian manners, he might proceed alone from one extremity of the empire to another without meeting opposition; for, on producing a fringe from the royal *borla*, an ornament of the head peculiar to the reigning inca, the lives and fortunes of the people were at his disposal.

Another consequence of establishing government in Peru on the foundation of religion was, that all crimes were punished capitally. They were not considered as transgressions of human laws, but as insults offered to the Deity. Each, without any distinction between such as were slight and such as were atrocious, called for vengeance, and could be expiated only by the blood of the offender. Consonantly to the same ideas, punishment followed the trespass with inevitable certainty, because an offence against Heaven was deemed such a high enormity as could not be pardoned. Among a people of corrupted morals, maxims of jurisprudence so severe and unrelenting, by rendering men ferocious and desperate, would be more apt to multiply crimes than to restrain them. But the Peruvians, of simple manners and unsuspicious faith, were held in such awe by this rigid discipline, that the number of offenders was extremely small. Veneration for monarchs, enlightened and directed, as they believed, by the Divinity whom they adored, prompted them to their duty; the dread of punishment which they were taught to consider as unavoidable vengeance inflicted by offended Heaven, withheld them from evil.

The system of superstition on which the incas ingrafted their pretensions to such high authority, was of a genius very different from that established among the Mexicans. Manco Capac turned the veneration of his followers entirely towards natural objects. The Sun, as the great source of light, of joy, and fertility in the creation, attracted their principal homage. The Moon and Stars, as co-operating with him, were entitled to secondary honours. Wherever the propensity in the human mind to acknowledge and to adore some superior power takes this direction, and is employed in contemplating the order and beneficence that really exist in nature, the spirit of superstition is mild. Wherever imaginary beings, created by the fancy and the fears of men, are supposed to preside in nature, and become the objects of worship, superstition always assumes a more severe and atrocious form. Of the latter we have an example among the Mexicans, of the former among the people of Peru. The Peruvians had not, indeed, made such progress in observation or inquiry, as to have attained just conceptions of the Deity; nor was there in their language any proper name or appellation of the Supreme Power, which intimated that they had formed any idea of him as the Creator and Governor of the world. But by directing their veneration to that glorious luminary, which, by its universal and vivifying energy, is the best emblem of divine beneficence, the rights and observances which they deemed acceptable to him were innocent and humane. They offered to the sun a part of those productions which his genial warmth had called forth from the bosom of the earth, and reared to maturity. They sacrificed, as an oblation of gratitude, some of the animals which were indebted to his influence for nourishment. They presented to him choice specimens of those works of ingenuity which his light had guided the hand of man in forming. But the incas never stained his altars with human blood, nor could they conceive that their beneficent father, the sun would be delighted with such horrid victims (157). Thus the Peruvians, unacquainted with those barbarous rites which extinguish sensibility, and suppress the feelings of nature at the sight of human sufferings, were formed by the spirit of the superstition which they had adopted, to a national character more gentle than that of any people in America.

The influence of this superstition operated in the same manner upon their civil institutions, and tended to correct in them whatever was adverse to gentleness of character. The dominion of the incas, though the most absolute of all despotisms, was mitigated by its alliance with religion. The mind was not humbled and depressed by the idea of a forced subjection to the will of a superior: obedience, paid to one who was believed to be clothed with divine authority, was willingly yielded, and implied no degradation. The sovereign, conscious that the submissive reverence of his people flowed from their belief of his heavenly descent, was continually reminded of a distinction which prompted him to imitate that beneficent power which he was supposed to represent. In consequence of those impressions, there hardly occurs in the traditional history of Peru, any instance of rebellion against the reigning prince, and, among twelve successive monarchs, there was not one tyrant.

Even the wars in which the incas engaged were carried on with a spirit very different from that of other American nations. They fought not, like savages, to destroy and to exterminate; or, like the Mexicans, to glut blood-thirsty divinities with human

sacrifices. They conquered, in order to reclaim and civilize the vanquished, and to diffuse the knowledge of their own institutions and arts. Prisoners seem not to have been exposed to the insults and tortures which were their lot in every other part of the New World. The incas took the people whom they subdued under their protection, and admitted them to a participation of all the advantages enjoyed by their original subjects. This practice, so repugnant to American ferocity, and resembling the humanity of the most polished nations, must be ascribed, like other peculiarities which we have observed in the Peruvian manners, to the genius of their religion. The incas, considering the homage paid to any other object than the heavenly powers which they adored as impious, were fond of gaining proselytes to their favourite system. The idols of every conquered province were carried in triumph to the great temple at Cuzco, and placed there as trophies of the superior power of the divinity who was the protector of the empire. The people were treated with lenity, and instructed in the religious tenets of their new masters, that the conqueror might have the glory of having added to the number of the votaries of his father the sun.

The state of property in Peru was no less singular than that of religion, and contributed, likewise, towards giving a mild turn of character to the people. All the lands capable of cultivation were divided into three shares. One was consecrated to the sun, and the product of it was applied to the erection of temples, and furnishing what was requisite towards celebrating the public rites of religion. The second belonged to the inca, and was set apart as the provision made by the community for the support of government. The third and largest share was reserved for the maintenance of the people, among whom it was parcelled out. Neither individuals, however, nor communities, had a right of exclusive property in the portion set apart for their use. They possessed it only for a year, at the expiration of which a new division was made, in proportion to the rank, the number, and exigencies of each family. All those lands were cultivated by the joint industry of the community. The people, summoned by a proper officer, repaired in a body to the fields, and performed their common task, while songs and musical instruments cheered them to their labour. By this singular distribution of territory, as well as by the mode of cultivating it, the idea of a common interest, and of mutual suberviency, was continually inculcated. Each individual felt his connexion with those around him, and knew that he depended on their friendly aid for what increase he was to reap. A state thus constituted may be considered as one great family, in which the union of the members was so complete, and the exchange of good offices so perceptible, as to create stronger attachment, and to bind man to man in closer intercourse, than subsisted under any form of society established in America. From this resulted gentle manners, and mild virtues unknown in the savage state, and with which the Mexicans were little acquainted.

But, though the institutions of the incas were so framed as to strengthen the bonds of affection among their subjects, there was great inequality in their condition. The distinction of ranks was fully established in Peru. A great body of the inhabitants, under the denomination of *Yanaconas*, were held in a state of a servitude. Their garb and houses were of a form different from those of freemen. Like the *Tamemes* of Mexico, they were employed in carrying

burdens, and in performing every other work of drudgery. Next to them in rank, were such of the people as were free, but distinguished by no official or hereditary honours. Above them were raised, those whom the Spaniards call *Orejones*, from the ornaments worn in their ears. They formed what may be denominated the order of nobles, and in peace as well as war held every office of power or trust. At the head of all were the children of the sun, who, by their high descent and peculiar privileges, were as much exalted above the *orejones*, as these were elevated above the people.

Such a form of society, from the union of its members, as well as from the distinction in their ranks, was favourable to progress in the arts. But the Spaniards, having been acquainted with the improved state of various arts in Mexico, several years before they discovered Peru, were not so much struck with what they observed in the latter country, and described the appearances of ingenuity there with less warmth of admiration. The Peruvians, nevertheless, had advanced far beyond the Mexicans, both in the necessary arts of life, and in such as have some title to the name of elegant.

In Peru, agriculture, the art of primary necessity in social life, was more extensive, and carried on with greater skill, than in any part of America. The Spaniards, in their progress through the country, were so fully supplied with provisions of every kind, that in the relation of their adventures we meet with few of those dismal scenes of distress occasioned by famine, in which the conquerors of Mexico were so often involved. The quantity of soil under cultivation was not left to the discretion of individuals, but regulated by public authority, in proportion to the exigencies of the community. Even the calamity of an unfruitful season was but little felt, for the product of the lands consecrated to the sun, as well as those set apart for the incas, being deposited in the *Tambos*, or public storehouses, it remained there as a stated provision for times of scarcity. As the extent of cultivation was determined with such provident attention to the demands of the state, the invention and industry of the Peruvians were called forth to extraordinary exertions, by certain defects peculiar to their climate and soil. All the vast rivers that flow from the Andes take their course eastward to the Atlantic Ocean. Peru is watered only by some streams which rush down from the mountains like torrents. A great part of the low country is sandy and barren, and never refreshed with rain. In order to render such an unpromising region fertile, the ingenuity of the Peruvians had recourse to various expedients. By means of artificial canals, conducted with much patience and considerable art, from the torrents that poured across their country, they conveyed a regular supply of moisture to their fields. They enriched the soil by manuring it with the dung of sea-fowls, of which they found an inexhaustible store on all the islands scattered along the coasts (158). In describing the customs of any nation thoroughly civilized, such practices would hardly draw attention, or be mentioned as in any degree remarkable; but in the history of the improvident race of men in the New World, they are entitled to notice as singular proofs of industry and of art. The use of the plough, indeed was unknown to the Peruvians. They turned up the earth with a kind of mattock of hard wood. Nor was this labour deemed so degrading as to be devolved wholly upon the women. Both sexes joined in performing this necessary work. Even the

children of the sun set an example of industry by cultivating a field near Cuzco with their own hands, and they dignified this function by denominating it their triumph over the earth.

The superior ingenuity of the Peruvians is obvious, likewise, in the construction of their houses and public buildings. In the extensive plains which stretch along the Pacific Ocean, where the sky is perpetually serene, and the climate mild, their houses were very properly of a fabric extremely slight. But in the higher regions, where rain falls, where the vicissitude of seasons is known, and their rigour felt, houses were constructed with greater solidity. They were generally of a square form, the walls about eight feet high, built with bricks hardened in the sun, without any windows, and the door low and strait. Simple as these structures were, and rude as the materials may seem to be of which they were formed, they were so durable, that many of them still subsist in different parts of Peru, long after every monument that might have conveyed to us any idea of the domestic state of the other American nations has vanished from the face of the earth. But it was in the temples consecrated to the sun, and in the buildings destined for the residence of their monarchs, that the Peruvians displayed the utmost extent of their art and contrivance. The descriptions of them by such of the Spanish writers as had an opportunity of contemplating them, while in some measure entire, might have appeared highly exaggerated, if the ruins which still remain did not vouch the truth of their relations. These ruins of sacred or royal buildings are found in every province of the empire, and by their frequency demonstrate that they are monuments of a powerful people, who must have subsisted during a period of some extent, in a state of no inconsiderable improvement. They appear to have been edifices various in their dimensions. Some of a moderate size, many of immense extent, all remarkable for solidity, and resembling each other in the style of architecture. The temple of Pachacamac, together with a palace of the inca, and a fortress, were so connected together as to form one great structure, above half a league in circuit. In this prodigious pile, the same singular taste in building is conspicuous as in other works of the Peruvians. As they were unacquainted with the use of the pulley, and other mechanical powers, and could not elevate the large stones and bricks which they employed in building to any considerable height, the walls of this edifice, in which they seem to have made their greatest effort towards magnificence, did not rise above twelve feet from the ground. Though they had not discovered the use of mortar, or of any other cement in building, the bricks or stones were joined with so much nicety, that the seams can hardly be discerned (159). The apartments, as far as the distribution of them can be traced in the ruins, were ill disposed, and afforded little accommodation. There was not a single window in any part of the building; and as no light could enter but by the door, all the apartments of largest dimensions must either have been perfectly dark, or illuminated by some other means. But with all these, and many other imperfections that might be mentioned in their art of building, the works of the Peruvians which still remain, must be considered as stupendous efforts of a people unacquainted with the use of iron, and convey to us a high idea of the power possessed by their ancient monarchs.

These, however, were not the noblest or most use-

ful works of the incas. The two great roads from Cusco to Quito, extending in an uninterrupted stretch above fifteen hundred miles, are entitled to still higher praise. The one was conducted through the interior and mountainous country, the other through the plains on the sea-coast. From the language of admiration in which some of the early writers express their astonishment when they first viewed those roads, and from the more pompous description of later writers, who labour to support some favourite theory concerning America, one might be led to compare this work of the incas to the famous military ways which remain as monuments of the Roman power; but in a country where there was no tame animal except the llama, which was never used for draught, and but little as a beast of burden, where the high-roads were seldom trod by any but a human foot, no great degree of labour or art was requisite in forming them. The Peruvian roads were only fifteen feet in breadth, and in many places so slightly formed, that time has effaced every vestige of the course in which they ran. In the low country, little more seems to have been done than to plant trees, or to fix posts at certain intervals, in order to mark the proper route to travellers. To open a path through the mountainous country was a more arduous task. Eminences were levelled, and hollows filled up, and for the preservation of the road it was fenced with a bank of turf. At proper distances, tambos, or storehouses, were erected for the accommodation of the inca and his attendants, in their progress through his dominions. From the manner in which the road was originally formed in this higher and more impervious region, it has proved more durable; and though, from the inattention of the Spaniards to every object but that of working their mines, nothing has been done towards keeping it in repair, its course may still be traced. Such was the celebrated road of the incas; and even from this description, divested of every circumstance of manifest exaggeration, or of suspicious aspect, it must be considered as a striking proof of an extraordinary progress in improvement and policy. To the savage tribes of America, the idea of facilitating communication with places at a distance had never occurred. To the Mexicans it was hardly known. Even in the most civilized countries in Europe, men had advanced far in refinement, before it became a regular object of national policy to form such roads as render intercourse commodious. It was a capital object of Roman policy to open a communication with all the provinces of their extensive empire, by means of those roads which are justly considered as one of the noblest monuments both of their wisdom and their power. But during the long reign of barbarism, the Roman roads were neglected or destroyed; and at the time when the Spaniards entered Peru, no kingdom in Europe could boast of any work of public utility that could be compared with the great roads formed by the incas.

The formation of those roads introduced another improvement in Peru equally unknown over all the rest of America. In its course from south to north, the road of the incas was intersected by all the torrents which roll from the Andes towards the Western ocean. From the rapidity of their course, as well as from the frequency and violence of their inundation, these were not fordable. Some expedient, however, was to be found for passing them. The Peruvians, from their unacquaintance with the use of arches, and their inability to work in wood, could not construct bridges either of stone or timber. But necessity, the parent of invention, suggested a device

which supplied that defect. They formed cables of great strength, by twisting together some of the pliable withes or osiers, with which their country abounds; six of these cables they stretched across the stream parallel to one another, and made them fast on each side. These they bound firmly together, by interweaving smaller ropes so close, as to form a compact piece of net-work, which being covered with branches of trees and earth, they passed along it with tolerable security (160). Proper persons were appointed to attend at each bridge, to keep it in repair, and to assist passengers. In the level country, where the rivers became deep and broad and still, they are passed in *Balzas*, or floats; in the construction as well as navigation of which, the ingenuity of the Peruvians appears to be far superior to that of any people in America. These had advanced no further in naval skill than the use of the paddle, or oar; the Peruvians ventured to raise a mast, and spread a sail, by means of which their *balzas* not only went nimbly before the wind, but could veer and tack with great celerity.

Nor were the ingenuity and art of the Peruvians confined solely to objects of essential utility. They had made some progress in arts, which may be called elegant. They possessed the precious metals in greater abundance than any people of America. They obtained gold in the same manner with the Mexicans, by searching in the channels of rivers, or washing the earth in which particles of it were contained. But in order to procure silver, they exerted no inconsiderable degree of skill and invention. They had not, indeed, attained the art of sinking a shaft into the bowels of the earth, and penetrating to the riches concealed there; but they hollowed deep caverns on the banks of rivers and the sides of mountains, and emptied such veins as did not dip suddenly beyond their reach. In other places, where the vein lay near the surface, they dug pits to such a depth, that the person who worked below could throw out the ore, or hand it up in baskets. They had discovered the art of smelting and refining this, either by the simple application of fire, or where the ore was more stubborn, and impregnated with foreign substances, by placing it in small ovens or furnaces, on high grounds, so artificially constructed, that the draught of air performed the function of a bellows, an engine with which they were totally unacquainted. By this simple device, the purer ores were smelted with facility, and the quantity of silver in Peru was so considerable, that many of the utensils employed in the functions of common life were made of it. Several of those vessels and trinkets are said to have merited no small degree of estimation, on account of the neatness of the workmanship, as well as the intrinsic value of the materials. But as the conquerors of America were well acquainted with the latter, but had scarcely any conception of the former, most of the silver vessels and trinkets were melted down, and rated according to the weight and fineness of the metal in the division of the spoil.

In other works of mere curiosity or ornament, their ingenuity has been highly celebrated. Many specimens of those have been dug out of the *Guacas*, or mounds of earth, with which the Peruvians covered the bodies of the dead. Among these are mirrors of various dimensions, of hard shining stones highly polished; vessels of earthenware of different forms; hatchets and other instruments, some destined for war, and others for labour; some were of flint, some of copper, hardened to such a degree by an unknown process, as to supply the place of iron on several

occasions. Had the use of those tools formed of copper been general, the progress of the Peruvians in the arts might have been such as to emulate that of more cultivated nations. But either the metal was so rare, or the operation by which it was hardened so tedious, that their instruments of copper were few, and so extremely small, that they seem to have been employed only in slighter works. But even to such a circumscribed use of this imperfect metal, the Peruvians were indebted for their superiority to the other people of America in various arts. The same observation, however, may be applied to them, which I formerly made with respect to the arts of the Mexicans. From several specimens of Peruvian utensils and ornaments, which are deposited in the royal cabinet of Madrid, and from some preserved in different collections in other parts of Europe, I have reason to believe that the workmanship is more to be admired on account of the rude tools with which it was executed, than on account of its intrinsic neatness and elegance; and that the Peruvians, though the most improved of all the Americans, were not advanced beyond the infancy of arts.

But notwithstanding so many particulars which seem to indicate a high degree of improvement in Peru, other circumstances occur that suggest the idea of a society still in the first stages of its transition from barbarism to civilization. In all the dominions of the Incas, Cuzco was the only place that had the appearance, or was entitled to the name, of a city. Every where else the people lived mostly in detached habitations, dispersed over the country, or, at the utmost, settled together in small villages. But until men are brought to assemble in numerous bodies, and incorporated in such close union, as to enjoy frequent intercourse, and to feel mutual dependence, they never imbibe perfectly the spirit, or assume the manners, of social life. In a country of immense extent, with only one city, the progress of manners, and the improvement either of the necessary or more refined arts, must have been so slow, and carried on under such disadvantages, that it is more surprising the Peruvians should have advanced so far in refinement, than that they did not proceed further.

In consequence of this state of imperfect union, the separation of professions in Peru was not so complete as among the Mexicans. The less closely men associate, the more simple are their manners, and the fewer their wants. The crafts of common and most necessary use in life do not, in such a state, become so complex or difficult, as to render it requisite that men should be trained to them by any particular course of education. All the arts, accordingly, which were of daily and indispensable utility, were exercised by every Peruvian indiscriminately. None but the artists employed in works of mere curiosity, or ornament, constituted a separate order of men, or were distinguished from other citizens. From the want of cities in Peru, another consequence followed. There was little commercial intercourse among the inhabitants of that great empire. The activity of commerce is coeval with the foundation of cities; and from the moment that the members of any community settle in considerable numbers in one place, its operations become vigorous. The citizen must depend for subsistence on the labour of those who cultivate the ground. They, in return, must receive some equivalent. Thus mutual intercourse is established, and the productions of art are regularly exchanged for the fruits of agriculture. In the towns of the Mexican empire, stated markets were held, and whatever could supply any want or desire of man

was an object of commerce. But in Peru, from the singular mode of dividing property, and the manner in which the people were settled, there was hardly any species of commerce carried on between different provinces, and the community was less acquainted with that active intercourse, which is at once a bond of union, and an incentive to improvement.

But the unwarlike spirit of the Peruvians was the most remarkable, as well as the most fatal, defect in their character. The greater part of the rude nations of America opposed their invaders with undaunted ferocity, though with little conduct or success. The Mexicans maintained the struggle in defence of their liberties with such persevering fortitude, that it was difficulty the Spaniards triumphed over them. Peru was subdued at once, and almost without resistance; and the most favourable opportunities of regaining their freedom, and of crushing their oppressors, were lost through the timidity of the people. Though the traditional history of the Peruvians represents all the incas as warlike princes, frequently at the head of armies, which they led to victory and conquest, few symptoms of such a martial spirit appear in any of their operations subsequent to the invasion of the Spaniards. The influence, perhaps, of those institutions which rendered their manners gentle, gave their minds this unmanly softness; perhaps the constant serenity and mildness of the climate may have enervated the vigour of their frame; perhaps some principle in their government, unknown to us, was the occasion of this political debility. Whatever may have been the cause, the fact is certain, and there is not an instance in history of any people so little advanced in refinement, so totally destitute of military enterprise. This character hath descended to their posterity. The Indians of Peru are now more tame and depressed than any people of America. Their feeble spirits, relaxed in lifeless inaction, seem hardly capable of any bold or manly exertion.

But, besides those capital defects in the political state of Peru, some detached circumstances and facts occur in the Spanish writers, which discover a considerable remainder of barbarity in their manners. A cruel custom, that prevailed in some of the most savage tribes, subsisted among the Peruvians. On the death of the incas, and other eminent persons, a considerable number of their attendants were put to death, and interred around their guacas, that they might appear in the next world with their former dignity, and be served with the same respect. On the death of Huona-Capac, the most powerful of their monarchs, above a thousand victims were doomed to accompany him to the tomb. In one particular their manners appear to have been more barbarous than those of most rude tribes. Though acquainted with the use of fire in preparing maize, and other vegetables, for food, they devoured both flesh and fish perfectly raw, and astonished the Spaniards with a practice repugnant to the ideas of all civilized people.

But though Mexico and Peru are the possessions of Spain in the New World, which, on account both of their ancient and present state, have attracted the greatest attention, her other dominions there are far from being inconsiderable, either in extent or value. The greater part of them was reduced to subjection during the first part of the sixteenth century, by private adventurers, who fitted out their small armaments either in Hispaniola or in Old Spain; and were we to follow each leader in his progress, we should discover the same daring courage, the same persevering

ardour, the same rapacious desire for wealth, and the same capacity for enduring and surmounting everything in order to attain it, which distinguished the operations of the Spaniards in their greater American conquests. But instead of entering into a detail, which, from the similarity of the transactions would appear almost a repetition of what has been already related, I shall satisfy myself with such a view of those provinces of the Spanish empire in America, which have not hitherto been mentioned, as may convey to my readers an adequate idea of its greatness, fertility, and opulence.

I begin with the countries contiguous to the two great monarchies, of whose history and institutions I have given some account, and shall then briefly describe the other districts of Spanish America. The jurisdiction of the viceroy of New Spain extends over several provinces, which were not subject to the dominion of the Mexicans. The countries of Cinaloa and Sonora, that stretch along the east side of the Vermilion sea, or gulf of California, as well as the immense kingdoms of New Navarre and New Mexico, which bend towards the west and north, did not acknowledge the sovereignty of Montezuma, or his predecessors. These regions, not inferior in magnitude to all the Mexican empire, are reduced, some to a greater, others to a less, degree of subjection to the Spanish yoke. They extend through the most delightful part of the temperate zone; their soil is, in general, remarkably fertile, and all their productions, whether animal or vegetable, are most perfect in their kind. They have all a communication either with the Pacific ocean, or with the gulf of Mexico, and are watered by rivers which not only enrich them, but may become subservient to commerce. The number of Spaniards settled in those vast countries is indeed extremely small. They may be said to have subdued rather to have occupied them. But if the population in their ancient establishments in America shall continue to increase, they may gradually spread over those provinces, of which, however inviting, they have not hitherto been able to take full possession.

One circumstance may contribute to the speedy population of some districts. Very rich mines, both of gold and silver, have been discovered in many of the regions which I have mentioned. Wherever these are opened, and worked with success, a number of people resort. In order to supply them with the necessities of life, cultivation must be increased, artisans of various kinds must assemble, and industry as well as wealth will be gradually diffused. Many examples of this have occurred in different parts of America since they fell under the dominion of the Spaniards. Populous villages and large towns have suddenly arisen amidst uninhabited wilds and mountains; and the working of mines, though far from being the most proper object towards which the attention of an infant society should be turned, may become the means both of promoting useful activity, and of augmenting the number of people. A recent and singular instance of this has happened, which, as it is but little known in Europe, and may be productive of great effects, merits attention. The Spaniards settled in the provinces of Cinaloa and Sonora had been long disturbed by the depredations of some fierce tribes of the Indians. In the year 1765, the incursions of those savages became so frequent, and so destructive, that the Spanish inhabitants, in despair, applied to the Marquis de Croix, the viceroy of Mexico, for such a body of troops as might enable them to drive those formidable invaders from their

places of retreat in the mountains. But the treasury of Mexico was so much exhausted by the large sums drawn from it, in order to support the late war against Great Britain, that the viceroy could afford them no aid. The respect due to his virtues accomplished what his official power could not effect. He prevailed with the merchants of New Spain to advance about two hundred thousand pesos for defraying the expense of the expedition. The war was conducted by an officer of abilities; and after being protracted for three years, chiefly by the difficulty of pursuing the fugitives over mountains and through defiles which were almost impassable, it terminated, in the year 1771, in the final submission of the tribes which had been so long the object of terror to the two provinces. In the course of this service, the Spaniards marched through countries into which they seem not to have penetrated before that time, and discovered mines of such value, as was astonishing even to men acquainted with the riches contained in the mountains of the New World. At Cineguilla, in the province of Sonora, they entered a plain of fourteen leagues in extent, in which, at the depth of only sixteen inches, they found gold in grains of such a size, that some of them weighed nine marks, and in such quantities, that in a short time, with a few labourers, they collected a thousand marks of gold in grains, even without taking time to wash the earth that had been dug, which appeared to be so rich, that persons of skill computed that it might yield what would be equal in value to a million of pesos. Before the end of the year 1771, above two thousand persons were settled in Cineguilla, under the government of proper magistrates, and the inspection of several ecclesiastics. As several other mines, not inferior in richness to that of Cineguilla, have been discovered, both in Sonora and Cinaloa, it is probable that these neglected and thinly inhabited provinces may soon become as populous and valuable as any part of the Spanish empire of America.

The peninsula of California, on the other side of the Vermilion sea, seems to have been less known to the ancient Mexicans than the provinces which I have mentioned. It was discovered by Cortes in the year 1536. During a long period it continued to be so little frequented, that even its form was unknown, and in most charts it was represented as an island, not as a peninsula. Though the climate of this country, if we may judge from its situation, must be very desirable, the Spaniards have made small progress in peopling it. Towards the close of the last century, the Jesuits, who had great merit in exploring this neglected province, and in civilizing its rude inhabitants, imperceptibly acquired a dominion over it as complete as that which they possessed in their missions in Paraguay, and they laboured to introduce into it the same policy, and to govern the natives by the same maxims. In order to prevent the court of Spain from conceiving any jealousy of their designs and operations, they seem studiously to have depreciated the country, by representing the climate as so disagreeable and unwholesome, and the soil as so barren, that nothing but a zealous desire of converting the natives could have induced them to settle there. Several public-spirited citizens endeavoured to undeceive their sovereigns, and to give them a better view of California; but in vain.

At length, on the expulsion of the Jesuits from the Spanish dominions, the court of Madrid, as prone at that juncture to suspect the purity of the order's intentions, as formerly to confide in them with implicit

trust, appointed Don Joseph Galvez, whose abilities have since raised him to the high rank of minister for the Indies, to visit that peninsula. His account of the country was favourable; he found the pearl-fishery on its coasts to be valuable, and he discovered mines of gold of a very promising appearance. From its vicinity to Cinaloa and Sonora, it is probable, that if the population of these provinces shall increase in the manner which I have supposed, California may, by degrees, receive from them such a recruit of inhabitants, as to be no longer reckoned among the desolate and useless districts of the Spanish empire.

On the east of Mexico, Yucatan and Honduras are comprehended in the government of New Spain, though anciently they can hardly be said to have formed a part of the Mexican empire. These large provinces, stretching from the bay of Campeachy beyond Cape Gracias a Dios, do not, like the other territories of Spain in the New World, derive their value either from the fertility of their soil, or the richness of their mines; but they produce, in greater abundance than any other part of America, the logwood-tree, which, in dying some colours, is so far preferable to any other material, that the consumption of it in Europe is considerable, and it has become an article in commerce of great value. During a long period no European nation intruded upon the Spaniards in those provinces, or attempted to obtain any share in this branch of trade. But after the conquest of Jamaica by the English, it soon appeared that a formidable rival was now seated in the neighbourhood of the Spanish territories. One of the first objects which tempted the English settled in that island, was the great profit arising from the logwood trade, and the facility of wresting some portion of it from the Spaniards. Some adventurers from Jamaica made the first attempt at Cape Catoche, the south-east promontory of Yucatan, and by cutting logwood there, carried on a gainful traffic. When most of the trees near the coast in that place were felled, they removed to the island of Trist in the bay of Campeachy, and in later times, their principal station has been in the bay of Honduras. The Spaniards, alarmed at this encroachment, endeavoured by negotiation, remonstrances, and open force, to prevent the English from obtaining any footing on that part of the American continent. But after struggling against it for more than a century, the disasters of last war extorted from the court of Madrid a reluctant consent to tolerate this settlement of foreigners in the heart of its territories. The pain which this humbling concession occasioned, seems to have prompted the Spaniards to devise a method of rendering it of little consequence, more effectual than all the efforts of negotiation or violence. The logwood produced on the west coast of Yucatan, where the soil is drier, is in quality far superior to that which grows on the marshy grounds where the English are settled. By encouraging the cutting of this, and permitting the importation of it into Spain without paying any duty, such vigour has been given to this branch of commerce, and the logwood which the English bring to market has sunk so much in value, that their trade to the bay of Honduras has gradually declined since it obtained a legal sanction; and, it is probable, will soon be finally abandoned. In that event, Yucatan and Honduras will become possessions of considerable importance to Spain.

Still further east than Honduras lie the two provinces of Costa Rica and Veragua, which likewise

belong to the viceroyalty of New Spain; but both have been so much neglected by the Spaniards, and are apparently of such small value that they merit no particular attention.

The most important province depending on the viceroyalty of Peru is Chili. The Incas had established their dominion in some of its northern districts; but in the greater part of the country, its gallant and high-spirited inhabitants maintained their independence. The Spaniards, allured by the fame of its opulence, early attempted the conquest of it under Diego Almagro; and after his death, Pedro de Valdivia resumed the design. Both met with fierce opposition. The former relinquished the enterprise in the manner which I have mentioned. The latter, after having given many displays, both of courage and military skill, was cut off, together with a considerable body of troops under his command. Francisco de Villagra, Valdivia's lieutenant, by his spirited conduct, checked the natives in their career, and saved the remainder of the Spaniards from destruction. By degrees, all the campaign country along the coast was subjected to the Spanish dominion. The mountainous country is still possessed by the Puelches, Araucos, and other tribes of its original inhabitants, formidable neighbours to the Spaniards; with whom, during the course of two centuries, they have been obliged to maintain almost perpetual hostility, suspended only by a few intervals of insecure peace.

That part of Chili, then, which may properly be deemed a Spanish province, is a narrow district, extended along the coast from the desert of Atacamas to the island of Chiloe, above nine hundred miles. Its climate is the most delicious in the New World, and is hardly equalled by that of any region on the face of the earth. Though bordering on the torrid zone, it never feels the extremity of heat, being screened on the east by the Andes, and refreshed from the west by cooling sea-breezes. The temperature of the air is so mild and equable, that the Spaniards give it the preference to that of the southern provinces in their native country. The fertility of the soil corresponds with the benignity of the climate, and is wonderfully accommodated to European productions. The most valuable of these, corn, wine, and oil, abound in Chili, as if they had been native to the country. All the fruits imported from Europe attain to full maturity there. The animals of our hemisphere not only multiply, but improve, in this delightful region. The horned cattle are of larger size than those of Spain. Its breed of horses surpasses, both in beauty and spirit, the famous Andalusian race from which they sprung. Nor has nature exhausted her bounty on the surface of the earth; she has stored its bowels with riches. Valuable mines of gold, of silver, of copper, and of lead, have been discovered in various parts of it.

A country distinguished by so many blessings, we may be apt to conclude, would early become a favourite station of the Spaniards, and must have been cultivated with peculiar predilection and care. Instead of this, a great part of it remains unoccupied. In all this extent of country, there are not above eighty thousand white inhabitants, and about three times that number of negroes and people of a mixed race. The most fertile soil in America lies uncultivated, and some of its most promising mines remain unwrought. Strange as this neglect of the Spaniards to avail themselves of advantages which seemed to court their acceptance may appear, the causes of it can be traced. The only intercourse

of Spain with its colonies in the South sea, was carried on during two centuries by the annual fleet to Porto-bello. All the produce of these colonies was shipped in the ports of Callao or Africa in Peru, for Panama, and carried from thence across the isthmus. All the commodities which they received from the mother-country were conveyed from Panama to the same harbours. Thus both the exports and imports of Chili passed through the hands of merchants settled in Peru. These had of course a profit on each; and in both transactions the Chilese felt their own subordination; and having no direct intercourse with the parent state, they depended upon another province for the disposal of their productions, as well as for the supply of their wants. Under such discouragements, population could not increase, and industry was destitute of one chief incitement. But now that Spain, from motives which I shall mention hereafter, has adopted a new system, and carries on her commerce with the colonies in the South sea, by ships which go round Cape Horn, a direct intercourse is opened between Chili and the mother-country. The gold, the silver, and the other commodities of the province, will be exchanged in its own harbours for the manufactures of Europe. Chili may speedily rise into that importance among the Spanish settlements, to which it is entitled by its natural advantages. It may become the granary of Peru, and the other provinces along the Pacific ocean. It may supply them with wine, with cattle, with horses, with hemp, and many other articles for which they now depend upon Europe. Though the new system has been established only a few years, those effects of it begin already to be observed. If it shall be adhered to with any steadiness for half a century, one may venture to foretell, that population, industry, and opulence, will advance in this province with rapid progress.

To the east of the Andes, the provinces of Tucuman, and Rio de la Plata, border on Chili; and, like it, were dependent on the viceroyalty of Peru. These regions, of immense extent, stretch in length, from north to south, above thirteen hundred miles, and in breadth more than a thousand. This country, which is larger than most European kingdoms, naturally forms itself into two great divisions, one on the north and the other on the south of Rio de la Plata. The former comprehends Paraguay, the famous missions of the Jesuits, and several other districts. But as disputes have long subsisted between the courts of Spain and Portugal concerning its boundaries, which, it is probable, will be soon finally ascertained, either amicably or by the decision of the sword. I choose to reserve my account of this northern division, until I enter upon the history of Portuguese America, with which it is intimately connected; and, in relating it, I shall be able, from authentic materials, supplied both by Spain and Portugal, to give a full and accurate description of the operations and views of the Jesuits, in rearing that singular fabric of policy in America, which has drawn so much attention, and has been so imperfectly understood. The latter division of the province contains the governments of Tucuman and Buenos Ayres, and to these I shall at present confine my observations. The Spaniards entered this part of America by the river de la Plata; and, though a succession of cruel disasters befell them in their early attempts to establish their dominion in it, they were encouraged to persist in the design, at first by the hopes of discovering mines in the interior country, and afterwards by the necessity o

occupying it, in order to prevent any other nation from settling there, and penetrating by this route into their rich possessions in Peru. But except at Buenos Ayres, they have made no settlement of any consequence in all the vast space which I have mentioned. There are, indeed, scattered over it, a few places on which they have bestowed the name of towns, and to which they have endeavoured to add some dignity, by erecting them into bishoprics; but they are no better than paltry villages, each with two or three hundred inhabitants. One circumstance, however, which was not originally foreseen, has contributed to render this district, though thinly peopled, of considerable importance. The province of Tucuman, together with the country to the south of the Plata, instead of being covered with wood like other parts of America, forms one extensive open plain, almost without a tree. The soil is a deep fertile mould, watered by many streams descending from the Andes, and clothed in perpetual verdure. In this rich pasturage, the horses and cattle imported by the Spaniards from Europe have multiplied to a degree which almost exceeds belief. This has enabled the inhabitants, not only to open a lucrative trade with Peru, by supplying it with cattle, horses, and mules, but to carry on a commerce no less beneficial, by the exportation of hides to Europe. From both the colony has derived great advantages. But its commodious situation for carrying on contraband trade, has been the chief source of its prosperity. While the court of Madrid adhered to its ancient system, with respect to its communication with America, the river De la Plata lay so much out of the course of Spanish navigation, that interlopers, almost without any risk of being either observed or obstructed, could pour in European manufactures in such quantities, that they not only supplied the wants of the colony, but were conveyed into all the eastern districts of Peru. When the Portuguese in Brazil extended their settlements to the banks of Rio de la Plata, a new channel was opened, by which prohibited commodities flowed into the Spanish territories, with still more facility, and in greater abundance. This illegal traffic, however detrimental to the parent state, contributed to the increase of the settlement which had the immediate benefit of it, and Buenos-Ayres became gradually a populous and opulent town. What may be the effect of the alteration lately made in the government of this colony, the nature of which shall be described in the subsequent book, cannot hitherto be known.

All the other territories of Spain in the New World, the islands excepted, of whose discovery and reduction I have formerly given an account, are comprehended under two great divisions; the former denominated the kingdom of Tierra Ferme, the provinces of which stretch along the Atlantic, from the eastern frontier of New Spain to the mouth of the Orinoco; the latter, the new kingdom of Granada, situated in the interior country. With a short view of these I shall close this part of my work.

To the east of Veragua, the last province subject to the viceroy of Mexico, lies the isthmus of Darien. Though it was in this part of the continent that the Spaniards first began to plant colonies, they have made no considerable progress in peopling it. As the country is extremely mountainous, deluged with rain during a good part of the year, remarkably unhealthy, and contains no mines of great value, the Spaniards would probably have abandoned it altogether, if they had not been allured to continue by the excellence of the harbour of Porto-Bello on the

one sea, and that of Panama on the other. These have been called the keys to the communication between the North and South sea, between Spain and her most valuable colonies. In consequence of this advantage, Panama has become a considerable and thriving town. The peculiar noxiousness of its climate has prevented Porto-Bello from increasing in the same proportion. As the intercourse with the settlements in the Pacific ocean is now carried on by another channel, it is probable that both Porto-Bello and Panama will decline, when no longer nourished and enriched by that commerce to which they were indebted for their prosperity, and even their existence.

The provinces of Carthagena and Santa Martha stretch to the eastward of the isthmus of Darien. The country still continues mountainous, but its valleys begin to expand, are well watered, and extremely fertile. Pedro de Heredia subjected this part of America to the crown of Spain, about the year 1532. It is thinly peopled, and of course ill cultivated. It produces, however, a variety of valuable drugs, and some precious stones, particularly emeralds. But its chief importance is derived from the harbour of Carthagena, the safest and best fortified of any in the American dominions of Spain. In a situation so favourable, commerce soon began to flourish. As early as the year 1544 it seems to have been a town of some note. But when Carthagena was chosen as the port in which the galleons should first begin to trade on their arrival from Europe, and to which they were directed to return, in order to prepare for their voyage homeward, the commerce of its inhabitants was so much favoured by this arrangement, that it soon became one of the most populous, opulent, and beautiful cities in America. There is, however, reason to apprehend, that it has reached its highest point of exaltation, and that it will be so far affected by the change in the Spanish system of trade with America, which has withdrawn from it the desirable visits of the galleons, as to feel at least a temporary decline. But the wealth now collected there will soon find or create employment for itself, and may be turned with advantage into some new channel. Its harbour is so safe, and so conveniently situated for receiving commodities from Europe, its merchants have been so long accustomed to convey these into all the adjacent provinces, that it is probable they will still retain this branch of trade, and Carthagena continue to be a city of great importance.

The province contiguous to Santa Martha on the east, was first visited by Alonso de Ojeda, in the year 1499; and the Spaniards, on their landing there, having observed some huts in an Indian village built upon piles, in order to raise them above the stagnated water which covered the plain, were led to bestow upon it the name of Venezuela, or Little Venice, by their usual propensity to find a resemblance between what they discovered in America, and the objects which were familiar to them in Europe. They made some attempts to settle there, but with little success. The final reduction of the province was accomplished by means very different from those to which Spain was indebted for its other acquisitions in the New World. The ambition of Charles V. often engaged him in operations of such variety and extent, that his revenues were not sufficient to defray the expense of carrying them into execution. Among other expedients for supplying the deficiency of his funds, he had borrowed large sums from the Velsers of Augsburg, the most opulent merchants at that time in Europe. By way of retri-

bution for these, or in hopes, perhaps, of obtaining a new loan, he bestowed upon them the province of Venezuela, to be held as an hereditary fief from the crown of Castile, on condition that within a limited time they should render themselves masters of the country, and establish a colony there. Under the direction of such persons, it might have been expected that a settlement would have been established on maxims very different from those of the Spaniards, and better calculated to encourage such useful industry as mercantile proprietors might have known to be the most certain course of prosperity and opulence. But unfortunately they committed the execution of their plan to some of those soldiers of fortune with which Germany abounded in the sixteenth century. These adventurers, impatient to amass riches, that they might speedily abandon a station which they soon discovered to be very uncomfortable, instead of planting a colony in order to cultivate and improve the country, wandered from district to district in search of mines, plundering the natives with unfeeling rapacity, or oppressing them by the imposition of intolerable tasks. In the course of a few years, their avarice and exactions, in comparison with which those of the Spaniards were moderate, desolated the province so completely, that it could hardly afford them subsistence, and the Velsers relinquished a property from which the inconsiderate conduct of their agents left them no hope of ever deriving any advantage. When the wretched remainder of the Germans deserted Venezuela, the Spaniards again took possession of it; but notwithstanding many natural advantages, it is one of their most languishing and unproductive settlements.

The provinces of Caraccas and Cumana are the last of the Spanish territories on this coast; but in relating the origin and operations of the mercantile company, in which an exclusive right of trade with them has been vested, I shall hereafter have occasion to consider their state and productions.

The new kingdom of Granada is entirely an inland country of great extent. This important addition was made to the dominions of Spain about the year 1536, by Sebastian de Benalcazar and Gonzalo Ximenes de Quesada, two of the bravest and most accomplished officers employed in the conquest of America. The former, who commanded at that time in Quito, attacked it from the south; the latter made his invasion from Santa Martha on the north. As the original inhabitants of this region were further advanced in improvement than any people in America but the Mexicans and Peruvians, they defended themselves with great resolution and good conduct. The abilities and perseverance of Benalcazar and Quesada surmounted all opposition, though not without encountering many dangers, and reduced the country into the form of a Spanish province.

The new kingdom of Granada is so far elevated above the level of the sea, that though it approaches almost to the equator, the climate is remarkably temperate. The fertility of its valleys is not inferior to that of the richest districts in America, and its higher grounds yield gold and precious stones of various kinds. It is not by digging into the bowels of the earth that this gold is found; it is mingled with the soil near the surface, and separated from it by repeated washing with water. This operation is carried on wholly by negro slaves; for though the chill subterranean air has been discovered, by experience, to be so fatal to them, that they cannot be

employed with advantage in the deep silver mines, they are more capable of performing the other species of labour than Indians. As the natives in the new kingdom of Granada are exempt from that service, which has wasted their race so rapidly in other parts of America, the country is still remarkably populous. Some districts yield gold with a profusion no less wonderful than that in the vale of Cineguilla, which I have formerly mentioned, and it is often found in large *pepitar*, or grains, which manifest the abundance in which it is produced. On a rising ground near Pamplona, single labourers have collected in a day what was equal in value to a thousand pesos. A late governor of Santa Fe brought with him to Spain a lump of pure gold, estimated to be worth seven hundred and forty pounds sterling. This, which is, perhaps, the largest and finest specimen ever found in the New World, is now deposited in the royal cabinet of Madrid. But without founding any calculation on what is rare and extraordinary, the value of the gold usually collected in this country, particularly in the provinces of Popayan and Choco, is of considerable amount. Its towns are populous and flourishing. The number of inhabitants in almost every part of the country daily increases. Cultivation and industry of various kinds begin to be encouraged, and to prosper. A considerable trade is carried on with Carthagena, the produce of the mines, and other commodities, being conveyed down the great river of St. Magdalene to that city. On another quarter, the new kingdom of Granada has a communication with the Atlantic by the river Orinoco; but the country which stretches along its banks towards the east, is little known, and imperfectly occupied by the Spaniards.

BOOK VIII.

After tracing the progress of the Spaniards in their discoveries and conquests during more than half a century, I have conducted them to that period when their authority was established over almost all the vast regions in the New World still subject to their dominion. The effect of their settlements upon the countries of which they took possession, the maxims which they adopted in forming their new colonies, the interior structure and policy of these, together with the influence of their progressive improvement upon the parent state, and upon the commercial intercourse of nations, are the objects to which we now turn our attention.

The first visible consequence of the establishments made by the Spaniards in America, was the diminution of the ancient inhabitants, to a degree equally astonishing and deplorable. I have already, on different occasions, mentioned the disastrous influence under which the connexion of the Americans with the people of the hemisphere commenced, both in the islands and in several parts of the continent, and have touched upon various causes of their rapid consumption. Wherever the inhabitants of America had resolution to take arms in defence of their liberty and rights, many perished in the unequal contest, and were cut off by their fierce invaders. But the greatest desolation followed after the sword was sheathed, and the conquerors were settled in

tranquillity. It was in the islands, and in those provinces of the continent which stretch from the gulf of Trinidad to the confines of Mexico, that the fatal effects of the Spanish dominion were first and most sensibly felt. All these were occupied either by wandering tribes of hunters, or by such as had made but small progress in cultivation and industry. When they were compelled by their new masters to take up a fixed residence, and to apply to regular labour; when tasks were imposed upon them disproportionate to their strength, and were exacted with unrelenting severity, they possessed not vigour either of mind or of body to sustain this unusual load of oppression. Dejection and despair drove many to end their lives by violence. Fatigue and famine destroyed more. In all those extensive regions, the original race of inhabitants wasted away; in some it was totally extinguished. In Mexico, where a powerful and martial people distinguished their opposition to the Spaniards by efforts of courage worthy of a better fate, great numbers fell in the field; and there, as well as in Peru, still greater numbers perished under the hardships of attending the Spanish armies in their various expeditions and civil wars, worn out with the incessant toil of carrying their baggage, provisions, and military stores.

But neither the rage nor cruelty of the Spaniards was so destructive to the people of Mexico and Peru as the inconsiderate policy with which they established their new settlements. The former were temporary calamities, fatal to individuals: the latter was a permanent evil, which, with gradual consumption, wasted the nation. When the provinces of Mexico and Peru were divided among the conquerors, each was eager to obtain a district from which he might expect an instantaneous recompence for all his services. Soldiers, accustomed to the carelessness and dissipation of a military life, had neither industry to carry on any plan of regular cultivation, nor patience to wait for its slow but certain returns. Instead of settling in the valleys occupied by the natives, where the fertility of the soil would have amply rewarded the diligence of the planter, they chose to fix their stations in some of the mountainous regions, frequent both in New Spain and in Peru. To search for mines of gold and silver, was the chief object of their activity. The prospects which this opens, and the alluring hopes which it continually presents, correspond wonderfully with the spirit of enterprise and adventure that animated the first emigrants to America in every part of their conduct. In order to push forward those favourite projects, so many hands were wanted, that the service of the natives became indispensably requisite. They were accordingly compelled to abandon their ancient habitations in the plains, and driven in crowds to the mountains. This sudden transition from the sultry climate of the valleys to the chill penetrating air peculiar to high lands in the torrid zone; exorbitant labour, scanty or unwholesome nourishment, and the despondency occasioned by a species of oppression to which they were not accustomed, and of which they saw no end, affected them nearly as much as their less industrious countrymen in the islands. They sunk under the united pressure of those calamities, and melted away with almost equal rapidity. In consequence of this, together with the introduction of the small-pox, a malady unknown in America, and extremely fatal to the natives, the number of people both in New Spain and Peru was so much reduced, that in a few years the accounts of their ancient population appeared almost incredible (164).

Such are the most considerable events and causes which, by their combined operation, contributed to depopulate America. Without attending to these, many authors, astonished at the suddenness of the desolation, have ascribed this unexampled event to a system of policy no less profound than atrocious. The Spaniards, as they pretend, conscious of their own inability to occupy the vast regions which they had discovered, and foreseeing the impossibility of maintaining their authority over a people infinitely superior to themselves in number, in order to preserve the possession of America, resolved to exterminate the inhabitants, and, by converting a great part of the country into a desert, endeavoured to secure their own dominion over it. But nations seldom extend their views to objects so remote, or lay their plans so deep; and for the honour of humanity we may observe, that no nation ever deliberately formed such an execrable scheme. The Spanish monarchs, far from acting upon any such system of destruction, were uniformly solicitous for the preservation of their new subjects. With Isabella, zeal for propagating the christian faith, together with the desire of communicating the knowledge of truth, and the consolations of religion, to people destitute of spiritual light, were more than ostensible motives for encouraging Columbus to attempt his discoveries. Upon his success, she endeavoured to fulfil her pious purpose, and manifested the most tender concern to secure not only religious instruction, but mild treatment, to that inoffensive race of men subjected to her crown. Her successors adopted the same ideas; and on many occasions, which I have mentioned, their authority was interposed, in the most vigorous exertions, to protect the people of America from the oppression of their Spanish subjects. Their regulations for this purpose were numerous, and often repeated. They were framed with wisdom and dictated by humanity. After their possessions in the New World became so extensive as might have excited some apprehensions of difficulty in retaining their dominion over them, the spirit of their regulations was as mild as when their settlements were confined to the islands alone. Their solicitude to protect the Indians seems rather to have augmented as their acquisitions increased; and from ardour to accomplish this, they enacted and endeavoured to enforce the execution of laws, which excited a formidable rebellion in one of their colonies, and spread alarm and disaffection through all the rest. But the avarice of individuals was too violent to be controlled by the authority of laws. Rapacious and daring adventurers, far removed from the seat of government, little accustomed to the restraints of military discipline while in service, and still less disposed to respect the feeble jurisdiction of civil power in an infant colony, despised or deluded every regulation that set bounds to their exactions and tyranny. The parent state, with persevering attention, issued edicts to prevent the oppression of the Indians; the colonists, regardless of these, or trusting to their distance for impunity, continued to consider and treat them as slaves. The governors themselves, and other officers employed in the colonies, several of whom were as indigent and rapacious as the adventurers over whom they presided, were too apt to adopt their contemptuous ideas of the conquered people; and, instead of checking, encouraged or connived at their excesses. The desolation of the New World should not then be charged on the court of Spain, or be considered as the effect of any system of policy adopted there.

It ought to be imputed wholly to the indigent and often unprincipled adventurers, whose fortune it was to be the conquerors and first planters of America, who, by measures no less inconsiderate than unjust, counteracted the edicts of their sovereign, and have brought disgrace upon their country.

With still greater injustice have many authors represented the intolerating spirit of the Roman Catholic religion, as the cause of exterminating the Americans, and have accused the Spanish ecclesiastics of animating their countrymen to the slaughter of that innocent people, as idolaters and enemies of God. But the first missionaries who visited America, though weak and illiterate were pious men. They early espoused the defence of the natives, and vindicated their character from the aspersions of their conquerors, who, describing them as incapable of being formed to the offices of civil life, or of comprehending the doctrines of religion, contended, that they were a subordinate race of men, on whom the hand of nature had set the mark of servitude. From the accounts which I have given of the humane and persevering zeal of the Spanish missionaries, in protecting the helpless flock committed to their charge, they appear in a light which reflects lustre upon their function. They were ministers of peace, who endeavoured to wrest the rod from the hands of oppressors. To their powerful interposition the Americans were indebted for every regulation tending to mitigate the rigour of their fate. The clergy in the Spanish settlements, regular as well as secular, are still considered by the Indians as their natural guardians, to whom they have recourse under the hardships, and exactions to which they are too often exposed. But, notwithstanding the rapid depopulation of America, a very considerable number of the native race still remains both in Mexico and Peru, especially in those parts which were not exposed to the first fury of the Spanish arms, or desolated by the first efforts of their industry, still more ruinous. In Guatimala, Chiapa, Nicaragua, and the other delightful provinces of the Mexican empire, which stretch along the South sea, the race of Indians is still numerous. Their settlements in some places are so populous, as to merit the name of cities. In the three audiences into which New Spain is divided, there are at least two millions of Indians; a pitiful remnant indeed, of its ancient population; but such as still forms a body of people superior in number to that of all the other inhabitants of this extensive country. In Pedro several districts, particularly in the kingdom of Quito, are occupied almost entirely by Indians. In other provinces they are mingled with the Spaniards, and in many of their settlements are almost the only persons who practice the mechanic arts, and fill most of the inferior stations in society. As the inhabitants both of Mexico and Peru were accustomed to a fixed residence, and to a certain degree of regular industry, less violence was requisite in bringing them to some conformity with the European modes of civil life. But whenever the Spaniards settled among the savage tribes of America, their attempts to incorporate with them have been always fruitless, and often fatal to the natives. Impatient of restraint, and disdaining labour as a mark of servility, they either abandoned their original seats, and sought for independence in mountains and forests inaccessible to their oppressors, or perished when reduced to a state repugnant to their ancient ideas and habits. In their district adjacent to Carthagena, to

Panama, and to Buenos-Ayres, the desolation is more general than even in those parts of Mexico and Peru of which the Spaniards have taken most full possession.

But the establishments of the Spaniards in the New World, though fatal to its ancient inhabitants, were made at a period when that monarchy was capable of forming them to best advantage. By the union of all its petty kingdoms, Spain was become a powerful state, equal to so great an undertaking. Its monarchs, having extended their prerogatives far beyond the limits which once circumscribed the regal power in every kingdom of Europe, were hardly subject to control, either in concerting or in executing their measures. In every wide-extended empire, the form of government must be simple, and the sovereign authority such, that its resolutions may be taken with promptitude, and may pervade the whole with sufficient force. Such was the power of the Spanish monarchs, when they were called to deliberate concerning the mode of establishing their dominion over the most remote provinces which had ever been subjected to any European state. In this deliberation, they felt themselves under no constitutional restraint, and that, as independent masters of their own resolves, they might issue the edicts requisite for modelling the government of the new colonies by a mere act of prerogative.

This early interposition of the Spanish crown, in order to regulate the policy and trade of its colonies, is a peculiarity which distinguishes their progress from that of the colonies of any other European nation. When the Portuguese, the English, and French took possession of the regions in American which they now occupy, the advantages which these promised to yield were so remote and uncertain, that their colonies were suffered to struggle through a hard infancy, almost without guidance or protection from the parent state. But gold and silver, the first productions of the Spanish settlements in the New World, were more alluring, and immediately attracted the attention of their monarchs. Though they had contributed little to the discovery, and almost nothing to the conquest, of the New World, they instantly assumed the function of its legislators; and having acquired a species of dominion formerly unknown, they formed a plan for exercising it, to which nothing similar occurs in the history of human affairs.

The fundamental maxim of Spanish jurisprudence, with respect to America, is to consider what has been acquired there as vested in the crown, rather than in the state. By the bull of Alexander VI., on which, as its great charter, Spain founded its right, all the regions that had been or should be discovered were bestowed as a free gift upon Ferdinand and Isabella. They and their successors were uniformly held to be the universal proprietors of the vast territories which the arms of their subjects conquered in the New World. From them all grants of land there flowed, and to them they finally returned. The leaders who conducted the various expeditions, the governors who presided over the different colonies, the officers of justice, and the ministers of religion, were all appointed by their authority, and removable at their pleasure. The people who composed infant settlements were entitled to no privileges independent of the sovereign, or that served as a barrier against the power of the crown. It is true, that when towns were built, and formed into bodies corporate, the citizens were permitted to elect their

own magistrates, who governed them by laws which the community enacted. Even in the most despotic states this feeble spark of liberty is not extinguished. But, in the cities of Spanish America, this jurisdiction is merely municipal, and is confined to the regulation of their own interior commerce and police. In whatever relates to public government, and the general interest, the will of the sovereign is law. No political power originates from the people. All centres in the crown, and in the officers of its nomination.

When the conquests of the Spaniards in America were completed, their monarchs, in forming the plan of internal policy for their new dominions, divided them into two immense governments, one subject to the viceroy of New Spain, the other to the viceroy of Peru. The jurisdiction of the former extended over all the provinces belonging to Spain in the northern division of the American continent. Under that of the latter, was comprehended whatever she possessed in South America. This arrangement, which, from the beginning was attended with many inconveniences, became intolerable when the remote provinces of each viceroyalty began to improve in industry and population. The people complained of their subjection to a superior, whose place of residence was so distant, or so inaccessible, as almost excluded them from any intercourse with the seat of government. The authority of the viceroy over districts so far removed from his own eye and observation, was unavoidably both feeble and ill directed. As a remedy for those evils, a third viceroyalty has been established in the present century, at Santa Fe de Bogota, the capital of the new kingdom of Granada, the jurisdiction of which extends over the whole kingdom of Tierra Firme and the province of Quito. Those viceroys not only represent the person of their sovereign, but possess his regal prerogatives within the precincts of their own governments in their utmost extent. Like him, they exercise supreme authority in every department of government, civil, military, and criminal. They have the sole right of nominating the persons who hold many offices of the highest importance, and the occasional privilege of supplying those which when they become vacant by death are in the royal gift, until the successor by the king shall arrive. The external pomp of their government is suited to its real dignity and power. Their courts are formed upon the model of that at Madrid with horse and foot guards, a household regularly established, numerous attendants, and ensigns of command, displaying such magnificence as hardly retains the appearance of delegated authority.

But as the viceroys cannot discharge in person the functions of a supreme magistrate in every part of their extensive jurisdiction, they are aided in their government by officers and tribunals similar to those in Spain. The conduct of civil affairs in the various provinces and districts, into which the Spanish dominions in America are divided, is committed to magistrates of various orders and denominations; some appointed by the king, others by the viceroy, but all subject to the command of the latter, and amenable to his jurisdiction. The administration of justice is vested in tribunals, known by the name of *audiencias*, and formed upon the model of the court of chancery in Spain. These are eleven in number, and dispense justice to as many districts, into which the Spanish dominions in America are divided (170). The number of judges in the court of audience is various, according to the extent and im-

portance of their jurisdiction. The station is no less honourable than lucrative, and is commonly filled by persons of such abilities and merit as render this tribunal extremely respectable. Both civil and criminal causes come under their cognizance, and for each peculiar judges are set apart. Though it is only in the most despotic governments that the sovereign exercises in person the formidable prerogative of administering justice to his subjects and in absolving, or condemning, consults no law but what is deposited in his own breast; though, in all the monarchies of Europe, judicial authority is committed to magistrates, whose decisions are regulated by known laws and established forms; the Spanish viceroys have often attempted to intrude themselves into the seat of justice, and, with an ambition which their distance from the control of a superior rendered bold, have aspired at a power which their master does not venture to assume. In order to check an usurpation which must have annihilated justice and security in the Spanish colonies, by subjecting the lives and property of all to the will of a single man, the viceroys have been prohibited, in the most explicit terms, by repeated laws, from interfering in the judicial proceedings of the courts of audience, or from delivering an opinion, or giving a voice, with respect to any point litigated before them. In some particular cases, in which any question of civil right is involved, even the political regulations of the viceroy may be brought under the review of the court of audience, which in those instances may be deemed an intermediate power placed between him and the people, as a constitutional barrier to circumscribe his jurisdiction. But as legal restraints on a person who represents the sovereign, and is clothed with his authority, are little suited to the genius of Spanish policy; the hesitation and reserve with which it confers this power on the courts of audience are remarkable. They may advise, they may remonstrate; but, in the event of a direct collision between their opinion and the will of the viceroy, what he determines must be carried into execution, and nothing remains for them, but to lay the matter before the king and the council of the Indies. But to be entitled to remonstrate, and inform against a person before whom all others must be silent, and tamely submit to his decrees, is a privilege which adds dignity to the courts of audience. This is further augmented by another circumstance. Upon the death of a viceroy, without any provision of a successor by the king, the supreme power is vested in the court of audience resident in the capital of the viceroyalty; and the senior judge, assisted by his brethren, exercises all the functions of the viceroy while the office continues vacant. In matters which come under the cognizance of the audiences, in the course of their ordinary jurisdiction, as courts of justice, their sentences are final in every litigation concerning property of less value than six thousand pesos; but when the subject in dispute exceeds that sum, their decisions are subject to review, and may be carried by appeal before the royal council of the Indies.

In this council, one of the most considerable in the monarchy for dignity and power, is vested the supreme government of all the Spanish dominions in America. It was first established by Ferdinand, in the year 1511, and brought into a more perfect form by Charles V., in the year 1524. Its jurisdiction extends to every department; ecclesiastical, civil, military, and commercial. All laws and ordinances relative to the government and police of the

colonies originate there, and must be approved of by two-thirds of the members before they are issued in the name of the king. All the offices, of which the nomination is reserved to the crown, are conferred in this council. To it each person employed in America, from the viceroy downwards, is accountable. It reviews their conduct, rewards their services, and inflicts the punishments due to their malversations. Before it is laid whatever intelligence, either public or secret, is received from America; and every scheme of improving the administration, the police, or the commerce of the colonies, is submitted to its consideration. From the first institution of the council of the Indies, it has been the constant object of the Catholic monarchs to maintain its authority, and to make such additions from time to time, both to its power and its splendour, as might render it formidable to all their subjects in the New World. Whatever degree of public order and virtue still remains in that country, where so many circumstances conspire to relax the former, and to corrupt the latter, may be ascribed, in a great measure, to the wise regulations and vigilant inspection of this respectable tribunal.

As the king is supposed to be always present in his council of the Indies, its meetings are held in the place where he resides. Another tribunal has been instituted, in order to regulate such commercial affairs as required the immediate and personal inspection of those appointed to superintend them. This is called *Casa de la Contratacion*, or the house of trade, and was established in Seville, the port to which commerce with the New World was confined, as early as the year 1501. It may be considered both as a board of trade, and as a court of judicature. In the former capacity, it takes cognizance of whatever relates to the intercourse of Spain with America, it regulates what commodities should be exported thither, and has the inspection of such as are received in return. It decides concerning the departure of the fleets for the West Indies, the freight and burden of the ships, their equipment and destination. In the latter capacity, it judges with respect to every question, civil, commercial, or criminal, arising in consequence of the transactions of Spain with America; and in both these departments its decisions are exempted from the review of any court but that of the council of the Indies.

Such is the great outline of that system of government which Spain has established in her American colonies. To enumerate the various subordinate boards and offices employed in the administration of justice, in collecting the public revenue, and in regulating the interior police of the country; to describe their different functions, and to inquire into the mode and effect of their operations, would prove a detail no less intricate than minute and uninteresting.

The first object of the Spanish monarch was to secure the productions of the colonies to the parent-state, by an absolute prohibition of any intercourse with foreign nations. They took possession of America by right of conquest, and conscious not only of the feebleness of their infant settlements, but aware of the difficulty in establishing their dominion over regions so extensive, or in retaining so many reluctant nations under the yoke, they dreaded the intrusion of strangers; they even shunned their inspection, and endeavoured to keep them at a distance from their coasts. This spirit of jealousy and exclusion, which at first was natural, and perhaps necessary, augmented as their possessions in America

extended, and the value of them came to be more fully understood. In consequence of it, a system of colonizing was introduced, to which there had hitherto been nothing similar among mankind. In the ancient world, it was not uncommon to send forth colonies. But they were of two kinds only. They were either migrations, which served to disburden a state of its superfluous subjects, when they multiplied too fast for the territory which they occupied; or, they were military detachments, stationed as garrisons in a conquered province. The colonies of some Greek republics, and the swarms of northern barbarians which settled in different parts of Europe, were of the first species. The Roman colonies were of the second. In the former, the connexion with the mother-country quickly ceased, and they became independent states. In the latter, as the disjunction was not complete, the dependence continued. In their American settlements, the Spanish monarchs took what was peculiarly to each, and studied to unite them. By sending colonies to regions so remote, by establishing in each a form of interior policy and administration, under distinct governors, and with peculiar laws, they disjoined them from the mother-country. By retaining in their own hands the rights of legislation, as well as that of imposing taxes, together with the power of nominating the persons who filled every department of executive government, civil or military, they secured their dependence upon the parent-state. Happily for Spain, the situation of her colonies was such as rendered it possible to reduce this new idea into practice. Almost all the countries which she had discovered and occupied, lay within the tropics. The productions of that large portion of the globe are different from those of Europe, even in its most southern provinces. The qualities of the climate and of the soil naturally turn the industry of such as settle there into new channels. When the Spaniards first took possession of their dominions in America, the precious metals which they yielded were the only object that attracted their attention. Even when their efforts began to take a better direction, they employed themselves almost wholly in rearing such peculiar productions of the climate as, from their rarity or value, were of chief demand in the mother-country. Allured by vast prospects of immediate wealth, they disdained to waste their industry on what was less lucrative, but of superior moment. In order to render it impossible to correct this error, and to prevent them from making any efforts in industry which might interfere with those of the mother-country, the establishment of several species of manufactures, and even the culture of the vine, or olive, are prohibited in the Spanish colonies (171), under severe penalties. They must trust entirely to the mother-country for the objects of primary necessity. Their clothes, their furniture, their instruments of labour, their luxuries, and even a considerable part of the provisions which they consume, were imported from Spain. During a great part of the sixteenth century, Spain, possessing an extensive commerce and flourishing manufactures, could supply with ease the growing demands of her colonies from her own stores. The produce of their mines and plantations was given in exchange for these. But all that the colonies received, as well as all that they gave, was conveyed in Spanish bottoms. No vessel belonging to the colonies was ever permitted to carry the commodities of America to Europe. Even the commercial intercourse of one colony with another was either absolutely

prohibited, or limited by many jealous restrictions. All that America yields flows into the ports of Spain; all that it consumes must issue from them. No foreigner can enter its colonies without express permission; no vessel of any foreign nation is received into their harbours; and the pains of death, with confiscation of movables, are denounced against every inhabitant who presumes to trade with them. Thus the colonies are kept in a state of perpetual pupillage; and by the introduction of this commercial dependence, a refinement in policy of which Spain set the first example to European nations, the supremacy of the parent state hath been maintained over remote colonies during two centuries and a half.

Such are the capital maxims to which the Spanish monarchs seem to have attended in forming their new settlements in America. But they could not plant with the same rapidity that they had destroyed; and from many concurring causes, their progress has been extremely slow in filling up the immense void which their devastations had occasioned. As soon as the rage for discovery and adventure began to abate, the Spaniards opened their eyes to dangers and distress which at first they did not perceive, or had despised. The numerous hardships with which the members of infant colonies have to struggle; the diseases of unwholesome climates fatal to the constitution of Europeans; the difficulty of bringing a country covered with forests into culture; the want of hands necessary for labour in some provinces, and the slow reward of industry in all, unless where the accidental discovery of mines enriched a few fortunate adventures, were evils universally felt and magnified. Discouraged by the view of these, the spirit of migration was so much damped, that sixty years after the discovery of the New World the number of Spaniards in all its provinces is computed not to have exceeded fifteen thousand (172).

The mode in which property was distributed in the Spanish colonies, and the regulations established with respect to the transmission of it, whether by descent or by sale, were extremely unfavourable to population. In order to promote a rapid increase of people in any new settlement, property in land ought to be divided into small shares, and the alienation of it should be rendered extremely easy. But the rapaciousness of the Spanish conquerors of the New World, paid no regard to this fundamental maxim of policy; and, as they possessed power which enabled them to gratify the utmost extravagance of their wishes, many seized districts of great extent, and held them as *encomiendas*. By degrees they obtained the privilege of converting a part of these into *Mayorazgos*, a species of fief, introduced into the Spanish system of feudal jurisprudence, which can neither be divided nor alienated. Thus a great portion of landed property, under this rigid form of entail, is withheld from circulation, and descends from father to son unimproved, and of little value either to the proprietor or to the community. In the account which I have given of the reduction of Peru, various examples occur of enormous tracts of country occupied by some of the conquerors. The excesses in other provinces were similar; for, as the value of the lands which the Spaniards acquired was originally estimated according to the number of Indians which lived upon them, America was in general so thinly peopled, that only districts of great extent could afford such a number of labourers as might be employed in the mines with any prospect of considerable gain. The pernicious effects

of those radical errors in the distribution and nature of property in the Spanish settlements, are felt through every department of industry, and may be considered as one great cause of a progress in population so much slower than that which has taken place in better constituted colonies (173).

To this we may add, that the support of the enormous and expensive fabric of their ecclesiastical establishment has been a burden on the Spanish colonies, which has greatly retarded the progress of population and industry. The payment of tithes is a heavy tax on industry; and if the exaction of them be not regulated and circumscribed by the wisdom of the civil magistrate, it becomes intolerable and ruinous. But, instead of any restraint on the claims of ecclesiastics, the inconsiderate zeal of the Spanish legislators admitted them into America in their full extent, and at once imposed on their infant colonies a burden which is in no slight degree oppressive to society, even in its most improved state. As early as the year 1501, the payment of tithes in the colonies was enjoined, and the mode of it regulated by law. Every article of primary necessity, towards which the attention of new settlers must naturally be turned, is subjected to that grievous exaction. Nor were the demands of the clergy confined to articles of simple and easy culture. Its more artificial and opesore productions, such as sugar, indigo, and cochineal, were soon declared to be titheable; and thus the industry of the planter was taxed in every stage of its progress, from its rudest essay to its highest improvement. To the weight of this legal imposition, the bigotry of the American Spaniards has made many voluntary additions. From their fond delight in the external pomp and parade of religion, and from superstitious reverence for ecclesiastics of every denomination, they have bestowed profuse donations on churches and monasteries, and have unprofitably wasted a large proportion of that wealth, which might have nourished and given vigour to productive labour in growing colonies.

But so fertile and inviting are the regions of America, which the Spaniards have occupied, that, notwithstanding all the circumstances which have checked and retarded population, it has gradually increased, and filled the colonies of Spain with citizens of various orders. Among these, the Spaniards who arrive from Europe, distinguished by the name of *Chapetones*, are the first in rank and power. From the jealous attention of the Spanish court to secure the dependence of the colonies on the parent state, all departments of consequence are filled by persons sent from Europe; and in order to prevent any of dubious fidelity from being employed, each must bring proof of a clear descent from a family of *Old Christians*, untainted with any mixture of Jewish or Mahometan blood, and never disgraced by any censure of the inquisition. In such pure hands power is deemed to be safely lodged, and almost every function, from the vicerealty downwards, is committed to them alone. Every person, who, by his birth or residence in America, may be suspected of any attachment or interest adverse to the mother-country, is the object of distrust to such a degree, as amounts nearly to an exclusion from all offices of confidence or authority (174). By this conspicuous predilection of the court, the *Chapetones* are raised to such pre-eminence in America, that they look down with disdain on every other order of men.

The character and state of the *Creoles*, or descendants of Europeans settled in America, the second class of subjects in the Spanish colonies, have

enabled the Chapetones to acquire other advantages, hardly less considerable than those which they derive from the partial favour of government. Though some of the Creolian race are descended from the conquerors of the 'New World'; though others can trace up their pedigree to the noblest families in Spain; though many are possessed of ample fortunes: yet, by the enervating influence of a sultry climate, by the rigour of a jealous government, and by their despair of attaining that distinction to which mankind naturally aspire, the vigour of their minds is so entirely broken, that a great part of them waste life in luxurious indulgences, mingled with an illiberal superstition still more debasing.

Languid and unenterprising, the operations of an active extended commerce would be to them so cumbersome and oppressive, that in almost every part of America they decline engaging in it. The interior traffic of every colony, as well as any trade which is permitted with the neighbouring provinces, and with Spain itself, is carried on chiefly by the Chapetones; who, as the recompence of their industry, amass immense wealth, while the Creoles, sunk in sloth, are satisfied with the revenues of their paternal estates.

From this stated competition for power and wealth between those two orders of citizens, and the various passions excited by a rivalry so interesting, their hatred is violent and implacable. On every occasion, symptoms of this aversion break out, and the common appellations which each bestows on the other are as contemptuous as those which flow from the most deep-rooted national antipathy. The court of Spain, from a refinement of distrustful policy, cherishes those seeds of discord, and foment this mutual jealousy, which not only prevents the two most powerful classes of its subjects in the New World from combining against the parent state, but prompts each, with the most vigilant zeal, to observe the motions and to counteract the schemes of the other.

The third class of inhabitants in the Spanish colonies is a mixed race, the offspring either of a European and a negro, or a European and Indian, the former called *Mulattoes*, the latter *Mestizos*. As the court of Spain, solicitous to incorporate its new vassals with its ancient subjects, early encouraged the Spaniards settled in America to marry the natives of that country, several alliances of this kind were formed in their infant colonies. But it has been more owing to licentious indulgence, than to compliance with this injunction of their sovereigns, that this mixed breed has multiplied so greatly, as to constitute a considerable part of the population in all the Spanish settlements. The several stages of descent in this race, and the gradual variations of shade, until the African black or the copper colour of America brighten into European complexion, are accurately marked by the Spaniards, and each distinguished by a peculiar name. Those of the first and second generations are considered and treated as mere Indians and negroes; but, in the third descent, the characteristic hue of the former disappears; and in the fifth, the deeper tint of the latter is so entirely effaced, that they can no longer be distinguished from Europeans, and become entitled to all their privileges. It is chiefly by this mixed race, whose frame is so remarkably robust and hardy, that the mechanic arts are carried on in the Spanish settlements, and other active functions in Society are discharged, which the two higher classes of citizens, from pride or from indolence, disdain to exercise.

The negroes hold the fourth rank among the inhabitants of the Spanish colonies. The introduction of that unhappy part of the human species into America, together with their services and sufferings there, shall be fully explained in another place; here they are mentioned chiefly in order to point out a peculiarity in their situation under the Spanish dominion. In several of their settlements, particularly in new Spain, negroes are mostly employed in domestic service. They form a principal part in the train of luxury, and are cherished and caressed by their superiors, to whose vanity and pleasures they are equally subservient. Their dress and appearance are hardly less splendid than that of their masters, whose manners they imitate, and whose passions they imbibe. Elevated by this distinction, they have assumed such a tone of superiority over the Indians, and treat them with such insolence and scorn, that the antipathy between the two races has become implacable. Even in Peru, where negroes seem to be more numerous, and are employed in field-work, as well as domestic service, they maintain their ascendant over the Indians, and the mutual hatred of one to the other subsists with equal violence. The laws have industriously fomented this aversion, to which accident gave rise, and, by most rigorous injunctions, have endeavoured to prevent every intercourse that might form a bond of union between the two races. Thus, by an artful policy, the Spaniards derive strength from that circumstance in population, which is the weakness of other European colonies, and have secured, as associates and defenders, those very persons who elsewhere are objects of jealousy and terror.

The Indians form the last and the most depressed order of men in the country which belonged to their ancestors. I have already traced the progress of the Spanish ideas with respect to the condition and treatment of that people; and have mentioned the most important of their more early regulations, concerning a matter of so much consequence in the administration of their new dominions. But since the period to which I have brought down the history of America, the information and experience acquired during two centuries, have enabled the court of Spain to make such improvements in this part of its American system, that a short view of the present condition of the Indians may prove both curious and interesting.

By the famous regulations of Charles V. in 1542, which have been so often mentioned, the high pretensions of the conquerors of the New World, who considered its inhabitants as slaves, to whose service they had acquired a full right of property, were finally abrogated. From that period, the Indians have been reputed freemen, and entitled to the privileges of subjects. When admitted into this rank, it was deemed just that they should contribute towards the support and improvement of the society which had adopted them as members. But, as no considerable benefit could be expected from the voluntary efforts of men unacquainted with regular industry, and averse to labour, the court of Spain found it necessary to fix and secure, by proper regulations, what it thought reasonable to exact from them. With this view, an annual tax was imposed upon every male from the age of eighteen to fifty; and, at the same time, the nature as well as the extent of the services which they might be required to perform, was ascertained with precision. This tribute varies in different provinces; but, if we take that paid in New Spain as a medium, its annual amount

is nearly four shillings a head; no exorbitant sum in countries where, as at the source of wealth, the value of money is extremely low (175). The right of levying this tribute likewise varies. In America, every Indian is either an immediate vassal of the crown, or depends upon some subject to whom the district in which he resides has been granted for a limited time, under the denomination of an *encomienda*. In the former case, about three-fourths of the tax is paid into the royal treasury; in the latter, the same proportion of it belongs to the holder of the grant. When Spain first took possession of America, the greater part of it was parcelled out among its conquerors, or those who first settled there, and but a small portion reserved for the crown. As those grants, which were made for two lives only (176) reverted successively to the sovereign, he had it in his power either to diffuse his favours by grants to new proprietors, or to augment his own revenue by valuable annexations. Of these, the latter has been frequently chosen; the number of Indians now depending immediately on the crown is much greater than in the first stage after the conquest, and this branch of the royal revenue continues to extend.

The benefit arising from the services of the Indians, accrues either to the crown, or to the holder of the *encomienda*, according to the same rule observed in the payment of tribute. Those services, however, which can now be legally exacted, are very different from the tasks originally imposed upon the Indians. The nature of the work which they must perform is defined, and an equitable recompence is granted for their labour. The stated services demanded of the Indians may be divided into two branches. They are either employed in works of primary necessity, without which society cannot subsist comfortably, or are compelled to labour in the mines, from which the Spanish colonies derive their chief value and importance. In consequence of the former, they are obliged to assist in the culture of maize, and other grain of necessary consumption; in tending cattle; in erecting edifices of public utility; in building bridges; and in forming high roads; but they cannot be constrained to labour in raising vines, olives, and sugar-canes, or any species of cultivation which has for its object the gratification of luxury, or commercial profit. In consequence of the latter, the Indians are compelled to undertake the more unpleasant task of extracting ore from the bowels of the earth, and of refining it by successive processes, no less unwholesome than operose (177).

The mode of exacting both these services is the same, and is under regulations framed with a view of rendering it as little oppressive as possible to the Indians. They are called out successively in divisions, termed *Mitas*, and no person can be compelled to go but in his turn. In Peru, the number called out must not exceed the seventh part of the inhabitants in any district. In New Spain, where the Indians are more numerous, it is fixed at four in the hundred. During what time the labour of such Indians are employed in agriculture continues, I have not been able to learn (178). But in Peru, each *mita*, or division, destined for the mines, remains there six months; and while engaged in this service, a labourer never receives less than two shillings a day, and often earns more than double that sum. No Indian, residing at a greater distance than thirty miles from a mine, is included in the *mita* or division employed in working it; nor are the inhabitants of the low country exposed now to certain destruc-

tion, as they were at first, when under the dominion of the conquerors, by compelling them to remove from that warm climate, to the cold elevated regions where minerals abound (179).

The Indians who live in the principal towns, are entirely subject to the Spanish laws and magistrates but in their own villages they are governed by *caziques*, some of whom are the descendants of their ancient lords, others are named by the Spanish viceroys. These regulate the petty affairs of the people under them, according to maxims of justice transmitted to them by tradition from their ancestors. To the Indians, this jurisdiction, lodged in such friendly hands, affords some consolation; and so little formidable is this dignity to their new masters, that they often allow it to descend by hereditary right. For the further relief of men so much exposed to oppression, the Spanish court has appointed an officer in every district with the title of Protector of the Indians. It is his function, as the name implies, to assert the rights of the Indians; to appear as their defender in the courts of justice; and, by the interposition of his authority, to set bounds to the encroachments and exactions of his countrymen. A certain portion of the reserved fourth of the annual tribute is destined for the salary of the *caziques* and protectors; another is applied to the maintenance of the clergy employed in the instruction of the Indians. Another part seems to be appropriated for the benefit of the Indians themselves, and is applied for the payment of their tribute in years of famine, or when a particular district is affected by any extraordinary local calamity. Besides this, provision is made by various laws, that hospitals shall be founded in every new settlement for the reception of Indians. Such hospitals have, accordingly, been erected, both for the indigent and infirm, in Lima, in Cuzco, and in Mexico, where the Indians are treated with tenderness and humanity.

Such are the leading principles in the jurisprudence and policy by which the Indians are now governed in the provinces belonging to Spain. In those regulations of the Spanish monarchs, we discover no traces of that cruel system of extermination, which they have been charged with adopting; and if we admit that the necessity of securing subsistence for their colonies, or the advantages derived from working the mines, give them a right to avail themselves of the labour of the Indians, we must allow, that the attention with which they regulate and recompense that labour, is provident and sagacious. In no code of laws is greater solicitude displayed, or precautions multiplied with more prudent concern, for the preservation, the security, and the happiness of the subject, than we discover in the collection of the Spanish laws for the Indies. But those latter regulations, like the more early edicts which have been already mentioned, have too often proved ineffectual remedies against the evils which they were intended to prevent. In every age, if the same causes continue to operate, the same effects must follow. From the immense distance between the power intrusted with the execution of laws, and that by whose authority they are enacted, the vigour even of the most absolute government must relax, and the dread of a superior, too remote to observe with accuracy, or to punish with dispatch, must insensibly abate. Notwithstanding the numerous injunctions of the Spanish monarch, the Indians still suffer, on many occasions, both from the avarice of individuals, and from the exactions of the magistrature who ought to have protected them; unreasonable

tasks are imposed; the term of their labour is prolonged beyond the period fixed by law, and they groan under many of the insults and wrongs which are the lot of a dependent people (180). From some information on which I can depend, such oppression abounds more in Peru than in any other colony. But it is not general. According to the accounts even of those authors who are most disposed to exaggerate, the sufferings of the Indians, they in several provinces enjoy not only ease but affluence; they possess large farms; they are masters of numerous herds and flocks; and, by the knowledge which they have acquired of European arts and industry, are supplied not only with the necessaries, but with many luxuries of life.

After explaining the form of civil government in the Spanish colonies, and the state of the various orders of persons subject to it, the peculiarities in their ecclesiastical constitution merit consideration. Notwithstanding the superstitious veneration with which the Spaniards are devoted to the holy see, the vigilant and jealous policy of Ferdinand early prompted him to take precautions against the introduction of the papal dominion in America. With this view, he solicited Alexander VI. for a grant to the crown, of the tithes in all the newly discovered countries, which he obtained, on condition of his making provision for the religious instruction of the natives. Soon after, Julius II. conferred on him, and his successors, the right of patronage and the absolute disposal of all ecclesiastical benefices there. But these pontiffs, unacquainted with the value of what he demanded, bestowed those donations with an inconsiderate liberality, which their successors have often lamented and wished to recall. In consequence of those grants, the Spanish monarchs have become in effect, the heads of the American church. In them the administration of its revenues is vested. Their nomination of persons to supply vacant benefices is instantly confirmed by the pope. Thus, in all Spanish America, authority of every species centres in the crown. There no collision is known between spiritual and temporal jurisdiction. The king is the only superior, his name alone is heard of, and no dependence upon any foreign power has been introduced. Papal bulls cannot be admitted into America, nor are they of any force there, until they have been previously examined and approved of by the royal council of the Indies; and if any bull should be surreptitiously introduced and circulated in America without obtaining that approbation, ecclesiastics are required not only to prevent it from taking effect, but to seize all the copies of it, and transmit them to the council of the Indies. To this limitation of the papal jurisdiction, equally singular whether we consider the age and nation in which it was devised, or the jealous attention with which Ferdinand and his successors have studied to maintain it in full force, Spain is indebted, in a great measure, for the uniform tranquillity which has reigned in her American dominions.

The hierarchy is established in America in the same form as in Spain, with its full train of arch-bishops, bishops, deans, and other dignitaries. The inferior clergy are divided into three classes, under the denomination of *Curas*, *Doctrineros*, and *Missioneros*. The first are parish priests in those parts of the country where the Spaniards have settled. The second have the charge of such districts as are inhabited by Indians subjected to the Spanish government, and living under its protection. The third are employed in instructing and converting those fiercer

tribes, which disdain submission to the Spanish yoke, and live in remote or inaccessible regions, to which the Spanish arms have not penetrated. So numerous are the ecclesiastics of all those various orders, and such the profuse liberality with which many of them are endowed, that the revenues of the church in America are immense. The Romish superstition appears with its utmost pomp in the New World. Churches and convents there are magnificent, and richly adorned; and on high festivals, the display of gold and silver, and precious stones, is such as exceeds the conception of a European. An ecclesiastical establishment so splendid and extensive, is unfavourable, as has been formerly observed, to the progress of rising colonies; but in countries where riches abound, and the people are so delighted with parade, that religion must assume it in order to attract their veneration, this propensity to ostentation has been indulged, and becomes less pernicious.

The early institution of monasteries in the Spanish colonies, and the inconsiderate zeal in multiplying them, have been attended with consequences more fatal. In every new settlement, the first object should be to encourage population, and to incite every citizen to contribute towards augmenting the number and strength of the community. During the youth and vigour of society, while there is room to spread, and sustenance is procured with facility, mankind increase with amazing rapidity. But the Spaniards had hardly taken possession of America, when, with a most preposterous policy, they began to erect convents, where persons of both sexes were shut up, under a vow to defeat the purpose of nature, and to counteract the first of her laws. Influenced by a misguided piety, which ascribes transcendent merit to a state of celibacy, or allured by the prospect of that listless ease which in sultry climates is deemed supreme felicity, numbers crowded into those mansions of sloth and superstition, and are lost to society. As none but persons of Spanish extract are admitted into the monasteries of the New World, the evil is more sensibly felt, and every monk or nun may be considered as an active person withdrawn from civil life. The impropriety of such foundations in any situation, where the extent of territory requires additional hands to improve it, is so obvious, that some catholic states have expressly prohibited any person in their colonies from taking the monastic vows. Even the Spanish monarchs, on some occasions, seem to have been alarmed with the spreading of a spirit so adverse to the increase and prosperity of their colonies, that they have endeavoured to check it. But the Spaniards in America, more thoroughly under the influence of superstition than their countrymen in Europe, and directed by ecclesiastics more bigoted and illiterate, have conceived such a high opinion of monastic sanctity, that no regulations can restrain their zeal; and, by the excess of their ill-judged bounty, religious houses have multiplied to a degree no less amazing than pernicious to society (181).

In viewing the state of colonies, where not only the number but influence of ecclesiastics is so great, the character of this powerful body is an object that merits particular attention. A considerable part of the secular clergy in Mexico and Peru are natives of Spain. As persons long accustomed, by their education, to the retirement and indolence of academic life, are more incapable of active enterprise, and less disposed to strike into new paths, than any order of men, the ecclesiastical adventurers by whom

the American church is recruited, are commonly such as, from merit or rank in life, have little prospect of success in their own country. Accordingly, the secular priests in the New World are still less distinguished than their brethren in Spain for literary accomplishments of any species; and though by the ample provision which has been made for the American church, many of its members enjoy the ease and independence which are favourable to the cultivation of science, the body of secular clergy has hardly, during two centuries and a half, produced one author whose works convey such useful information, or possess such a degree of merit, as to be ranked among those which attract the attention of enlightened nations. But the greatest part of the ecclesiastics in the Spanish settlements are regulars. On the discovery of America, a new field opened to the pious zeal of the monastic orders; and, with a becoming alacrity, they immediately sent forth missionaries to labour in it. The first attempt to instruct and convert the Americans was made by monks; and as soon as the conquest of any province was completed, and its ecclesiastical establishment began to assume some form, the popes permitted the missionaries of the four mendicant orders, as a reward for their services, to accept of parochial charges in America, to perform all spiritual functions, and to receive the tithes and other emoluments of the benefice, without depending on the jurisdiction of the bishop of the diocese, or being subject to his censures. In consequence of this, a new career of usefulness, as well as new objects of ambition, presented themselves. Whenever a call is made for a fresh supply of missionaries, men of the most ardent and aspiring minds, impatient under the restraint of a cloister, weary of its insipid uniformity, and fatigued with the irksome repetition of its frivolous functions, offer their service with eagerness, and repair to the New World in quest of liberty and distinction. Nor do they pursue distinction without success. The highest ecclesiastical honours, as well as the most lucrative preferments in Mexico and Peru, are often in the hands of regulars; and it is chiefly to the monastic orders that the Americans are indebted for any portion of science which is cultivated among them. They are almost the only Spanish ecclesiastics from whom we have received any accounts either of the civil or natural history of the various provinces in America. Some of them, though deeply tinged with the indelible superstition of their profession, have published books which give a favourable idea of their abilities. The natural and moral history of the New World, by the Jesuit Acosta, contains more accurate observations, perhaps, and more sound science, than are to be found in any description of remote countries published in the sixteenth century.

But the same disgust with monastic life, to which America is indebted for some instructors of worth and abilities, filled it with others of a very different character. The giddy, the profligate, the avaricious, to whom the poverty and rigid discipline of a convent are intolerable, consider a mission to America as a release from mortification and bondage. There they soon obtain some parochial charge; and far removed, by their situation, from the inspection of their monastic superiors, and exempt, by their character, from the jurisdiction of their diocesan, they are hardly subjected to any controul. According to the testimony of the most zealous catholics, many of the regular clergy in the Spanish settlements are not only destitute of the virtues becoming their pro-

fession, but regardless of that external decorum and respect for the opinion of mankind, which preserve a semblance of worth where the reality is wanting. Secure of impunity, some regulars, in contempt of their vow of poverty, engage openly in commerce, and are so rapaciously eager in amassing wealth, that they become the most grievous oppressors of the Indians whom it was their duty to have protected. Others, with no less flagrant violation of their vow of chastity, indulge with little disguise in the most dissolute licentiousness (182).

Various schemes have been proposed for redressing enormities so manifest and so offensive. Several persons, no less eminent for piety than discernment, have contended, that the regulars, in conformity to the canons of the church, ought to be confined within the walls of their cloisters, and should no longer be permitted to encroach on the functions of the secular clergy. Some public-spirited magistrates, from conviction of its being necessary to deprive the regulars of a privilege bestowed at first with good intention, but of which time and experience had discovered the pernicious effects, openly countenanced the secular clergy in their attempts to assert their own rights. The Prince D'Esquilache, viceroy of Peru under Phillip III., took measures so decisive and effectual for circumscribing the regulars within their proper sphere, as struck them with general consternation (183). They had recourse to their usual arts. They alarmed the superstitious, by representing the proceedings of the viceroy as innovations fatal to religion. They employed all the refinements of intrigue, in order to gain persons in power; and seconded by the powerful influence of the Jesuits, who claimed and enjoyed all the privileges which belonged to the mendicant orders in America, they made a deep impression on a bigoted prince and a weak ministry. The ancient practice was tolerated. The abuses which it occasioned continued to increase, and the corruption of monks, exempt from the restraints of discipline, and the inspection of any superior, became a disgrace to religion. At last, as the veneration of the Spaniards for the monastic orders began to abate, and the power of the Jesuits was on the decline, Ferdinand VI. ventured to apply the only effectual remedy, by issuing an edict, prohibiting regulars of every denomination from taking the charge of any parish with the cure of souls; and declaring, that on the demise of the present incumbents, none but secular priests, subject to the jurisdiction of their dioceses, shall be presented to vacant benefices. If this regulation is carried into execution with steadiness in any degree proportional to the wisdom with which it is framed, a very considerable reformation may take place in the ecclesiastical state of Spanish America, and the secular clergy may gradually become a respectable body of men. The deportment of many ecclesiastics, even at present, seems to be decent and exemplary; otherwise we can hardly suppose that they would be held in such high estimation, and possess such a wonderful ascendancy over the minds of their countrymen throughout all the Spanish settlements.

But whatever merit the Spanish ecclesiastics in America may possess, the success of their endeavours in communicating the knowledge of true religion to the Indians, has been more imperfect than might have been expected, either from the degree of their zeal, or from the dominion which they had acquired over that people. For this, various reasons may be assigned. The first missionaries, in their ardour to make proselytes, admitted the people of America

into the christian church, without previous instruction in the doctrines of religion, and even before they themselves had acquired such knowledge in the Indian language, as to be able to explain to the natives the mysteries of faith, or the precepts of duty. Resting upon a subtle distinction in scholastic theology, between that degree of assent which is founded on a complete knowledge and conviction of duty, and that which may be yielded when both these are imperfect, they adopted this strange practice, no less inconsistent with the spirit of a religion which addresses itself to the understanding of men, than repugnant to the dictates of reason. As soon as any body of the people, overawed by dread of the Spanish power, moved by the example of their own chiefs, incited by levity, or yielding from mere ignorance, expressed the slightest desire of embracing the religion of their conquerors, they were instantly baptized. While this rage of conversion continued, a single clergyman baptized in one day above five thousand Mexicans, and did not desist until he was so exhausted by fatigue, that he was unable to lift his hands. In the course of a few years after the reduction of the Mexican empire, the sacrament of baptism was administered to more than four millions. Proselytes adopted with such inconsiderate haste, and who were neither instructed in the nature of the tenets to which it was supposed they had given assent, nor taught the absurdity of those which they were required to relinquish, retained their veneration for their ancient superstitions in full force, or mingled an attachment to its doctrines and rites with that slender knowledge of christianity which they had acquired. These sentiments the new converts transmitted to their posterity, into whose minds they have sunk so deep, that the Spanish ecclesiastics, with all their industry, have not been able to eradicate them. The religious institutions of their ancestors are still remembered and held in honour by many of the Indians, both in Mexico and Peru; and whenever they think themselves out of reach of inspection by the Spaniards, they assemble and celebrate their idolatrous rites.

But this is not the most insurmountable obstacle to the progress of christianity among the Indians. The powers of their uncultivated understandings are so limited, their observations and reflections reach so little beyond the mere objects of sense, that they seem hardly to have the capacity of forming abstract ideas, and possess not language to express them. To such men the sublime and spiritual doctrines of christianity must be, in a great measure, incomprehensible. The numerous and splendid ceremonies of the popish worship catch the eye, please and interest them; but when their instructors attempt to explain the articles of faith with which those external observances are connected, though the Indians may listen with patience, they so little conceive the meaning of what they hear, that their acquiescence does not merit the name of belief. Their indifference is still greater than their incapacity. Attentive only to the present moment, and engrossed by the objects before them, the Indians so seldom reflect upon what is past, or take thought for what is to come, that neither the promises nor threats of religion make much impression upon them, and while their foresight rarely extends so far as the next day, it is almost impossible to inspire them with solicitude about the concerns of a future world. Astonished equally at their slowness of comprehension, and at their insensibility, some of the early missionaries pronounced them a race of men so brutish

as to be incapable of understanding the first principles of religion. A council held at Lima decreed, that, on account of this incapacity, they ought to be excluded from the sacrament of the Eucharist. Though Paul III., by his famous bull issued in the year 1537, declared them to be rational creatures entitled to all the privileges of christians; yet after the lapse of two centuries, during which they have been members of the church, so imperfect are their attainments in knowledge, that very few possess such a portion of spiritual discernment, as to be deemed worthy of being admitted to the holy communion. From this idea of their incapacity and imperfect knowledge of religion, when the zeal of Philip II. established the Inquisition in America in the year 1570, the Indians were exempted from the jurisdiction of that severe tribunal, and still continue under the inspection of their diocesans. Even after the most perfect instruction, their faith is held to be feeble and dubious; and though some of them have been taught the learned languages, and have gone through the ordinary course of academic education with applause, their frailty is still so much suspected, that few Indians are either ordained priests or received into any religious order. (184.)

From this brief survey some idea may be formed of the interior state of the Spanish colonies. The various productions with which they supply and enrich the mother-country, and the system of commercial intercourse between them, come next in order to be explained. If the dominions of Spain in the New World had been of such moderate extent, as bore a due proportion to the parent state, the progress of her colonizing might have been attended with the same benefit as that of other nations. But when, in less than half a century, her inconsiderate rapacity had seized on countries larger than all Europe, her inability to fill such vast regions with a number of inhabitants sufficient for the cultivation of them was so obvious, as to give a wrong direction to all the efforts of the colonists. They did not form compact settlements, where industry, circumscribed within proper limits, both in its views and operations, is conducted with that sober persevering spirit, which gradually converts whatever is in its possession, to a proper use, and derives thence the greatest advantage. Instead of this, the Spaniards, seduced by the boundless prospect which opened to them, divided their possessions in America into governments of great extent. As their number was too small to attempt the regular culture of the immense provinces which they occupied rather than peopled, they bent their attention to a few objects that allured them with hopes of sudden and exorbitant gain, and turned away with contempt from the humbler paths of industry, which lead more slowly, but with greater certainty, to wealth and increase of national strength.

Of all the methods by which riches may be acquired, that of searching for the precious metals is one of the most inviting to men who are either unaccustomed to the regular assiduity with which the culture of the earth and the operations of commerce must be carried on, or who are so enterprising and rapacious as not to be satisfied with the gradual returns of profit which they yield. Accordingly, as soon as the several countries in America were subjected to the dominion of Spain, this was almost the only method of acquiring wealth which occurred to the adventurers by whom they were conquered. Such provinces of the continent as did not allure them to settle, by the prospect of their affording

gold and silver, were totally neglected. Those in which they met with a disappointment of the sanguine expectations they had formed, were abandoned. Even the value of the islands, the first fruits of their discoveries, and the first object of their attention, sunk so much in their estimation, when the mines which had been opened in them were exhausted, that they were deserted by many of the planters, and left to be occupied by more industrious possessors. All crowded to Mexico and Peru, where the quantities of gold and silver found among the natives, who searched for them with little industry and less skill, promised an unexhausted store, as the recompence of more intelligent and persevering efforts.

During several years, the ardour of their researches was kept up by hope rather than success. At length, the rich silver mines of Potosi in Peru were accidentally discovered in the year 1545 by an Indian, as he was clambering up the mountains in pursuit of a llama which had strayed from his flock. Soon after the mines of Sacotecas in New Spain, little inferior to the other in value, were opened. From that time, successive discoveries have been made in both colonies, and silver mines are now so numerous, that the working of them, and of some few mines of gold in the provinces of Tierra Firme, and the new kingdom of Granada, has become the capital occupation of the Spaniards, and is reduced into a system no less complicated than interesting. To describe the nature of the various ores, the mode of extracting them from the bowels of the earth, and to explain the several processes by which the metals are separated from the substances with which they are mingled, either by the action of fire, or the attractive powers of mercury, is the province of the natural philosopher or chemist, rather than of the historian.

The exuberant profusion with which the mountains of the New World poured forth their treasures astonished mankind, who had been accustomed hitherto to receive a penurious supply of the precious metals, from the more scanty stores contained in the mines of the ancient hemisphere. According to principles of computation, which appear to be extremely moderate, the quantity of gold and silver that has been regularly entered in the ports of Spain, is equal in value to four millions sterling annually, reckoning from the year 1492, in which America was discovered, to the present time. This, in two hundred and eighty-three years, amounts to eleven hundred and thirty-two millions. Immense as this sum is, the Spanish writers contend, that as much more ought to be added to it, in consideration of treasure which has been extracted from the mines, and imported fraudulently into Spain without paying duty to the king. By this account, Spain has drawn from the New World a supply of wealth amounting at least to two thousand millions of pounds sterling (185).

The mines, which have yielded this amazing quantity of treasure, are not worked at the expense of the crown or of the public. In order to encourage private adventurers, the person who discovers and works a new vein is entitled to the property of it. Upon laying his claim to such a discovery before the governor of the province, a certain extent of land is measured off, and a certain number of Indians allotted him, under the obligation of his opening the mine within a limited time, and of his paying the customary duty to the king for what it shall produce. Invited by the facility with which such grants are obtained, and encouraged by some striking examples of success in this line of adventure, not only the san-

guine and the bold, but the timid and diffident, enter upon it with astonishing ardour. With vast objects always in view, fed continually with hope, and expecting every moment that fortune will unveil her secret stores, and give up the wealth which they contain to their wishes, they deem every other occupation insipid and uninteresting. The charms of this pursuit, like the rage for deep play, are so bewitching, and take such full possession of the mind, as even to give a new bent to the natural temper. Under its influence the cautious become enterprising, and the covetous profuse. Powerful as this charm naturally is, its force is augmented by the arts of an order of men known in Peru by the cant name of *searchers*. These are commonly persons of desperate fortune, who, availing themselves of some skill in mineralogy, accompanied with the insinuating manner and confident pretensions peculiar to projectors, address the wealthy and the credulous. By plausible descriptions of the appearances which they have discovered of rich veins hitherto unexplored; by producing, when requisite, specimens of promising ore; by affirming, with an imposing assurance, that success is certain, and that the expense must be trifling, they seldom fail to persuade. An association is formed; a small sum is advanced by each co-partner; the mine is opened; the *searcher* is intrusted with the sole direction of every operation: unforeseen difficulties occur; new demands of money are made; but, amidst a succession of disappointments and delays, hope is never extinguished, and the ardour of expectation hardly abates. For it is observed, that if any person once enter this seducing path, it is almost impossible to return; his ideas alter, he seems to be possessed with another spirit; visions of imaginary wealth are continually before his eyes, and he thinks, and speaks, and dreams of nothing else.

Such is the spirit that must be formed, wherever the active exertions of any society are chiefly employed in working mines of gold and silver. No spirit is more adverse to such improvements in agriculture and commerce as render a nation really opulent. If the system of administration in the Spanish colonies had been founded upon principles of sound policy, the power and ingenuity of the legislator would have been exerted with as much ardour in restraining its subjects from such pernicious industry, as is now employed in alluring them towards it. "Projects of mining," says a good judge of the political conduct of nations, "instead of replacing the capital employed in them, together with the ordinary profit of stock, commonly absorb both capital and profit. They are the projects, therefore, to which, of all others, a prudent lawgiver, who desired to increase the capital of his nation, would least choose to give any extraordinary encouragement, or to turn towards them a greater share of that capital than would go to them of its own accord. Such in reality is the absurd confidence which all men have in their own good fortune, that wherever there is the least probability of success, too great a share of it is apt to go to them of its own accord." But in the Spanish colonies, government is studious to cherish a spirit which it should have laboured to depress, and, by the sanction of its approbation, augments that inconsiderate credulity, which has turned the active industry of Mexico and Peru into such an improper channel. To this may be imputed the slender progress which Spanish America has made, during two centuries and a half, either in useful manufactures, or in those lucrative branches of cul-

tivation which furnish the colonies of other nations with their staple commodities. In comparison with the precious metals every bounty of nature is so much despised, that this extravagant idea of their value has mingled with the idiom of language in America, and the Spaniards settled there, denominate a country *rich*, not from the fertility of its soil, the abundance of its crops, or the exuberance of its pastures, but on account of the minerals which its mountains contain. In quest of these, they abandon the delightful plains of Peru and Mexico, and resort to barren and uncomfortable regions, where they have built some of the largest towns which they possess in the New World. As the activity and enterprise of the Spaniards originally took this direction, it is now so difficult to bend them a different way, that although, from various causes, the gain of working mines is much decreased, the fascination continues, and almost every person, who takes any active part in the commerce of New Spain or Peru, is still engaged in some adventure of this kind (186).

But though mines are the chief object of the Spaniards, and the precious metals which these yield form the principal article in their commerce with America; the fertile countries which they possess there abound with other commodities of such value, or scarcity, as to attract a considerable degree of attention. Cochineal is a production almost peculiar to New Spain, of such demand in commerce that the sale is always certain, and yet yields such profit as amply rewards the labour and care employed in rearing the curious insects of which this valuable drug is composed, and preparing it for the market. Quinquina or Jesuits' bark, the most salutary simple, perhaps, and of most restorative virtue, that Providence, in compassion to human infirmity, has made known unto man, is found only in Peru, to which it affords a lucrative branch of commerce. The indigo of Guatimala is superior in quality to that of any province in America, and cultivated to a considerable extent. Cacao, though not peculiar to the Spanish colonies, attains to its highest state of perfection there, and from the great consumption of chocolate in Europe as well as in America, is a valuable commodity. The tobacco of Cuba, of more exquisite flavour than any brought from the New World; the sugar raised in that island, in Hispaniola, and in New Spain, together with drugs of various kinds, may be mentioned among the natural productions of America which enrich the Spanish commerce. To these must be added an article of no inconsiderable account, the exportation of hides; for which, as well as for many of those which I have enumerated, the Spaniards are more indebted to the wonderful fertility of the country, than to their own foresight and industry. The domestic animals of Europe, particularly horned cattle, have multiplied in the New World with a rapidity which almost exceeds belief. A few years after the Spaniards settled there, the herds of tame cattle became so numerous, that their proprietors reckoned them by thousands. Less attention being paid to them as they continued to increase, they were suffered to run wild; and spreading over a country of boundless extent, under a mild climate and covered with rich pasture, their number became immense. They range over the vast plains which extend from Buenos Ayres towards the Andes, in herds of thirty or forty thousand; and the unlucky traveller who once falls in among them, may proceed several days before he can disentangle himself from among the crowd that covers the face of the earth, and seems to have no end. They are hardly less numerous in New Spain,

and in several other provinces: they are killed merely for the sake of their hides; and the slaughter at certain seasons is so great, that the stench of their carcases, which are left in the field, would infect the air, if large packs of wild dogs, and vast flocks of *gallinazos*, or American vultures, the most voracious of all the feathered kind, did not instantly devour them. The number of those hides exported in every fleet to Europe is very great, and is a lucrative branch of commerce.

Almost all these may be considered as staple commodities peculiar to America, and different, if we except that last mentioned, from the productions of the mother-country.

When the importations into Spain of those various articles from her colonies first became active and considerable, her interior industry and manufactures were in a state so prosperous, that with the product of these she was able both to purchase the commodities of the New World and to answer its growing demands. Under the reigns of Ferdinand and Isabella, and Charles V. Spain was one of the most industrious countries in Europe. Her manufactures in wool, and flax, and silk, were so extensive, as not only to furnish what was sufficient for her own consumption, but to afford a surplus for exportation. When a market for them, formerly unknown, and to which she alone had access, opened in America, she had recourse to her domestic store, and found there an abundant supply (187). This new employment must naturally have added vivacity to the spirit of industry. Nourished and invigorated by it, the manufactures, the population, and wealth, of Spain might have gone on increasing in the same proportion with the growth of her colonies. Nor was the state of the Spanish marine at this period less flourishing than that of its manufactures. In the beginning of the sixteenth century, Spain is said to have possessed above a thousand merchant ships, a number probably far superior to that of any nation in Europe in that age. By the aid which foreign trade and domestic industry give reciprocally to each other in their progress, the augmentation of both must have been rapid and extensive, and Spain might have received the same accession of opulence and vigour from her acquisitions in the New World, that other powers have derived from their colonies there.

But various causes prevented this. The same thing happens to nations as to individuals. Wealth, which flows in gradually, and with moderate increase, feeds and nourishes that activity which is friendly to commerce, and calls it forth into vigorous and well-conducted exertions; but when opulence pours in suddenly, and with too full a stream, it overturns all sober plans of industry, and brings along with it a taste for what is wild and extravagant and daring in business or in action. Such was the great and sudden augmentation of power and revenue, that the possession of America brought into Spain; and some symptoms of its pernicious influence upon the political operations of that monarchy soon began to appear. For a considerable time, however, the supply of treasure from the New World was scanty and precarious; and the genius of Charles V. conducted public measures with such prudence, that the effects of this influence were little perceived. But when Philip II. ascended the Spanish throne, with talents far inferior to those of his father, and remittances from the colonies became a regular and considerable branch of revenue, the fatal operation of this rapid change in the state of the kingdom, both on the monarch and his people, was at once conspicuous. Philip, possessing that spirit of unceasing assiduity

which often characterizes the ambition of men of moderate talents, entertained such a high opinion of his own resources that he thought nothing too arduous for him to undertake. Shut up himself in the solitude of the Escorial, he troubled and annoyed all the nations around him. He waged open war with the Dutch and English; he encouraged and aided a rebellious faction in France; he conquered Portugal, and maintained armies and garrisons in Italy, Africa, and both the Indies. By such a multiplicity of great and complicated operations, pursued with ardour during the course of a long reign, Spain was drained both of men and money. Under the weak administration of his successor, Philip III., the vigour of the nation continued to decrease, and sunk into the lowest decline, when the inconsiderate bigotry of that monarch expelled at once near a million of his most industrious subjects, at the very time when the exhausted state of the kingdom required some extraordinary exertion of political wisdom to augment its numbers, and to revive its strength. Early in the seventeenth century, Spain felt such a diminution in the number of her people, that from inability to recruit her armies she was obliged to contract her operations. Her fleets, which had been the terror of all Europe, were ruined. Her extensive foreign commerce was lost. The trade between different parts of her own dominions was interrupted, and the ships which attempted to carry it on were taken and plundered by enemies whom she once despised. Even agriculture, the primary object of industry in every prosperous state, was neglected, and one of the most fertile countries in Europe hardly raised what was sufficient for the support of its own inhabitants.

In proportion as the population and manufactures of the parent state declined, the demands of her colonies continued to increase. The Spaniards, like their monarchs, intoxicated with the wealth which poured in annually upon them, deserted the paths of industry to which they had been accustomed, and repaired with eagerness to those regions from which this opulence issued. By this rage of emigration another drain was opened, and the strength of the colonies augmented by exhausting that of the mother country. All those emigrants, as well as the adventurers who had at first settled in America, depended absolutely upon Spain for almost every article of necessary consumption. Engaged in more alluring and lucrative pursuits, or prevented by restraints which government imposed, they could not turn their own attention towards establishing the manufactures requisite for comfortable subsistence. They received (as I have observed in another place) their clothing, their furniture, whatever ministers to the ease or luxury of life, and even their instruments of labour, from Europe. Spain thinned of people and decreasing in industry, was unable to supply their growing demands. She had recourse to her neighbours. The manufactures of the Low Countries, of England, of France, and of Italy, which her wants called into existence or animated with new vivacity, furnished in abundance whatever she required. In vain did the fundamental law, concerning the exclusion of foreigners from trade with America, oppose this innovation. Necessity, more powerful than any statute, defeated its operation, and constrained the Spaniards themselves to concur in eluding it. The English, the French and Dutch, relying on the fidelity and honour of Spanish merchants, who lend their names to cover the deceit, send out their ma-

nufactures to America, and receive the exorbitant price for which they are sold there, either in specie or in the rich commodities of the New World. Neither the dread of danger, nor the allurements of profit, ever induced a Spanish factor to betray or defraud the person who confided in him; and that probity, which is the pride and distinction of the nation contributes to its ruin. In a short time, not above a twentieth part of the commodities exported to America was of Spanish growth or fabric. All the rest was the property of foreign merchants, though entered in the name of Spaniards. The treasure of the New World may be said henceforward not to have belonged to Spain. Before it reached Europe, it was anticipated as the price of goods purchased from foreigners. That wealth which, by an internal circulation, would have spread through each vein of industry, and have conveyed life and movement to every branch of manufacture, flowed out of the kingdom with such a rapid course as neither enriched nor animated it. On the other hand, the artisans of rival nations, encouraged by this quick sale of their commodities, improved so much in skill and industry, as to be able to afford them at a rate so low, that the manufactures of Spain, which could not vie with theirs, either in quality or cheapness of work, were still further depressed. This destructive commerce drained off the riches of the nation faster and more completely than even the extravagant schemes of ambition carried on by its monarchs. Spain was so much astonished and distressed at beholding her American treasures vanish almost as soon as they were imported, that Philip III., unable to supply what was requisite in circulation, issued an edict, by which he endeavoured to raise copper money to a value in currency nearly equal to that of silver; and the lord of the Peruvian and Mexican mines was reduced to a wretched expedient, which is the last resource of petty impoverished states.

Thus the possessions of Spain in America have not proved a source of population and of wealth to her, in the same manner as those of other nations. In the countries of Europe, where the spirit of industry subsists in full vigour, every person settled in such colonies as are similar, in their situation, to those of Spain, is supposed to give employment to three or four at home in supplying his wants. But wherever the mother country cannot afford this supply, every emigrant may be considered as a citizen lost to the community, and strangers must reap all the benefit of answering her demands.

Such has been the internal state of Spain from the close of the sixteenth century, and such her inability to supply the growing wants of her colonies. The fatal effects of this disproportion between their demands, and her capacity of answering them, have been much increased by the mode in which Spain has endeavoured to regulate the intercourse between the mother country and the colonies. It is from her idea of monopolizing the trade with America, and debarring her subjects there from any communication with foreigners, that all her jealous and systematic arrangements have arisen. These are so singular in their nature and consequences as to merit a particular explanation. In order to secure the monopoly at which she aimed, Spain did not vest the trade with her colonies in an exclusive company, a plan which has been adopted by nations more commercial, and at a period when mercantile policy was an object of greater attention, and ought to have been better understood. The Dutch gave up

the whole trade with their colonies, both in the East and West Indies, to exclusive companies. The English, the French, the Danes, have imitated their example with respect to the East Indian commerce; and the two former have laid a similar restraint upon some branches of their trade with the New World. The wit of man cannot, perhaps, devise a method for checking the progress of industry and population in a new colony more effectual than this. The interest of the colony, and of the exclusive company, must in every point be diametrically opposite; and as the latter possesses such advantages in this unequal contest, that it can prescribe at pleasure the terms of intercourse, the former must not only buy dear and sell cheap, but must suffer the mortification of having the increase of its surplus stock discouraged by those very persons to whom alone it can dispose of its productions.

Spain, it is probable, was preserved from falling into this error of policy, by the high ideas which she early formed concerning the riches of the New World. Gold and silver were commodities of too high a value to vest a monopoly of them in private hands. The crown wished to retain the direction of a commerce so inviting; and, in order to secure that, ordained the cargo of every ship fitted out for America to be inspected by the officers of the *Casa de Contratacion* in Seville before it could receive a licence to make the voyage; and that, on its return, a report of the commodities which it brought should be made to the same board before it could be permitted to land them. In consequence of this regulation, all the trade of Spain with the New World centred originally in the port of Seville, and was gradually brought into a form, in which it has been conducted, with little variation, from the middle of the sixteenth century almost to our own times. For the greater security of the valuable cargoes sent to America, as well as for the more easy prevention of fraud, the commerce of Spain with its colonies is carried on by its fleets which sail under strong convoys. These fleets, consisting of two squadrons, one distinguished by the name of the *Galeons*, the other by that of the *Flota*, are equipped annually. Formerly they took their departure from Seville; but as the port of Cadiz has been found more commodious, they have sailed from it since the year 1720.

The *Galeons* destined to supply *Tierra Firme*, and the kingdoms of Peru and Chili, with almost every article of luxury, or necessary consumption, that an opulent people can demand, touch first at Carthagena, and then at Porto Bello. To the former, the merchants of Santa Martha, Caraccas, the new kingdom of Granada, and several other provinces, resort. The latter is the great mart for the rich commerce of Peru and Chili. At the season when the *Galeons* are expected, the product of all the mines in these two kingdoms, together with their other valuable commodities, is transported by sea to Panama. From thence, as soon as the appearance of the fleet from Europe is announced, they are conveyed across the isthmus, partly on mules and partly down the river Chagre to Porto Bello. This paltry village, the climate of which, from the pernicious union of excessive heat, continual moisture, and the putrid exhalations arising from a rank soil, is more fatal to life than any perhaps in the known world, is immediately filled with people. From being the residence of a few negroes and mulattoes, and of a miserable garrison relieved every three months, Porto Bello assumes suddenly a very different aspect, and its streets are crowded with opulent merchants

from every corner of Peru and the adjacent provinces. A fair is opened, the wealth of America is exchanged for the manufactures of Europe; and, during its prescribed term of forty days, the richest traffic on the face of the earth is begun and finished, with that simplicity of transaction, and that unbounded confidence, which accompany extensive commerce (188). The *Flota* holds its course to Vera Cruz. The treasures and commodities of New Spain, and the depending provinces, which were deposited at Puebla de los Angeles, in expectation of its arrival, are carried thither; and the commercial operations of Vera Cruz, conducted in the same manner with those of Porto Bello, are inferior to them only in importance and value. Both fleets, as soon as they have completed their cargoes from America, rendezvous at the Havanna, and return in company to Europe.

The trade of Spain with her colonies, while thus fettered and restricted, came necessarily to be conducted with the same spirit, and upon the same principles, as that of an exclusive company. Being confined to a single port, it was of course thrown into a few hands, and almost the whole of it was gradually engrossed by a small number of wealthy houses, formerly in Seville, and now in Cadiz. These, by combinations which they can easily form, may altogether prevent that competition which preserves commodities at their natural price; and by acting in concert, to which they are prompted by their mutual interest, they may raise or lower the value of them at pleasure. In consequence of this, the price of European goods in America is always high, and often exorbitant. A hundred, two hundred, and even three hundred per cent., are profits not uncommon in the commerce of Spain with her colonies. From the same engrossing spirit it frequently happens that traders of the second order, whose warehouses do not contain a complete assortment of commodities for the American market, cannot purchase from the more opulent merchants such goods as they want, at a lower price than that for which they are sold in the colonies. With the same vigilant jealousy that an exclusive company guards against the intrusion of the free trader, those overgrown monopolists endeavour to check the progress of every one whose encroachments they dread. This restraint of the American commerce to one port, not only affects its domestic state, but limits its foreign operations. A monopolist may acquire more, and certainly will hazard less, by a confined trade which yields exorbitant profit, than by an extensive commerce in which he receives only a moderate return of gain. It is often his interest not to enlarge but to circumscribe the sphere of his activity; and, instead of calling forth more vigorous exertions of commercial industry, it may be the object of his attention to check and set bounds to them. By some such maxim, the mercantile policy of Spain seems to have regulated its intercourse with America. Instead of furnishing the colonies with European goods in such quantity as might render both the price and the profit moderate, the merchants of Seville and Cadiz seem to have supplied them with a sparing hand, that the eagerness of competition, amongst customers obliged to purchase in a scanty market, might enable the Spanish factors to dispose of their cargoes with exorbitant gain. About the middle of the last century, when the exclusive trade to America from Seville was in its most flourishing state, the burden of the two united squadrons of the *Galeons* and *Flota* did not exceed twenty-seven thou-

sand five hundred tons. The supply which such a fleet could carry must have been very inadequate to the demands of those populous and extensive colonies, which depended upon it for all the luxuries and many of the necessities of life.

Spain early became sensible of her declension from her former prosperity; and many respectable and virtuous citizens employed their thoughts in devising methods for reviving the decaying industry and commerce of their country. From the violence of the remedies proposed, we may judge how desperate and fatal the malady appeared. Some, confounding a violation of police with criminality against the state, contended that, in order to check illicit commerce, every person convicted of carrying it on should be punished with death, and confiscation of all his effects. Others, forgetting the distinction between civil offences and acts of impiety, insisted that contraband trade should be ranked among the crimes reserved for the cognizance of the inquisition; that such as were guilty of it might be tried and punished, according to the secret and summary form in which that dreadful tribunal exercises its jurisdiction. Others, uninstructed by observing the pernicious effects of monopolies in every country where they have been established, have proposed to vest the trade with America in exclusive companies, which interest would render the most vigilant guardians of the Spanish commerce against the encroachment of the interlopers.

Besides these wild projects, many schemes, better digested and more beneficial, were suggested. But, under the feeble monarchs with whom the reign of the Austrian line in Spain closed, incapacity and indecision are conspicuous in every department of government. Instead of taking for their model the active administration of Charles V., they affected to imitate the cautious procrastinating wisdom of Philip II.; and destitute of his talents, they deliberated perpetually, but determined nothing. No remedy was applied to the evils under which the national commerce, domestic as well as foreign, languished. These evils continued to increase; and Spain, with dominions more extensive and more opulent than any European state, possessed neither vigour, nor money, (189) nor industry. At length, the violence of a great national convulsion roused the slumbering genius of Spain. The efforts of the two contending parties in the civil war, kindled by the dispute concerning the succession of the crown at the beginning of this century, called forth in some degree the ancient spirit and vigour of the nation. While men were thus forming, capable of adopting sentiments more liberal than those which had influenced the councils of the monarchy during the course of a century, Spain derived from an unexpected source the means of availing itself of their talents. The various powers who favoured the pretensions either of the Austrian or Bourbon candidate for the Spanish throne, sent formidable fleets and armies to their support: France, England, and Holland, remitted immense sums to Spain. These were spent in the provinces which became the theatre of war. Part of the American treasure, of which foreigners had drained the kingdom, flowed back thither. From this era, one of the most intelligent Spanish authors dates the revival of the monarchy; and however humiliating the truth may be, he acknowledges, that it is to her enemies his country is indebted for the acquisition of a fund of circulating specie, in some measure adequate to the exigencies of the public.

As soon as the Bourbons obtained quiet possession of the throne, they discerned this change in the spirit of the people, and in the state of the nation, and took advantage of it; for although that family has not given monarchs to Spain remarkable for superiority of genius, they have all been beneficent princes, attentive to the happiness of their subjects, and solicitous to promote it. It was, accordingly, the first object of Philip V. to suppress an innovation which had crept in during the course of the war, and had overturned the whole system of the Spanish commerce with America. The English and Dutch, by their superiority in naval power, having acquired such command of the sea as to cut off all intercourse between Spain and her colonies, Spain, in order to furnish her subjects in America those necessities of life without which they could not exist, and as the only means of receiving from thence any part of their treasure, departed so far from the usual rigour of its maxims, as to open the trade with Peru to her allies the French. The merchants of St. Malo, to whom Louis XIV. granted the privilege of this lucrative commerce, engaged in it with vigour, and carried it on upon principles very different from those of the Spaniards. They supplied Peru with European commodities at a moderate price, and not in stinted quantity. The goods which they imported were conveyed to every province of Spanish America, in such abundance as had never been known in any former period. If this intercourse had been continued, the exportation of European commodities from Spain must have ceased, and the dependence of the colonies on the mother-country have been at an end. The most peremptory injunctions were therefore issued, prohibiting the admission of foreign vessels into any port of Peru or Chili, and a Spanish squadron was employed to clear the South sea of intruders, whose aid was no longer necessary.

But though, on the cessation of the war which was terminated by the treaty of Utrecht, Spain obtained relief from one encroachment on her commercial system, she was exposed to another which she deemed hardly less pernicious. As an inducement that might prevail with queen Anne to conclude a peace, which France and Spain desired with equal ardour, Philip V. not only conveyed to Great Britain the *Assiento*, or contract for supplying the Spanish colonies with negroes, which had formerly been enjoyed by France, but granted it the more extraordinary privilege of sending annually to the fair of Porto-bello, a ship of five hundred tons, laden with European commodities. In consequence of this, British factories were established at Carthagena, Panama, Vera Cruz, Buenos Ayres, and other Spanish settlements. The veil with which Spain had hitherto covered the state and transactions of her colonies was removed. The agents of a rival nation, residing in the towns of most extensive trade, and of chief resort, had the best opportunities of becoming acquainted with the interior condition of the American provinces, of observing their stated and occasional wants, and of knowing what commodities might be imported into them with the greatest advantage. In consequence of information so authentic and expeditious, the merchants of Jamaica and other English colonies who traded to the Spanish main, were enabled to assort and proportion their cargoes so exactly to the demands of the market, that the contraband commerce was carried on with a facility and to an extent unknown in any former period. This, however, was not the most fatal consequence of the *Assiento* to the trade of Spain. The

agents of the British South sea company, under cover of the importation which they were authorized to make by the ship sent annually to Porto-bello, poured in their commodities on the Spanish continent without limitation or restraint. Instead of a ship of five hundred tons, as stipulated in the treaty, they usually employed one which exceeded nine hundred tons in burthen. She was accompanied by two or three smaller vessels, which, mooring in some neighbouring creek, supplied her clandestinely with fresh bales of goods to replace such as were sold. The inspectors of the fair, and officers of the revenue, gained by exorbitant presents, connived at the fraud (190). Thus, partly by the operations of the company, and partly by the activity of private interlopers, almost the whole trade of Spanish America was engrossed by foreigners. The immense commerce of the Galeons, formerly the pride of Spain, and the envy of other nations, sunk to nothing; and the squadron itself, reduced from fifteen thousand to two thousand tons, served hardly any purpose but to fetch home the royal revenue arising from the fifth on silver.

While Spain observed those encroachments, and felt so sensibly their pernicious effects, it was impossible not to make some effort to restrain them. Her first expedient was to station ships of force, under the appellation of *Guarda costas*, upon the coasts of those provinces to which interlopers most frequently resorted. As private interest concurred with the duty which they owed to the public, in rendering the officers who commanded those vessels vigilant and active, some check was given to the progress of the contraband trade, though in dominions so extensive, and so accessible by sea, hardly any number of cruisers was sufficient to guard against its inroads in every quarter. This interruption of an intercourse which had been carried on with so much facility, that the merchants in the British colonies were accustomed to consider it almost as an allowed branch of commerce, excited murmurs and complaints. These, authorized in some measure, and rendered more interesting by several unjustifiable acts of violence committed by the captains of the Spanish *Guarda costas*, precipitated Great Britain into a war with Spain; in consequence of which, the latter obtained a final release from the *Assiento*, and was left at liberty to regulate the commerce of her colonies without being restrained by any engagement with a foreign power.

As the formidable encroachments of the English on their American trade, had discovered to the Spaniards the vast consumption of European goods in their colonies, and taught them the advantage of accommodating their importations to the occasional demand of the various provinces, they perceived the necessity of devising some method of supplying their colonies, different from their ancient one of sending thither periodical fleets. That mode of communication had been found not only to be uncertain, as the departure of the Galeons and Flota was sometimes retarded by various accidents, and often prevented by the wars which raged in Europe; but long experience had shown it to be ill adapted to afford America a regular and timely supply of what it wanted. The scarcity of European goods in the Spanish settlements frequently became excessive; their price rose to an enormous height; the vigilant eye of mercantile attention did not fail to observe this favourable opportunity; an ample supply was poured in by interlopers from the English, the French, and Dutch islands: and when the Galeons at length

arrived, they found the markets so glutted by this illicit commerce, that there was no demand for the commodities with which they were loaded. In order to remedy this, Spain has permitted a considerable part of her commerce with America to be carried on by *register ships*. These are fitted out during the intervals between the stated seasons when the Galeons and Flota sail, by merchants in Seville or Cadiz, upon obtaining a licence from the council of the Indies, for which they pay a very high premium, and are destined for those ports in America where any extraordinary demand is foreseen or expected. By this expedient, such a regular supply of the commodities for which there is the greatest demand is conveyed to the American market, that the interloper is no longer allured by the same prospect of excessive gain, or the people in the colonies urged by the same necessity, to engage in the hazardous adventures of contraband trade.

In proportion as experience manifested the advantages of carrying on trade in this mode, the number of register ships increased; and at length, in the year 1748, the Galeons, after having been employed upwards of two centuries, were finally laid aside. From that period there has been no intercourse with Chili and Peru but by single ships despatched from time to time, as occasion requires, and when the merchants expect a profitable market will open. These ships sail round cape Horn, and convey directly to the ports in the South sea the productions and manufactures of Europe, for which, the people settled in those countries were formerly obliged to repair to Porto-bello or Panama. These towns, as has been formerly observed, must gradually decline, when deprived of that commerce to which they owed their prosperity. This disadvantage, however, is more than compensated by the beneficial effects of this new arrangement, as the whole continent of South America receives new supplies of European commodities with so much regularity, and in such abundance, as must not only contribute greatly to the happiness, but increase the population, of all the colonies settled there. But, as all the register ships destined for the South seas must still take their departure from Cadiz, and are obliged to return thither, this branch of the American commerce, even in its new and improved form, continues subject to the restraints of a species of monopoly, and feels those pernicious effects of it which I have already described.

Nor has the attention of Spain been confined to regulating the trade with its more flourishing colonies; it has extended likewise to the reviving commerce in those settlements where it was neglected, or had decayed. Among the new tastes which the people of Europe have acquired, in consequence of importing the productions of those countries which they conquered in America, that for chocolate is one of the most universal. The use of this liquor, made with a paste formed of the nut or almond of the cacao-tree, compounded with various ingredients, the Spaniards first learned from the Mexicans; and it has appeared to them, and to the other European nations, so palatable, so nourishing, and so wholesome, that it has become a commercial article of considerable importance. The cacao-tree grows spontaneously in several parts of the torrid zone; but the nuts of the best quality, next to those of Guatimala on the South sea, are produced in the rich plains of Caraccas, a province of Tierra Firme. In consequence of this acknowledgement, superiority in the quality of cacao in that province, and its communication

with the Atlantic, which facilitates the conveyance to Europe, the culture of the cacao there is more extensive than in any district of America. But the Dutch, by the vicinity of their settlements in the small islands of Curazoa and Buen Ayre, to the coast of Caracas, gradually engrossed the greatest part of the cacao trade. The traffic with the mother-country for this valuable commodity ceased almost entirely; and such was the supine negligence of the Spaniards, or the defects of their commercial arrangements, that they were obliged to receive from the hands of foreigners this production of their own colonies, at an exorbitant price. In order to remedy an evil no less disgraceful than pernicious to his subjects, Philip V., in the year 1728, granted to a body of merchants an exclusive right to the commerce with Caracas and Cumana, on condition of their employing, at their own expense, a sufficient number of armed vessels to clear the coast of interlopers. This society, distinguished sometimes by the name of the company of Guipuscoa, from the province of Spain in which it is established, and sometimes by that of the company of Caracas, from the district of America to which it trades, has carried on its operations with such vigour and success, that Spain has recovered an important branch of commerce which she had suffered to be wrested from her, and is plentifully supplied with an article of extensive consumption at a moderate price. Not only the parent state, but the colony of Caracas, has derived great advantages from this institution; for although, at the first aspect, it may appear to be one of those monopolies whose tendency is to check the spirit of industry, instead of calling it forth to new exertions, it has been prevented from operating in this manner by several salutary regulations framed upon foresight of such bad effects, and of purpose to obviate them. The planters in the Caracas are not left to depend entirely on the company, either for the importation of European commodities or the sale of their own productions. The inhabitants of the Canary Islands have the privilege of sending thither annually a register ship of considerable burthen; and from Vera Cruz, in New Spain, a free trade is permitted in every port comprehended in the charter of the company. In consequence of this, there is such a competition, that both with respect to what the colonies purchase and what they sell, the price seems to be fixed at its natural and equitable rate. The company has not the power of raising the former, or of degrading the latter, at pleasure; and accordingly, since it was established, the increase of culture, of population, and of live stock, in the province of Caracas, has been very considerable (191).

But as it is slowly that nations relinquish any system which time has rendered venerable, and as it is still more slowly that commerce can be diverted from the channel in which it has long been accustomed to flow, Philip V., in his new regulations concerning the American trade, paid such deference to the ancient maxim of Spain, concerning the limitation of all importation from the New World to one harbour, as to oblige both the register-ships which returned from Peru, and those of the Guipuscoan company from Caracas, to deliver their cargoes in the port of Cadiz. Since his reign, sentiments more liberal and enlarged begin to spread in Spain. The spirit of philosophical inquiry, which it is the glory of the present age to have turned from frivolous or abstruse speculations to the business and affairs of men, has extended its influence beyond the Pyrenees. In the researches of ingenious authors concerning the police

or commerce of nations, the errors and defects of the Spanish system with respect to both meet every eye, and have not only been exposed with severity, but are held up as a warning to other states. The Spaniards, stung with the reproaches of these authors, or convinced by their arguments, and admonished by several enlightened writers of their own country, seem at length to have discovered the destructive tendency of those narrow maxims, which, by cramping commerce in all its operations, have so long retarded its progress. It is to the monarch now on the throne that Spain is indebted for the first public regulation, formed in consequence of such enlarged ideas.

While Spain adhered with rigour to her ancient maxim concerning her commerce with America, she was so much afraid of opening any channel by which an illicit trade might find admission into the colonies, that she almost shut herself out from any intercourse with them, but that which was carried on by her annual fleets. There was no establishment, for a regular communication of either public or private intelligence, between the mother-country and its American settlements. From the want of this necessary institution, the operations of the state, as well as the business of individuals, were retarded, or conducted unskilfully, and Spain often received from foreigners her first information with respect to very interesting events in her own colonies. But though this defect in police was sensibly felt, and the remedy for it was obvious, that jealous spirit with which the Spanish monarchs guarded the exclusive trade, restrained them from applying it. At length, Charles III. surmounted those considerations which had deterred his predecessors, and in the year 1764, appointed packet-boats to be despatched on the first day of each month from Corugna to the Havanna or Porto Rico. From thence, letters are conveyed in small vessels to Vera Cruz and Portobello, and transmitted by post through the kingdoms of Tierra Firme, Granada, Peru, and New Spain. With no less regularity, packet-boats sail once in two months to Rio de la Plata, for the accommodation of the provinces to the east of the Andes. Thus provision is made for a speedy and certain circulation of intelligence throughout the vast dominions of Spain, from which equal advantages, must redound to the political and mercantile interest of the kingdom. With this new arrangement, a scheme of extending commerce has been more immediately connected. Each of the packet-boats, which are vessels of some considerable burden, is allowed to take in half a loading of such commodities as are the product of Spain, and most in demand in the ports, whither they are bound. In return for these, they may bring home to Corugna an equal quantity of American productions. This may be considered as the first relaxation of those rigid laws which confined the trade with the New World to a single port, and the first attempt to admit the rest of the kingdom to some share in it.

It was soon followed by one more decisive. In the year 1765, Charles III. laid open the trade to the windward islands, Cuba, Hispaniola, Porto-Rico, Margarita, and Trinidad, to his subjects in every province of Spain. He permitted them to sail from certain ports in each province, which are specified in the edict, at any season and with whatever cargo they deemed most proper, without any other warrant than a simple clearance from the custom-house of the place whence they take their departure. He released them from the numerous and oppressive duties imposed on goods exported to America, and in place

of the whole, substituted a moderate tax of six in the hundred on the commodities sent from Spain. He allowed them to return either to the same port, or to any other where they might hope for a more advantageous market, and there to enter the homeward cargo on payment of the usual duties. This ample privilege, which at once broke through all the fences which the jealous policy of Spain had been labouring for two centuries and a half to throw round its commercial intercourse with the New World, was soon after extended to Louisiana, and to the provinces of Yucatan and Campeachy. The propriety of this innovation which may be considered as the most liberal effort of Spanish legislation, has appeared from its effects. Prior to the edict in favour of the free trade, Spain derived hardly any benefit from its neglected colonies in Hispaniola, Port Rico, Margarita, and Trinidad. Its commerce with Cuba was inconsiderable, and that of Yucatan and Campeachy was engrossed almost entirely by interlopers. But as soon as a general liberty of trade was permitted, the intercourse with those provinces revived, and has gone on with a rapidity of progression of which there are few examples in the history of nations. In less than ten years, the trade of Cuba has been more than tripled. Even in those settlements where, from the languishing state of industry, greater efforts were requisite to restore its activity, their commerce has been doubled. It is computed, that such a number of ships is already employed in the free trade, that the tonnage of them far exceeds that of the Galeons and Flota at the most flourishing æra of their commerce. The benefits of this arrangement are not confined to a few merchants established in a favourite port. They are diffused through every province of the kingdom; and, by opening a new market for their various productions and manufactures, must encourage and add vivacity to the industry of the farmer and artificer. Nor does the kingdom profit only by what it exports; it derives advantage likewise from what it receives in return, and has the prospect of being soon able to supply itself with several commodities of extensive consumption, for which it formerly depended on foreigners. The consumption of sugar in Spain is perhaps as great, in proportion to the number of its inhabitants, as that of any European kingdom. But though possessed of countries in the New World whose soil and climate are most proper for rearing the sugar cane; though the domestic culture of that valuable plant in the kingdom of Granada was once considerable; such has been the fatal tendency of ill-judged institutions in America, and such the pressure of improper taxes in Europe, that Spain has lost almost entirely this branch of industry, which has enriched other nations. This commodity, which has now become an article of primary necessity in Europe, the Spaniards were obliged to purchase of foreigners, and had the mortification to see their country drained annually of great sums on that account. But, if that spirit which the permission of free trade has put in motion shall persevere in its efforts with the same vigour, the cultivation of sugar in Cuba and Porto Rico, may increase so much, that in a few years it is probable that their growth of sugars may be equal to the demand of the kingdom.

Spain has been induced, by her experience of the beneficial consequences resulting from having relaxed somewhat of the rigour of her ancient laws with respect to the commerce of the mother-country with the colonies, to permit a more liberal intercourse of one colony with another. By one of the jealous

maxims of the old system, all the provinces situated on the South seas were prohibited, under the most severe penalties, from holding any communication with one another. Though each of these yields peculiar productions, the reciprocal exchange of which might have added to the happiness of their respective inhabitants, or have facilitated their progress in industry, so solicitous was the council of the Indies to prevent their receiving any supply of their wants but by the periodical fleets from Europe. that in order to guard against this, it cruelly debarred the Spaniards in Peru, in the southern provinces of New Spain, in Guatimala, and the new kingdom of Granada, from such a correspondence with their fellow-subjects as tended manifestly to their mutual prosperity. Of all the numerous restrictions devised by Spain for securing the exclusive trade with her American settlements, none perhaps was more illiberal, none seems to have been more sensibly felt, or to have produced more hurtful effects. This grievance, coeval with the settlements of Spain in the countries situated on the Pacific ocean, is at last redressed. In the year 1774, Charles III. published an edict, granting to the four great provinces which I have mentioned the privilege of a free trade with each other (192). What may be the effects of opening this communication between countries destined by their situation for reciprocal intercourse, cannot yet be determined by experience. They can hardly fail of being beneficial and extensive. The motives for granting this permission are manifestly no less laudable, than the principle on which it is founded is liberal; and both discover the progress of a spirit in Spain, far elevated above the narrow prejudices and maxims on which her system for regulating the trade and conducting the government of her colonies was originally founded.

At the same time that Spain has been intent on introducing regulations, suggested by more enlarged views of policy into her system of American commerce, she has not been inattentive to the interior government of her colonies. Here, too, there was much room for reformation and improvement, and Don Joseph Galvez, who has now the direction of the department for Indian affairs in Spain, has enjoyed the best opportunities, not only of observing the defects and corruption in the political frame of the colonies, but of discovering the sources of those evils. After being employed seven years in the New World on an extraordinary mission, and with very extensive powers, as inspector-general of New Spain; after visiting in person the remote provinces of Cinaloa, Sonora, and California, and making several important alterations in the state of the police and revenue; he began his ministry with a general reformation of the tribunals of justice in America. In consequence of the progress of population and wealth in the colonies, the business of the courts of audience has increased so much, that the number of judges of which they were originally composed has been found inadequate to the growing labours and duties of the office, and the salaries settled upon them have been deemed inferior to the dignity of the station. As a remedy for both, he obtained a royal edict, establishing an additional number of judges in each court of audience, with higher titles, and more ample appointments.

To the same intelligent minister Spain is indebted for a new distribution of government in its American provinces. Even since the establishment of a third viceroyalty in the new kingdom of Granada, so great is

the extent of the Spanish dominions in the New World, that several places subject to the jurisdiction of each viceroy, were at such an enormous distance from the capitals in which they resided, that neither their attention nor their authority could reach so far. Some provinces subordinate to the viceroy of New Spain, lay about two thousand miles from Mexico. There were countries subject to the viceroy of Peru still further from Lima. The people in those remote districts, could hardly be said to enjoy the benefit of civil government. The oppression and insolence of its inferior ministers they often feel, and rather submit to these in silence, than involve themselves in the expense and trouble of resorting to the distant capitals, where alone they can find redress. As a remedy for this, a fourth viceroyalty has been erected, to the jurisdiction of which are subjected the provinces of Rio de la Plata, Buenos-Ayres, Paraguay, Tucuman, Potosi, St. Cruz de la Sierra, Charcas, and the towns of Mendoza and St. Juan. By this well-judged arrangement, two advantages are gained. All the inconveniences occasioned by the remote situation of those provinces, which had been long felt, and long complained of, are in a great measure removed. The countries most distant from Lima are separated from the viceroyalty of Peru, and united under a superior, whose seat of government at Buenos-Ayres will be commodious and accessible. The contraband trade with the Portuguese, which was become so extensive as must have put a final stop to the exportation of commodities from Spain to her southern colonies, may be checked more thoroughly, and with greater facility, when the supreme magistrate, by his vicinity to the places in which it is carried on, can view its progress and effects with his own eyes. Don Pedro Zavallos, who has been raised to this new dignity, with appointments equal to those of the other viceroys, is well acquainted both with the state and the interest of the countries over which he is to preside, having served in them long, and with distinction. By this dismemberment, succeeding that which took place at the erection of the viceroyalty of the new kingdom of Granada, almost two-third parts of the territories originally subject to the viceroys of Peru are now lopped off from their jurisdiction.

The limits of the viceroyalty of New Spain have likewise been considerably circumscribed, and with no less propriety and discernment. Four of its most remote provinces, Sonora, Cinaloa, California, and New Navarre, have been formed into a separate government. The Chevalier de Croix, who is intrusted with this command, is not dignified with the title of viceroy, nor does he enjoy the appointments belonging to that rank; but his jurisdiction is altogether independent on the viceroyalty of New Spain. The erection of this last government seems to have been suggested not only by the consideration of the remote situation of those provinces from Mexico, but by attention to the late discoveries made there which I have mentioned. Countries containing the richest mines of gold that have hitherto been discovered in the New World, and which probably may rise into great importance, required the immediate inspection of a governor to whom they should be specially committed. As every consideration of duty, of interest, and of vanity, must concur in prompting those new governors to encourage such exertions as tend to diffuse opulence and prosperity through the provinces committed to their charge, the beneficial effects of this arrangement may be considerable. Many districts in America, long de-

pressed by the languor and feebleness natural to provinces which compose the extremities of an overgrown empire, may be animated with vigour and activity when brought so near the seat of power as to feel its invigorating influence.

Such, since the accession of the princes of the house of Bourbon to the throne of Spain, has been the progress of their regulations, and the gradual expansion of their views with respect to the commerce and government of their American colonies. Nor has their attention been so entirely engrossed by what related to the more remote parts of their dominions, as to render them neglectful of what was still more important—the reformation of domestic errors and defects in policy. Fully sensible of the causes to which the declension of Spain from her former prosperity ought to be imputed, they have made it a great object of their policy to revive a spirit of industry among their subjects, and to give such extent and perfection to their manufactures as may enable them to supply the demands of America from their own stock, and to exclude foreigners from a branch of commerce which has been so fatal to the kingdom. This they have endeavoured to accomplish by a variety of edicts issued since the peace of Utrecht. They have granted bounties for the encouragement of some branches of industry; they have lowered the taxes on others; they have either entirely prohibited, or have loaded with additional duties, such foreign manufactures as come in competition with their own; they have instituted societies for the improvement of trade and agriculture; they have planted colonies of husbandmen in some uncultivated districts of Spain, and divided among them the waste fields; they have had recourse to every expedient devised by commercial wisdom, or commercial jealousy, for reviving their own industry, and discountenancing that of other nations. These, however, it is not my province to explain, or to inquire into their propriety and effects. There is no effort of legislation more arduous, no experiment in policy more uncertain, than an attempt to revive the spirit of industry where it has declined, or to introduce it where it is unknown. Nations, already possessed of extensive commerce enter into competition with such advantages, derived from the large capitals and extensive credit of their merchants, the dexterity of their manufacturers, and the alertness acquired by habit in every department of business, that the state which aims at rivalling or supplanting them, must expect to struggle with many difficulties, and be content to advance slowly. If the quantity of productive industry, now in Spain, be compared with that of the kingdom under the last listless monarchs of the Austrian line, its progress must appear considerable, and is sufficient to alarm the jealousy, and to call forth the most vigorous efforts, of the nations now in possession of the lucrative trade which the Spaniards aim at wresting from them. One circumstance may render those exertions of Spain an object of more serious attention to the other European powers. They are not to be ascribed wholly to the influence of the crown and its ministers. The sentiments and spirit of the people seem to second the provident care of their monarchs, and to give it greater effect. The nation has adopted more liberal ideas, not only with respect to commerce but domestic policy. In all the later Spanish writers, defects in the arrangements of their country concerning both are acknowledged, and remedies proposed, which ignorance rendered their ancestors incapable of discerning, and pride would not have

allowed them to confess (193). But after all that the Spaniards have done, much remains to do. Many pernicious institutions and abuses, deeply incorporated with the system of internal policy and taxation which has been long established in Spain, must be abolished before industry and manufacturers can recover an extensive activity.

Still, however, the commercial regulations of Spain with respect to her colonies are too rigid and systematical to be carried into complete execution. The legislature that loads trade with impositions too heavy, or fetters it by restrictions too severe, defeats its own intention, and is only multiplying the inducements to violate its statutes, and proposing a high premium to encourage illicit traffic. The Spaniards, both in Europe and America, being circumscribed in their mutual intercourse by the jealousy of the crown, or oppressed by its exactions, have their invention continually on the stretch how to elude its edicts. The vigilance and ingenuity of private interest discover means of effecting this, which public wisdom cannot foresee, nor public authority prevent. This spirit, counteracting that of the laws, pervades the commerce of Spain with America in all its branches; and from the highest departments in government descends to the lowest. The very officers appointed to check contraband trade are often employed as instruments in carrying it on; and the boards instituted to restrain and punish it are the channels through which it flows. The king is supposed, by the most intelligent Spanish writers, to be defrauded, by various artifices, of more than one-half of the revenue which he ought to receive from America; and as long as it is the interest of so many persons to screen those artificers from detection, the knowledge of them will never reach the throne. "How many ordinances," says Corita, "how many instructions, how many letters from our sovereign, are sent in order to correct abuses! and how little are they observed, and what small advantage is derived from them! To me the old observation appears just, that where there are many physicians and many medicines, there is a want of health; where there are many laws and many judges, there is want of justice. We have viceroys, presidents, governors, oydors, corregidores, alcaldes, and thousands of alguazils abound every where; but notwithstanding all these, public abuses continue to multiply." Time has increased the evils which he lamented as early as the reign of Philip II. A spirit of corruption has infected all the colonies of Spain in America. Men far removed from the seat of government; impatient to acquire wealth, that they may return speedily from what they are apt to consider as a state of exile in a remote unhealthful country; allured by opportunities too tempting to be resisted, and seduced by the example of those around them; find their sentiments of honour and of duty gradually relax. In private life they give themselves up to a dissolute luxury, while in their public conduct they become unmindful of what they owe to their sovereign and to their country.

Before I close this account of the Spanish trade in America, there remains one detached but important branch of it to be mentioned. Soon after his accession to the throne, Philip II. formed a scheme of planting a colony in the Philippine islands which had been neglected since the time of their discovery; and he accomplished it by means of an armada fitted out from New Spain. Manila, in the island of Luconia, was the station chosen for the

capital of this new establishment. From it an active commercial intercourse began with the Chinese, and a considerable number of that industrious people, allured by the prospect of gain, settled in the Philippine islands under the Spanish protection. They supplied the colony so amply with all the valuable productions and manufactures of the East, as enabled it to open a trade with America, by a course of navigation the longest from land to land on our globe. In the infancy of this trade, it was carried on with Callao, on the coast of Peru; but experience having discovered the impropriety of fixing upon that as the port of communication with Manila, the staple of the commerce between the east and west was removed from Callao to Acapulco, on the coast of New Spain.

After various arrangements, it has been brought into a regular form. One or two ships depart annually from Acapulco, which are permitted to carry out silver to the amount of five hundred thousand pesos; but they have hardly any thing else of value on board; in return for which, they bring back spices, drugs, china and japan wares, calicoes, chintz, muslins, silks, and every precious article with which the benignity of the climate, or the ingenuity of its people, has enabled the East to supply the rest of the world. For some time the merchants of Peru were admitted to participate in this traffic, and might send annually a ship to Acapulco, to wait the arrival of the vessels from Manila, and receive a proportional share of the commodities which they imported. At length the Peruvians were excluded from this trade by most rigorous edicts, and all the commodities from the East reserved solely for the consumption of New Spain.

In consequence of this indulgence, the inhabitants of that country enjoy advantages unknown in the other Spanish colonies. The manufactures of the East are not only more suited to a warm climate, and more showy than those of Europe, but can be sold at a lower price; while, at the same time, the profits upon them are so considerable as to enrich all those who are employed either in bringing them from Manila or vending them in New Spain. As the interest both of the buyer and seller concurred in favouring this branch of commerce, it has continued to extend in spite of regulations concerted with the most anxious jealousy to circumscribe it. Under cover of what the laws permit to be imported, great quantities of Indian goods are poured into the markets of New Spain (194); and when the Flota arrives at Vera Cruz from Europe, it often finds the wants of the people already supplied by cheaper and more acceptable commodities.

There is not, in the commercial arrangements of Spain, any circumstance more inexplicable than the permission of this trade between New Spain and the Philippines, or more repugnant to its fundamental maxim of holding the colonies in perpetual dependence on the mother-country, by prohibiting any commercial intercourse that might suggest to them the idea of receiving a supply of their wants from any other quarter. This permission must appear still more extraordinary, from considering that Spain herself carries on no direct trade with her settlements in the Philippines, and grants a privilege to one of her American colonies which she denies to her subjects in Europe. It is probable, that the colonists who originally took possession of the Philippines, having been sent out from New Spain, began this intercourse with a country which they considered, in some measure, as their parent state,

before the court of Madrid was aware of its consequences, or could establish regulations in order to prevent it. Many remonstrances have been presented against this trade, as detrimental to Spain, by diverting into another channel a large portion of that treasure which ought to flow into the kingdom, as tending to give rise to a spirit of independence in the colonies, and to encourage innumerable frauds, against which it is impossible to guard, in transactions so far removed from the inspection of government. But as it requires no slight effort of political wisdom and vigour to abolish any practice which numbers are interested in supporting, and to which time has added the sanction of its authority, the commerce between New Spain and Manila seems to be as considerable as ever, and may be considered as one chief cause of the elegance and splendour conspicuous in this part of the Spanish dominions.

But notwithstanding this general corruption in the colonies of Spain, and the diminution of the income belonging to the public occasioned by the illicit importations made by foreigners, as well as by the various frauds of which the colonists themselves are guilty in their commerce with the parent state, the Spanish monarchs receive a very considerable revenue from their American dominions. This arises from taxes of various kinds, which may be divided into three capital branches. The first contains what is paid to the king, as sovereign, or superior lord of the New World: to this class belongs the duty on the gold and silver raised from the mines, and the tribute exacted from the Indians; the former is termed by the Spaniards the *right of signiory*, the latter is the *duty of vassalage*. The second branch comprehends the numerous duties upon commerce, which accompany and oppress it in every step of its progress, from the greatest transactions of the wholesale merchant, to the petty traffic of the vender by retail. The third includes what accrues to the king, as head of the church, and administrator of ecclesiastical funds in the New World. In consequence of this, he receives the first-fruits, annates, spoils, and other spiritual revenues, levied by the apostolic chamber in Europe; and is entitled likewise to the profit arising from the sale of the bull of Cruzado. This bull, which is published every two years, contains an absolution from past offences by the pope, and among other immunities, a permission to eat several kinds of prohibited food during Lent, and on meagre days. The monks employed in dispersing those bulls, extol their virtues with all the fervour of interested eloquence; the people, ignorant and credulous, listen with implicit assent; and every person in the Spanish colonies, of European, Creolian, or mixed race, purchases a bull, which is deemed essential to his salvation, at the rate set upon it by government (195).

What may be the amount of those various funds it is almost impossible to determine with precision. The extent of the Spanish dominions in America, the jealousy of government, which renders them inaccessible to foreigners, the mysterious silence which the Spaniards are accustomed to observe with respect to the interior state of their colonies, combine in covering this subject with a veil which it is not easy to remove. But an account, apparently no less accurate than it is curious, has lately been published, of the royal revenue in New Spain, from which we may form some idea with respect to what is collected in the other provinces. According to that account, the crown does not receive from all the departments of taxation in New Spain above a million of our

money, from which one half must be deducted at the expense of the provincial establishment (196). Peru, it is probable, yields a sum not inferior to this; and if we suppose that all the other regions of America, including the islands, furnish a third share of equal value, we shall not perhaps be far wide from the truth if we conclude that the net public revenue of Spain, raised in America, does not exceed a million and a half sterling. This falls far short of the immense sums to which suppositions, founded upon conjecture, have raised the Spanish revenue in America (197). It is remarkable, however, upon one account: Spain and Portugal are the only European powers who derive a direct revenue from their colonies. All the advantage that accrues to other nations from their American dominions, arises from the exclusive enjoyment of their trade: but beside this, Spain has brought her colonies to contribute towards increasing the power of the state, and, in return for protection, to bear a proportional share of the common burden.

Accordingly, the sum which I have computed to be the amount of the Spanish revenue from America, arises wholly from the taxes collected there, and is far from being the whole of what accrues to the king from his dominions in the New World. The heavy duties imposed on the commodities exported from Spain to America (198), as well as what is paid by those which she sends home in return; the tax upon the negro slaves with which Africa supplies the New World, together with several smaller branches of finance, bring large sums into the treasury, the precise extent of which I cannot pretend to ascertain.

But if the revenue which Spain draws from America be great, the expense of administration in her colonies bears proportion to it. In every department, even of her domestic police and finances, Spain has adopted a system more complex and more encumbered with a variety of tribunals and a multitude of officers, than that of any European nation in which the sovereign possesses such extensive power. From the jealous spirit with which Spain watches over her American settlements, and her endeavours to guard against fraud in provinces so remote from inspection, boards and officers have been multiplied there with still more anxious attention. In a country where the expense of living is great, the salaries allotted to every person in public office must be high, and must load the revenue with an immense burden. The parade of government greatly augments the weight of it. The viceroys of Mexico, Peru, and the new kingdom of Granada, as representatives of the king's person, among people fond of ostentation, maintain all the state and dignity of royalty. Their courts are formed upon the model of that of Madrid, with horse and foot-guards, a household regularly established, numerous attendants, and ensigns of power, displaying such pomp as hardly retains the appearance of a delegated authority. All the expense incurred by supporting the external and permanent order of government is defrayed by the crown. The viceroys have, besides, peculiar appointments suited to their exalted station. The salaries fixed by law are indeed extremely moderate; that of the viceroy of Peru is only thirty thousand ducats; and that of the viceroy of Mexico twenty thousand ducats. Of late they have been raised to forty thousand.

These salaries, however, constitute but a small part of the revenue enjoyed by the viceroys. The exercise of an absolute authority extending to every department of government, and the power of dis-

posing of many lucrative offices, afford them many opportunities of accumulating wealth. To these, which may be considered as legal and allowed emoluments, large sums are often added by exactions, which, in countries so far removed from the seat of government, it is not easy to discover, and impossible to restrain. By monopolizing some branches of commerce, by a lucrative concern in others, by conniving at the frauds of merchants, a viceroy may raise such an annual revenue as no subject of any European monarch enjoys (199). From the single article of presents made to him on the anniversary of his *Name-day* (which is always observed as a high festival), I am informed that a viceroy has been known to receive sixty thousand pesos. According to a Spanish saying, the legal revenues of a viceroy are unknown, his real profits depend upon his opportunities and his conscience. Sensible of this, the kings of Spain, as I have formerly observed, grant a commission to their viceroys only for a few years. This circumstance, however, renders them often more rapacious, and adds to the ingenuity and ardour wherewith they labour to improve every moment of a power which they know is hastening fast to a period; and short as its duration is, it usually affords sufficient time for repairing a shattered fortune, or for creating a new one. But even in situations so trying to human frailty, there are instances of virtue that remain unseduced. In the year 1772, the Marquis de Croix finished the term of his vice-royalty in New Spain with unsuspected integrity; and, instead of bringing home exorbitant wealth, returned with the admiration and applause of a grateful people, whom his government had rendered happy.

ADVERTISEMENT TO BOOKS IX. AND X.;

Containing the History of Virginia to the year 1688, and the History of New England to the year 1652.

THE original plan of my father, the late Dr. Robertson, with respect to the history of America, comprehended not only an account of the discovery of that country, and of the conquests and colonies of the Spaniards, but embraced also the history of the British and Portuguese establishments in the New World, and of the settlements made by the several nations of Europe in the West India islands. It was his intention not to have published any part of the work until the whole was completed. In the Preface to his History of America, he has stated the reasons which induced him to depart from that resolution, and to publish the two volumes which contain an account of the discovery of the New World, and of the progress of the Spanish arms and colonies in that quarter of the globe. He says, "he had made some progress in the history of British America;" and he announces his intention to return to that part of his work, as soon as the ferment which at that time prevailed in the British colonies in America should subside, and regular government be re-established.—Various causes concurred in preventing him from fulfilling his intention.

During the course of a tedious illness, which he early foresaw would have a fatal termination, Dr. Robertson at different times destroyed many of his papers. But after his death I found that part of the history of British America which he had wrote many years before, and which is now offered to the public. It is written with his own hand, as all his works were; it is as carefully corrected as any part of his manuscripts which I have ever seen; and he had

thought it worthy of being preserved, as it escaped the flames to which so many other papers had been committed. I read it with the utmost attention; but before I came to any resolution about the publication, I put the MS. into the hands of some of those friends whom my father used to consult on such occasions, as it would have been rashness and presumption in me to have trusted to my own partial decision. It was perused by some other persons also, in whose taste and judgment I have the greatest confidence; by all of them I was encouraged to offer it to the public, as a fragment curious and interesting in itself, and not inferior to any of my father's works.

When I determined to follow that advice, it was a circumstance of great weight with me, that as I never could think myself at liberty to destroy those papers, which my father had thought worthy of being preserved, and as I could not know into whose hands they might hereafter fall, I considered it as certain that they would be published at some future period, when they might meet with an editor, who, not being actuated by the same sacred regard for the reputation of the author which I feel, might make alterations and additions, and obtrude the whole on the public as a genuine and authentic work. The MS. is now published, such as it was left by the author; nor have I presumed to make any addition, alteration, or correction whatever.

WILLIAM ROBERTSON.

Queen Street, Edinburgh,
April, 1796.

BOOK IX.

THE dominions of Great Britain in America are next in extent to those of Spain. Its acquisitions there, are a recompence due to those enterprising talents which prompted the English to enter early on the career of discovery, and to pursue it with persevering ardour. England was the second nation that ventured to visit the New World. The account of Columbus's successful voyage filled all Europe with astonishment and admiration. But in England it did something more; it excited a vehement desire of emulating the glory of Spain, and of aiming to obtain some share in those advantages which were expected in this new field opened to national activity. The attention of the English court had been turned towards the discovery of unknown countries by its negotiation with Bartholomew Columbus.—Henry VII. having listened to his propositions with a more favourable ear than could have been expected from a cautious, distrustful prince, averse by habit as well as by temper to new and hazardous projects, he was more easily induced to approve of a voyage for discovery, proposed by some of his own subjects, soon after the return of Christopher Columbus.

But though the English had spirit to form the scheme, they had not at that period attained to such skill in navigation as qualified them for carrying it into execution. From the inconsiderate ambition of its monarchs, the nation had long wasted its genius and activity in pernicious and ineffectual efforts to conquer France. When this ill-directed ardour began to abate, the fatal contest between the houses of York and Lancaster turned the arms of one-half of the kingdom against the other, and exhausted the vigour of both. During the course of two centuries, while industry and commerce were making gradual progress both in the south and north of Europe, the English continued so blind to the advantages of their own situation, that they hardly began to bend their thoughts towards those objects and pursuits to

which they are indebted for their present opulence and power. While the trading vessels of Italy, Spain, and Portugal, as well as those of the Hans Towns, visited the most remote ports in Europe, and carried on an active intercourse with its various nations, the English did little more than creep along their own coasts, in small barks, which conveyed the productions of one county to another. Their commerce was almost wholly passive. Their wants were supplied by strangers; and whatever necessary or luxury of life their own country did not yield, was imported in foreign bottoms. The cross of St. George was seldom displayed beyond the precincts of the narrow seas. Hardly any English ship traded with Spain or Portugal before the beginning of the fifteenth century; and half a century more elapsed before the English mariners became so adventurous as to enter the Mediterranean.

In this infancy of navigation, Henry could not commit the conduct of an armament destined to explore unknown regions to his own subjects. He invested Giovanni Caboto, a Venetian adventurer who had settled in Bristol, with the chief command; and issued a commission to him and his three sons, empowering them to sail under the banner of England, towards the east, north, or west, in order to discover countries unoccupied by any Christian state; to take possession of them in his name, and to carry on an exclusive trade with the inhabitants, under condition of paying a fifth part of the free profit on every voyage to the crown. This commission was granted on March 5th, 1495, in less than two years after the return of Columbus from America. But Cabot (for that is the name he assumed in England, and by which he is best known,) did not set out on his voyage for two years. He, together with his second son Sebastian, embarked at Bristol on board a ship furnished by the king, and was accompanied by four small barks fitted out by the merchants of that city.

As in that age the most eminent navigators, formed by the instructions of Columbus, or animated by his example, were guided by ideas derived from his superior knowledge and experience, Cabot had adopted the system of that great man concerning the probability of opening a new and shorter passage to the East Indies by holding a western course. The opinions which Columbus had formed with respect to the islands which he had discovered, were universally received. They were supposed to lie contiguous to the great continent of India, and to constitute a part of the vast countries comprehended under that general name. Cabot accordingly deemed it probable, that, by steering to the north-west, he might reach India by a shorter course than that which Columbus had taken, and hoped to fall in with the coast of Cathay, or China, of whose fertility and opulence the descriptions of Marco Polo had excited high ideas. After sailing for some weeks due west, and nearly on the parallel of the port from which he took his departure, he discovered a large island, which he called *Prima Vista*, and his sailors *Newfoundland*; and in a few days he descried a smaller isle, to which he gave the name of St. John. He landed on both these, made some observations on their soil and productions, and brought off three of the natives. Continuing his course westward, he soon reached the continent of North America, and sailed along it from the fifty-sixth to the thirty-eighth degree of latitude, from the coast of Labrador to that of Virginia. As his chief object was to discover some inlet that might open a passage to the west, it

does not appear that he landed any where during this extensive run; and he returned to England without attempting either settlement or conquest in any part of that continent.

If it had been Henry's purpose to prosecute the object of the commission given by him to Cabot, and to take possession of the countries which he had discovered, the success of this voyage must have answered his most sanguine expectations. His subjects were undoubtedly the first Europeans who had visited that part of the American continent, and were entitled to whatever right of property prior discovery is supposed to confer. Countries, which stretched in an uninterrupted course through such a large portion of the temperate zone, opened a prospect of settling to advantage under mild climates, and in a fertile soil. But by the time that Cabot returned to England, he found both the state of affairs and the king's inclination unfavourable to any scheme the execution of which would have required tranquillity and leisure. Henry was involved in a war with Scotland, and his kingdom was not yet fully composed after the commotion excited by a formidable insurrection of his own subjects in the west. An ambassador from Ferdinand of Arragon was then in London; and as Henry set a high value upon the friendship of that monarch, for whose character he professes much admiration, perhaps from its similarity to his own, and was endeavouring to strengthen their union by negotiating the marriage which afterwards took place between his eldest son and the Princess Catherine, he was cautious of giving any offence to a prince jealous to excess of all his rights. From the position of the islands and continent which Cabot had discovered, it was evident that they lay within the limits of the ample donative which the bounty of Alexander VI. had conferred upon Ferdinand and Isabella. No person in that age questioned the validity of a papal grant; and Ferdinand was not of a temper to relinquish any claim to which he had a shadow of title. Submission to the authority of the pope, and deference for an ally whom he courted, seem to have concurred with Henry's own situation in determining him to abandon a scheme in which he had engaged with some degree of ardour and expectation. No attempt towards discovery was made in England during the remainder of his reign; and Sebastian Cabot, finding no encouragement for his active talents there, entered into the service of Spain.

This is the most probable account of the sudden cessation of Henry's activity, after such success in his first essay as might have encouraged him to persevere. The advantages of commerce, as well as its nature, were so little understood in England about this period, that, by an act of parliament in the year 1488, the taking of interest for the use of money was prohibited under severe penalties. And by another law, the profit arising from dealing in bills of exchange was condemned as savouring of usury. It is not surprising, then, that no great effort should be made to extend trade by a nation whose commercial ideas were still so crude and illiberal. But it is more difficult to discover what prevented this scheme of Henry VII. from being resumed during the reigns of his son and grandson; and to give any reason why no attempt was made, either to explore the northern continent of America more fully, or to settle in it. Henry VIII. was frequently at open enmity with Spain: the value of the Spanish acquisitions in America had become so well known, as might have excited his desire to obtain some footing

in those opulent regions; and during a considerable part of his reign, the prohibitions in a papal bull would not have restrained him from making encroachment upon the Spanish dominions. But the reign of Henry was not favourable to the progress of discovery. During one period of it, the active part which he took in the affairs of the continent, and the vigour with which he engaged in the contest between the two mighty rivals, Charles V. and Francis I., gave full occupation to the enterprising spirit both of the king and his nobility. During another period of his administration, his famous controversy with the court of Rome kept the nation in perpetual agitation and suspense. Engrossed by those objects, neither the king nor the nobles had inclination or leisure to turn their attention to new pursuits; and, without their patronage and aid, the commercial part of the nation was too inconsiderable to make any effort of consequence. Though England, by its total separation from the church of Rome, soon after the accession of Edward VI., disclaimed that authority which, by its presumptuous partition of the globe between two favourite nations, circumscribed the activity of every other state within very narrow limits; yet a feeble minority, distracted with faction, was not a juncture for forming schemes of doubtful success and remote utility. The bigotry of Mary, and her marriage with Philip, disposed her to pay a sacred regard to that grant of the holy see, which vested in a husband, on whom she doted, an exclusive right to every part of the New World. Thus, through a singular succession of various causes, sixty-one years elapsed from the time that the English discovered North America, during which their monarchs gave little attention to that country which was destined to be annexed to their crown, and to be a chief source of its opulence and power.

But though the public contributed little towards the progress of discovery, naval skill, knowledge of commerce, and a spirit of enterprise, began to spread among the English. During the reign of Henry VIII. several new channels of trade were opened, and private adventurers visited remote countries, with which England had formerly no intercourse. Some merchants of Bristol, having fitted out two ships for the southern regions of America, committed the conduct of them to Sebastian Cabot, who had quitted the service of Spain. He visited the coasts of Brazil, and touched at the islands of Hispaniola and Puerto Rico; and though this voyage seems not to have been beneficial to the adventurers, it extended the sphere of English navigation, and added to the national stock of nautical science. Though disappointed in their expectations of profit in this first essay, the merchants were not discouraged. They sent, successively, several vessels from different ports towards the same quarter, and seem to have carried on an interloping trade in the Portuguese settlements with success. Nor was it only towards the west, that the activity of the English was directed. Other merchants began to extend their commercial views to the east; and by establishing an intercourse with several islands in the Archipelago, and with some of the towns on the coast of Syria, they found a new market for woollen cloths (the only manufacture which the nation had begun to cultivate), and supplied their countrymen with various productions of the East, formerly unknown, or received from the Venetians at an exorbitant price.

But the discovery of a shorter passage to the East Indies, by the north-west, was still the favorite project of the nation, which beheld with envy the

vast wealth that flowed into Portugal from its commerce with those regions. The scheme was accordingly twice resumed under the long administration of Henry VIII., first, with some slender aid from the king, and then by private merchants. Both voyages were disastrous and unsuccessful. In the former, one of the ships was lost. In the latter, the stock of provisions was so ill proportioned to the number of the crew, that, although they were but six months at sea, many perished with hunger, and the survivors were constrained to support life by feeding on the bodies of their dead companions.

The vigour of a commercial spirit did not relax in the reign of Edward VI. The great fishery on the banks of Newfoundland became an object of attention; and, from some regulations for the encouragement of that branch of trade, it seems to have been prosecuted with activity and success. But the prospect of opening a communication with China and the Spice Islands, by some other route than round the Cape of Good Hope, still continued to allure the English more than any scheme of adventure. Cabot, whose opinion was deservedly of high authority in whatever related to naval enterprise, warmly urged the English to make another attempt to discover this passage. As it had been thrice searched for in vain by steering towards the north-west, he proposed that a trial should now be made by the north-east; and supported this advice by such plausible reasons and conjectures as excited sanguine expectations of success. Several noblemen and persons of rank, together with some principal merchants, having associated for this purpose, were incorporated, by a charter from the king, under the title of The Company of Merchant Adventurers for the Discovery of Regions, Dominions, Islands, and Places unknown. Cabot, who was appointed governor of this company, soon fitted out two ships and a bark, furnished with instructions in his own hand, which discover the great extent both of his naval skill and mercantile sagacity.

Sir Hugh Willoughby, who was intrusted with the command, stood directly northwards along the coast of Norway, and doubled the North Cape. But in that tempestuous ocean his small squadron was separated in a violent storm. Willoughby's ship and the bark took refuge in an obscure harbour in a desert part of Russian Lapland, where he and all his companions were frozen to death. Richard Chancellor, the captain of the other vessel, was more fortunate; he entered the White Sea, and wintered in safety at Archangel. Though no vessel of any foreign nation had ever visited that quarter of the globe before, the inhabitants received their new visitors with a hospitality which would have done honour to a more polished people. The English learned there that this was a province of a vast empire, subject to the great duke or czar of Muscovy, who resided in a great city twelve hundred miles from Archangel. Chancellor, with a spirit becoming an officer employed in an expedition for discovery, did not hesitate a moment about the part which he ought to take, and set out for that distant capital. On his arrival in Moscow, he was admitted to audience, and delivered a letter which the captain of each ship had received from Edward VI. for the sovereign of whatever country they should discover, to John Vasilowitz, who at that time filled the Russian throne. John, though he ruled over his subjects with the cruelty and caprice of a barbarous despot, was not destitute of political sagacity. He instantly perceived the happy consequences that

might flow from opening an intercourse between his dominions and the western nations of Europe; and, delighted with the fortunate event to which he was indebted for this unexpected benefit, he treated Chancelour with great respect; and, by a letter to the king of England, invited his subjects to trade in the Russian dominions, with ample promises of protection and favour.

Chancelour, on his return, found Mary seated on the English throne. The success of this voyage, the discovery of a new course of navigation, the establishment of commerce with a vast empire, the name of which was then hardly known in the West, and the hope of arriving, in this direction, at those regions which had been so long the object of desire, excited a wonderful ardour to prosecute the design with greater vigour. Mary, implicitly guided by her husband in every act of administration, was not unwilling to turn the commercial activity of her subjects towards a quarter where it could not excite the jealousy of Spain by encroaching on its possessions in the New World. She wrote to John Vasilowitz in the most respectful terms, courting his friendship. She confirmed the charter of Edward VI., empowered Chancelour, and two agents appointed by the company, to negotiate with the czar in her name; and according to the spirit of that age, she granted an exclusive right of trade with Russia to the corporation of merchant adventurers. In virtue of this, they not only established an active and gainful commerce with Russia, but, in hopes of reaching China, they pushed their discoveries eastward to the coast of Nova Zembla, the straits of Waigatz, and towards the mouth of the great river Oby. But in those frozen seas, which nature seems not to have destined for navigation, they were exposed to innumerable disasters, and met with successive disappointments.

Nor were their attempts to open a communication with India made only in this channel. They appointed some of their factors to accompany the Russian caravans which travelled into Persia by the way of Astracan and the Caspian sea, instructing them to penetrate as far as possible towards the east, and to endeavour not only to establish a trade with those countries, but to acquire every information that might afford any light towards the discovery of a passage to China by the north-east. Notwithstanding a variety of dangers to which they were exposed in travelling through so many provinces inhabited by fierce and licentious nations, some of these factors reached Bokara in the province of Chorassan; and though prevented from advancing further by the civil wars which desolated the country, they returned to Europe with some hopes of extending the commerce of the company into Persia, and with much intelligence concerning the state of those remote regions of the East.

The successful progress of the merchant adventurers in discovery roused the emulation of their countrymen, and turned their activity into new channels. A commercial intercourse, hitherto unattempted by the English, having been opened with the coast of Barbary, the specimens which that afforded of the valuable productions of Africa invited some enterprising navigators to visit the more remote provinces of that quarter of the globe. They sailed along its western shore, traded in different ports on both sides of the line, and, after acquiring considerable knowledge of those countries, returned with a cargo of gold-dust, ivory, and other rich commodities little known at that time in England. This commerce

with Africa seems to have been pursued with vigour, and was at that time no less innocent than lucrative; for, as the English had then no demand for slaves, they carried it on for many years without violating the rights of humanity. Thus far did the English advance during a period which may be considered as the infant state of their navigation and commerce; and feeble as its steps at that time may appear to us, we trace them with an interesting curiosity, and look back with satisfaction to the early essays of that spirit which we now behold in the full maturity of its strength. Even in those first efforts of the English, an intelligent observer will discern pre-ages of their future improvement. As soon as the activity of the nation was put in motion, it took various directions, and exerted itself in each with that steady, persevering industry which is the soul and guide of commerce. Neither discouraged by the hardships and dangers to which they were exposed in those northern seas which they first attempted to explore, nor afraid of venturing into the sultry climates of the torrid zone, the English, during the reigns of Henry VIII., Edward VI., and Mary, opened some of the most considerable sources of their commercial opulence, and gave a beginning to their trade with Turkey, with Africa, with Russia, and with Newfoundland.

By the progress which England had already made in navigation and commerce, it was now prepared for advancing further; and on the accession of Elizabeth to the throne, a period commenced extremely auspicious to this spirit which was rising in the nation. The domestic tranquillity of the kingdom, maintained, almost without interruption, during the course of a long and prosperous reign; the peace with foreign nations, that subsisted more than twenty years after Elizabeth was seated on the throne; the queen's attentive economy, which exempted her subjects from the burthen of taxes oppressive to trade; the popularity of her administration; were all favourable to commercial enterprise, and called it forth into vigorous exertion. The discerning eye of Elizabeth having early perceived that the security of a kingdom environed by the sea depended on its naval force, she began her government with adding to the number and strength of the royal navy; which, during a factious minority, and a reign intent on no object but that of suppressing heresy, had been neglected, and suffered to decay. She filled her arsenals with naval stores; she built several ships of great force, according to the ideas of that age, and encouraged her subjects to imitate her example, that they might no longer depend on foreigners, from whom the English had hitherto purchased all vessels of any considerable burthen. By those efforts the skill of the English artificers was improved, the numbers of sailors increased, and the attention of the public turned to the navy, as the most important national object. Instead of abandoning any of the new channels of commerce which had been opened in the three preceding reigns, the English frequented them with greater assiduity, and the patronage of their sovereign added vigour to all their efforts. In order to secure to them the continuance of their exclusive trade with Russia, Elizabeth cultivated the connexion with John Vasilowitz, which had been formed by her predecessor, and, by successive embassies, gained his confidence so thoroughly, that the English enjoyed that lucrative privilege during his long reign. She encouraged the company of merchant adventurers, whose monopoly of the Russian trade was confirmed by act

of parliament, to resume their design of penetrating into Persia by land. Their second attempt, conducted with greater prudence, or undertaken at a more favourable juncture, than the first, was more successful. Their agents arrived in the Persian court, and obtained such protection and immunities from the Shah, that for a course of years they carried on a gainful commerce in his kingdom; and by frequenting the various provinces of Persia, became so well acquainted with the vast riches of the East, as strengthened their design of opening a more direct intercourse with those fertile regions by sea.

But as every effort to accomplish this by the north-east had proved abortive, a scheme was formed, under the patronage of the earl of Warwick, the head of the enterprising family of Dudley, to make a new attempt, by holding an opposite course by the north-west. The conduct of this enterprise was committed to Martin Frobisher, an officer of experience and reputation. In three successive voyages he explored the inhospitable coast of Labrador, and that of Greenland, (to which Elizabeth gave the name of *Meta Incognita*,) without discovering any probable appearance of that passage to India for which he sought. This new disappointment was sensibly felt, and might have damped the spirit of naval enterprise among the English, if it had not resumed fresh vigour, amidst the general exultation of the nation, upon the successful expedition of Sir Francis Drake. That bold navigator, emulous of the glory which Magellan had acquired by sailing round the globe, formed a scheme of attempting a voyage, which all Europe had admired for sixty years, without venturing to follow the Portuguese discoverer in his adventurous course. Drake undertook this with a feeble squadron, in which the largest vessel did not exceed a hundred tons, and he accomplished it with no less credit to himself than honour to his country. Even in this voyage, conducted with other views, Drake seems not to have been inattentive to the favourite object of his countrymen, the discovery of a new route to India. Before he quitted the Pacific ocean, in order to stretch towards the Philippine islands, he ranged along the coast of California, as high as the latitude of forty-two degrees north, in hopes of discovering, on that side, the communication between the two seas, which had so often been searched for in vain on the other. But this was the only unsuccessful attempt of Drake. The excessive cold of the climate, intolerable to men who had long been accustomed to tropical heat, obliged him to stop short in his progress towards the north; and whether or not there be any passage from the Pacific to the Atlantic ocean in that quarter is a point still unascertained.

From this period, the English seem to have confided in their own abilities and courage, as equal to any naval enterprise. They had now visited every region to which navigation extended in that age, and had rivalled the nation of highest repute for naval skill in its most splendid exploit. But notwithstanding the knowledge which they had acquired of the different quarters of the globe, they had not hitherto attempted any settlement out of their own country. Their merchants had not yet acquired such a degree either of wealth or of political influence, as was requisite towards carrying a scheme of colonization into execution. Persons of noble birth were destitute of the ideas and information which might have disposed them to patronize such a design. The growing power of Spain, how-

ever, and the ascendancy over the other nations of Europe to which it had attained under Charles V. and his son, naturally turned the attention of mankind towards the importance of those settlements in the New World, to which they were so much indebted for that pre-eminence. The intercourse between Spain and England during the reign of Philip and Mary; the resort of the Spanish nobility to the English court, while Philip resided there; the study of the Spanish language, which became fashionable; and the translation of several histories of America into English, diffused gradually through the nation a more distinct knowledge of the policy of Spain in planting its colonies, and of the advantages which it derived from them. When hostilities commenced between Elizabeth and Philip, the prospect of annoying Spain by sea, opened a new career to the enterprising spirit of the English nobility. Almost every eminent leader of the age aimed at distinguishing himself by naval exploits. That service, and the ideas connected with it, the discovery of unknown countries, the establishment of distant colonies, and the enriching of commerce by new commodities, became familiar to persons of rank.

In consequence of all those concurring causes, the English began seriously to form plans of settling colonies in those parts of America which hitherto they had only visited. The projectors and patrons of these plans were mostly persons of rank and influence. Among them, Sir Humphry Gilbert, of Compton, in Devonshire, ought to be mentioned with the distinction due to the conductor of the first English colony to America. He had early rendered himself conspicuous by his military services both in France and Ireland; and having afterwards turned his attention to naval affairs, he published a discourse concerning the probability of a north-west passage, which discovered no inconsiderable portion both of learning and ingenuity, mingled with the enthusiasm, the credulity, and sanguine expectations which incite men to new and hazardous undertakings. With those talents he was deemed a proper person to be employed in establishing a new colony, and easily obtained from the queen letters patent, vesting in him sufficient powers for this purpose.

As this is the first charter to a colony, granted by the crown of England, the articles in it merit particular attention, as they unfold the ideas of that age with respect to the nature of such settlements. Elizabeth authorizes him to discover and take possession of all remote and barbarous lands, unoccupied by any Christian prince or people. She vests in him, his heirs, and assigns for ever, the full right of property in the soil of those countries whereof he shall take possession. She permits such of her subjects as were willing to accompany Gilbert in his voyage, to go and settle in the countries which he shall plant. She empowers him, his heirs, and assigns, to dispose of whatever portion of those lands he shall judge meet, to persons settled there, in fee simple, according to the laws of England. She ordains, that all the lands granted to Gilbert shall hold of the crown of England by homage, on payment of the fifth part of the gold or silver ore found there. She confers upon him, his heirs and assigns, the complete jurisdictions and royalties, as well marine as other, within the said lands and seas thereunto adjoining; and as their common safety and interest would render good government necessary in their new settlements, she gave Gilbert, his heirs and assigns, full power to convict, punish, pardon, govern, and rule, by their good discretion and policy, as well in causes capital

or criminal as civil, both marine and other, all persons who shall, from time to time, settle within the said countries, according to such statutes, laws, and ordinances, as shall be by him, his heirs and assigns, devised and established for their better government. She declared, that all who settled there should have and enjoy all the privileges of free denizens and natives of England, any law, custom, or usage to the contrary notwithstanding. And finally, she prohibited all persons from attempting to settle within two hundred leagues of any place which Sir Humphry Gilbert or his associates shall have occupied, during the space of six years.

With those extraordinary powers, suited to the high notions of authority and prerogative prevalent in England during the sixteenth century, but very repugnant to more recent ideas with respect to the rights of free men, who voluntarily unite to form a colony, Gilbert began to collect associates, and to prepare for embarkation. His own character, and the zealous efforts of his half-brother, Walter Raleigh, who even in his early youth displayed those splendid talents, and that undaunted spirit, which create admiration and confidence, soon procured him a sufficient number of followers. But his success was not suited either to the sanguine hopes of his countrymen or to the expense of his preparations. Two expeditions, both of which he conducted in person, ended disastrously. In the last he himself perished, without having effected his intended settlement on the continent of America, or performing any thing more worthy of notice than the empty formality of taking possession of the island of Newfoundland in the name of his sovereign. The dissensions among his officers; the licentious and ungovernable spirit of some of his crew; his total ignorance of the countries which he purposed to occupy; his misfortune in approaching the continent too far towards the north, where the inhospitable coast of Cape Breton did not invite them to settle; the shipwreck of his largest vessel; and, above all, the scanty provision which the funds of a private man could make of what was requisite for establishing a new colony, were the true causes to which the failure of the enterprise must be imputed, not to any deficiency of abilities or resolution in its leader.

But the miscarriage of a scheme, in which Gilbert had wasted his fortune, did not discourage Raleigh. He adopted all his brother's ideas; and applying to the queen, in whose favour he stood high at that time, he procured a patent, with jurisdiction and prerogatives as ample as had been granted unto Gilbert. Raleigh, no less eager to execute than to undertake the scheme, instantly dispatched two small vessels under the command of Amadas and Barlow, two officers of trust, to visit the countries which he intended to settle, and to acquire some previous knowledge of their coasts, their soil, and productions. In order to avoid Gilbert's error, in holding too far north, they took their course by the Canaries and the West India islands, and approached the North American continent by the gulf of Florida. Unfortunately, their chief researches were made in that part of the country now known by the name of North Carolina, the province in America most destitute of commodious harbours. They touched first at an island, which they call Wokocon (probably Oca-koke), situated on the inlet into Pamlico sound, and then at Roanoke, near the mouth of Albemarle sound. In both they had some intercourse with the natives, whom they found to be savages with all the characteristic qualities of uncivilized life, bravery,

aversion to labour, hospitality, a propensity to admire, and a willingness to exchange their rude productions for English commodities, especially for iron, or any of the useful metals of which they were destitute. After spending a few weeks in this traffic, and in visiting some parts of the adjacent continent, Amadas and Barlow returned to England with two of the natives, and gave such splendid descriptions of the beauty of the country, the fertility of the soil, and the mildness of the climate, that Elizabeth, delighted with the idea of occupying a territory superior, so far, to the barren regions towards the north hitherto visited by her subjects, bestowed on it the name of Virginia; as a memorial that this happy discovery had been made under a virgin queen.

Their report encouraged Raleigh to hasten his preparations for taking possession of such an inviting property. He fitted out a squadron of seven small ships under the command of Sir Richard Greenville, a man of honourable birth, and of courage so undaunted as to be conspicuous even in that gallant age. But the spirit of that predatory war which the English carried on against Spain, mingled with this scheme of settlement; and on this account, as well as from unacquaintance with a more direct and shorter course to North America, Greenville sailed by the West Indian islands. He spent some time in cruising among these, and in taking prizes; so that it was towards the close of June before he arrived on the coast of North America. He touched at both the islands where Amadas and Barlow had landed, and made some excursions into different parts of the continent round Pamlico and Albemarle sounds. But as, unfortunately, he did not advance far enough towards the north to discover the noble bay of Chesapeake, he established the colony which he left on the island of Roanoke, an incommodious station without any safe harbour, and almost uninhabited.

This colony consisted only of one hundred and eighty persons, under the command of Captain Lane, assisted by some men of note, the most distinguished of whom was Hariot, an eminent mathematician. Their chief employment, during a residence of nine months, was to obtain a more extensive knowledge of the country; and their researches were carried on with greater spirit, and reached further than could have been expected from a colony so feeble, and in a station so disadvantageous. But from the same impatience of indigent adventurers to acquire sudden wealth, which gave a wrong direction to the industry of the Spaniards in their settlements, the greater part of the English seem to have considered nothing as worthy of attention but mines of gold and silver. These they sought for wherever they came: these they inquired after with unwearied eagerness. The savages soon discovered the favourite objects which allured them, and artfully amused them with so many tales concerning pearl fisheries, and rich mines of various metals, that Lane and his companions wasted their time and activity in the chimerical pursuit of these, instead of labouring to raise provisions for their own subsistence. On discovering the deceit of the Indians, they were so much exasperated, that from expostulations and reproaches they proceeded to open hostility. The supplies of provision which they had been accustomed to receive from the natives were of course withdrawn. Through their own negligence no other precaution had been taken for their support. Raleigh having engaged in a scheme too expensive for his narrow funds, had not been able to send them that recruit of stores with which Greenville had promised to furnish them early in the

spring. The colony, reduced to the utmost distress, and on the point of perishing with famine, was preparing to disperse into different districts of the country in quest of food, when Sir Francis Drake appeared with his fleet, returning from a successful expedition against the Spaniards in the West Indies. A scheme which he formed of furnishing Lane and his associates with such supplies as might enable them to remain with comfort in their station, was disappointed by a sudden storm, in which a small vessel that he destined for their service was dashed to pieces; and as he could not supply them with another, at their joint request, as they were worn out with fatigue and famine, he carried them home to England.

Such was the inauspicious beginning of the English settlements in the New World; and after exciting high expectations, this first attempt produced no effect but that of affording a more complete knowledge of the country; as it enabled Hariot, a man of science and observation, to describe its soil, climate, productions, and the manners of its inhabitants, with a degree of accuracy which merits no inconsiderable praise, when compared with the childish and marvellous tales published by several of the early visitants of the New World. There is another consequence of this abortive colony important enough to entitle it to a place in history. Lane and his associates, by their constant intercourse with the Indians, had acquired a relish for their favourite enjoyment of smoking tobacco; to the use of which, the credulity of that people not only ascribed a thousand imaginary virtues, but their superstition considered the plant itself as a gracious gift of the gods, for the solace of human kind, and the most acceptable offering which man can present to heaven. They brought with them a specimen of this new commodity to England, and taught their countrymen the method of using it; which Raleigh and some young men of fashion fondly adopted. From imitation of them, from love of novelty, and from the favourable opinion of its salutary qualities entertained by several physicians, the practice spread among the English. The Spaniards and Portuguese had, previous to this, introduced it in other parts of Europe. This habit of taking tobacco gradually extended from the extremities of the north to those of the south, and in one form or other seems to be equally grateful to the inhabitants of every climate, and by a singular caprice of the human species, no less inexplicable than unexampled (so bewitching is the acquired taste for a weed of no manifest utility, and at first not only unpleasant but nauseous), that it has become almost as universal as the demands of those appetites originally implanted in our nature. Smoking was the first mode of taking tobacco in England; and we learn from the comic writers towards the close of the sixteenth century and the beginning of the seventeenth, that this was deemed one of the accomplishments of a man of fashion and spirit.

A few days after Drake departed from Roanoke, a small bark, dispatched by Raleigh with a supply of stores for the colony, landed at the place where the English had settled; but on finding it deserted by their countrymen, they returned to England. The bark was hardly gone when Sir Richard Greenville appeared with three ships. After searching in vain for the colony which he had planted, without being able to learn what had befallen it, he left fifteen of his crew to keep possession of the island. This handful of men was soon overpowered and cut in pieces by the savages.

Though all Raleigh's efforts to establish a colony in Virginia had hitherto proved abortive, and had been defeated by a succession of disasters and disappointments, neither his hopes nor resources were exhausted. Early in the following year he fitted out three ships, under the command of Captain John White, who carried thither a colony more numerous than that which had been settled under Lane. On their arrival in Virginia, after viewing the face of the country covered with one continued forest, which to them appeared an uninhabited wild, as it was occupied only by a few scattered tribes of savages, they discovered that they were destitute of many things which they deemed essentially necessary towards their subsistence in such an uncomfortable situation; and, with one voice, requested White, their commander, to return to England, as the person among them most likely to solicit, with efficacy, the supply on which depended the existence of the colony. White landed in his native country at a most unfavourable season for the negotiation which he had undertaken. He found the nation in universal alarm at the formidable preparations of Philip II. to invade England, and collecting all his force to oppose the fleet to which he had arrogantly given the name of the Invincible Armada. Raleigh, Greenville, and all the most zealous patrons of the new settlement, were called to act a distinguished part in the operations of a year equally interesting and glorious to England. Amidst danger so imminent, and during a contest for the honour of their sovereign and the independence of their country, it was impossible to attend to a less important and remote object. The unfortunate colony in Roanoke received no supply, and perished miserably by famine, or by the unrelenting cruelty of those barbarians by whom they were surrounded.

During the remainder of Elizabeth's reign, the scheme of establishing a colony in Virginia was not resumed. Raleigh, with a most aspiring mind and extraordinary talents, enlightened by knowledge no less uncommon, had the spirit and the defects of a projector. Allured by new objects, and always giving the preference to such as were most splendid and arduous, he was apt to engage in undertakings so vast and so various as to be far beyond his power of accomplishing. He was now intent on peopling and improving a large district of country in Ireland, of which he had obtained a grant from the queen. He was a deep adventurer in the scheme of fitting out a powerful armament against Spain, in order to establishing Don Antonio on the throne of Portugal. He had begun to form his favourite but visionary plan, of penetrating into the province of Guiana, where he fondly dreamed of taking possession of an inexhaustible wealth flowing from the richest mines in the New World. Amidst this multiplicity of projects, of such promising appearance, and recommended by novelty, he naturally became cold towards his ancient and hitherto unprofitable scheme of settling a colony in Virginia, and was easily induced to assign his right of property in that country, which he had never visited, together with all the privileges contained in his patent, to Sir Thomas Smith and a company of merchants in London. This company, satisfied with a paltry traffic carried on by a few small barks, made no attempt to take possession of the country. Thus, after a period of a hundred and six years from the time that Cabot discovered North America in the name of Henry VII., and of twenty years from the time that Raleigh planted the first colony, there was not a single Englishman settled

there at the demise of Queen Elizabeth, in the year one thousand six hundred and three.

I have already explained the causes of this during the period previous to the accession of Elizabeth.—Other causes produced the same effect under her administration. Though for one-half of her reign England was engaged in no foreign war, and commerce enjoyed that perfect security which is friendly to its progress; though the glory of her latter years gave the highest tone of elevation and vigour to the national spirit; the queen herself, from her extreme parsimony, and her aversion to demand extraordinary supplies of her subjects, was more apt to restrain than to second the ardent genius of her people. Several of the most splendid enterprizes in her reign were concerted and executed by private adventurers. All the schemes for colonization were carried on by the funds of individuals, without any public aid. Even the policy of her government was adverse to the establishment of remote colonies. So powerful is the attraction of our native soil, and such our fortunate partiality to the laws and manners of our own country, that men seldom choose to abandon it unless they be driven away by oppression, or allured by vast prospects of sudden wealth. But the provinces of America, in which the English attempted to settle, did not, like those occupied by Spain, invite them thither by any appearance of silver or gold mines. All their hopes of gain were distant; and they saw that nothing could be earned but by persevering exertions of industry. The maxims of Elizabeth's administration were, in their general tenor, so popular, as did not force her subjects to emigrate in order to escape from the heavy or vexatious hand of power. It seems to have been with difficulty that these slender bands of planters were collected, on which the writers of that age bestow the name of the first and second Virginian colonies. The fulness of time for English colonization was not yet arrived.

But the succession of the Scottish line to the crown of England hastened its approach. James was hardly seated on the throne before he discovered his pacific intentions, and he soon terminated the long war which had been carried on between Spain and England, by an amicable treaty. From that period uninterrupted tranquillity continued during his reign. Many persons of high rank and of ardent ambition, to whom the war with Spain had afforded constant employment, and presented alluring prospects not only of fame but of wealth, soon became so impatient of languishing at home without occupation or object, that their invention was on the stretch to find some exercise for their activity and talents. To both these North America seemed to open a new field, and schemes of carrying colonies thither became more general and more popular.

A voyage undertaken by Bartholomew Gosnold, in the last year of the queen, facilitated as well as encouraged the execution of these schemes. He sailed from Falmouth in a small bark with thirty-two men. Instead of following former navigators in their unnecessary circuit by the West India isles and the gulf of Florida, Gosnold steered due west as nearly as the winds would permit, and was the first English commander who reached America by this shorter and more direct course. That part of the continent which he first descried was a promontory in the province now called Massachusetts Bay, to which he gave the name of Cape Cod. Holding along the coast as it stretched towards the south-west, he touched at two islands, one of which he called Martha's Vineyard, the other Elizabeth's Island; and visited the adjoin-

ing continent, and traded with its inhabitants. He and his companions were so much delighted every where with the inviting aspect of the country, that notwithstanding the smallness of their number, a part of them consented to remain there. But when they had leisure to reflect upon the fate of former settlers in America, they retracted a resolution formed in the first warmth of their admiration; and Gosnold returned to England in less than four months from the time of his departure.

This voyage, however inconsiderable it may appear, had important effects. The English now discovered the aspect of the American continent to be extremely inviting far to the north of the place where they had formerly attempted to settle. The coast of a vast country, stretching through the most desirable climates, lay before them. The richness of its virgin soil promised a certain recompence to their industry. In its interior provinces unexpected sources of wealth might open, and unknown objects of commerce might be found. Its distance from England was diminished almost a third part, by the new course which Gosnold had pointed out. Plans for establishing colonies began to be formed in different parts of the kingdom; and before these were ripe for execution, one small vessel was sent out by the merchants of Bristol, another by the Earl of Southampton and Lord Arundel of Wardour, in order to learn whether Gosnold's account of the country was to be considered as a just representation of its state, or as the exaggerated description of a fond discoverer. Both returned with a full confirmation of his veracity, and with the addition of so many new circumstances in favour of the country, acquired by a more extensive view of it, as greatly increased the desire of planting it.

The most active and efficacious promoter of this was Richard Hakluyt, prebendary of Westminster, to whom England is more indebted for its American possessions than to any man of that age. Formed under a kinsman of the same name, eminent for naval and commercial knowledge, he imbibed a similar taste, and applied early to the study of geography and navigation. These favourite sciences engrossed his attention, and to diffuse a relish for them was the great object of his life. In order to excite his countrymen to naval enterprise, by flattering their national vanity, he published, in the year one thousand five hundred and eighty-nine, his valuable collection of voyages and discoveries made by Englishmen. In order to supply them with what information might be derived from the experience of the most successful foreign navigators, he translated some of the best accounts of the progress of the Spaniards and Portuguese in their voyages both to the East and West Indies, into the English tongue. He was consulted with respect to many of the attempts towards discovery or colonization during the latter part of Elizabeth's reign. He corresponded with the officers who conducted them, directed their researches to proper objects, and published the history of their exploits. By the zealous endeavours of a person equally respected by men of rank and men of business, many of both orders formed an association to establish colonies in America, and petitioned the king for the sanction of his authority to warrant the execution of their plans.

James, who prided himself on his profound skill in the science of government, and who had turned his attention to consider the advantages which might be derived from colonies at a time when he patronized his scheme for planting them in some of the

runder provinces of his ancient kingdom, with a view of introducing industry and civilization there, was now no less fond of directing the active genius of his English subjects towards occupations not repugnant to his own pacific maxims, and listened with a favourable ear to their application. But as the extent as well as value of the American continent began now to be better known, a grant of the whole of such a vast region to any one body of men, however respectable, appeared to him an act of impolitic and profuse liberality. For this reason he divided that portion of North America, which stretches from the thirty-fourth to the forty-fifth degree of latitude, into two districts nearly equal; the one called the first or south colony of Virginia, the other the second or north colony. He authorized Sir Thomas Gates, Sir George Summers, Richard Hakluyt, and their associates, mostly resident in London, to settle any part of the former which they should choose, and vested in them a right of property to the land extending along the coast fifty miles on each side of the place of their first habitation, and reaching into the interior country a hundred miles. The latter district he allotted, as the place of settlement, to sundry knights, gentlemen, and merchants of Bristol, Plymouth, and other parts in the west of England, with a similar grant of territory. Neither the monarch who issued this charter, nor his subjects who received it, had any conception that they were proceeding to lay the foundation of mighty and opulent states. What James granted was nothing more than a simple charter of corporation to a trading company, empowering the members of it to have a common seal, and to act as a body politic. But as the object for which they associated was new, the plan established for the administration of their affairs was uncommon. Instead of the power usually granted to corporations, of electing officers, and framing bye laws for the conduct of their own operations, the supreme government of the colonies to be settled was vested in a council resident in England, to be named by the king according to such laws and ordinances as should be given under his sign manual; and the subordinate jurisdiction was committed to a council resident in America, which was likewise to be nominated by the king, and to act conformably to his instructions. To this important clause, which regulated the form of their constitution, was added the concession of several immunities, to encourage persons to settle in the intended colonies. Some of these were the same which had been granted to Gilbert and Raleigh; such as the securing to the emigrants and their descendants all the rights of denizens, in the same manner as if they had remained or had been born in England; and granting them the privilege of holding their lands in America by the freest and least burthensome tenure. Others were more favourable than those granted by Elizabeth. He permitted whatever was necessary for the sustenance or commerce of the new colonies to be exported from England during the space of seven years, without paying any duty; and as a further incitement to industry, he granted them liberty of trade with other nations, and appropriated the duty to be levied on foreign commodities for twenty-one years, as a fund for the benefit of the colony.

In this singular charter, the contents of which have been little attended to by the historians of America, some articles are as unfavourable to the rights of the colonists, as others are to the interests of the parent state. By placing the legislative and executive powers in a council nominated by the

crown, and guided by its instructions, every person settling in America seems to be bereaved of the noblest privilege of a free man; by the unlimited permission of trade with foreigners, the parent state is deprived of that exclusive commerce which has been deemed the chief advantage resulting from the establishment of colonies. But in the infancy of colonization, and without the guidance of observation or experience, the ideas of men, with respect to the mode of forming new settlements, were not fully unfolded or properly arranged. At a period when they could not foresee the future grandeur and importance of the communities which they were about to call into existence, they were ill qualified to concert the best plan for governing them. Besides, the English of that age, accustomed to the high prerogative and arbitrary rule of their monarchs, were not animated with such liberal sentiments, either concerning their own personal or political rights, as have become familiar in the more mature and improved state of their constitution.

Without hesitation or reluctance the proprietors of both colonies prepared to execute their respective plans; and under the authority of a charter, which would now be rejected with disdain, as a violent invasion of the sacred and inalienable rights of liberty, the first permanent settlements of the English in America were established. From this period the progress of the two provinces of Virginia and New England forms a regular and connected story. The former in the south, and the latter in the north, may be considered as the original and parent colonies; in imitation of which, and under whose shelter all the others have been successively planted and reared.

The first attempts to occupy Virginia and New England were made by very feeble bodies of emigrants. As these settled under great disadvantages, among tribes of savages, and in an uncultivated desert; as they attained gradually, after long struggles and many disasters, to that maturity of strength and order of policy, which entitle them to be considered as respectable states, the history of their persevering efforts merits particular attention. It will exhibit a spectacle no less striking than instructive, and presents an opportunity which rarely occurs, of contemplating a society in the first moment of its political existence, and of observing how its spirit forms in its infant state, how its principles begin to unfold as it advances, and how those characteristic qualities which distinguish its maturer age are successively acquired. The account of the establishment of the other English colonies, undertaken at periods when the importance of such possessions was better understood, and effected by more direct and vigorous exertions of the parent state is less interesting. I shall therefore relate the history of the two original colonies in detail. With respect to the subsequent settlements, some more general observations concerning the time, the motives, and circumstances of their establishment will be sufficient. I begin with the history of Virginia, the most ancient and most valuable of the British colonies in North America.

Though many persons of distinction became proprietors in the company which undertook to plant a colony in Virginia, its funds seem not to have been considerable, and its first effort was certainly extremely feeble. A small vessel of a hundred tons, and two bars under the command of Captain Newport, sailed with a hundred and five men destined to remain in the country. Some of these were of respectable families, particularly a brother of the Earl of Northumberland, and several officers who had

served with reputation in the reign of Elizabeth. Newport, I know not for what reason, followed the ancient course by the West Indies, and did not reach the coast of North America for four months. But he approached it with better fortune than any former navigator; for having been driven, by the violence of a storm, to the northward of Roanoke, the place of his destination, the first land he discovered was a promontory which he called Cape Henry, the southern boundary of the bay of Chesapeake. The English stood directly into that spacious inlet, which seemed to invite them to enter; and as they advanced, contemplated with a mixture of delight and admiration, that grand reservoir, into which are poured the waters of all the vast rivers which not only diffuse fertility through that district of America, but open the interior parts of the country to navigation, and render a commercial intercourse more extensive and commodious than in any other region of the globe. Newport, keeping along the southern shore, sailed up a river, which the natives called Powhatan, and to which he gave the name of James river. After viewing its banks, during a run of above forty miles from its mouth, they all concluded that a country, where safe and convenient harbours seemed to be numerous, would be a more suitable station for a trading colony than the shoaly and dangerous coast to the south, on which their countrymen had formerly settled. Here then they determined to abide; and having chosen a proper spot for their residence, they gave this infant settlement the name of James town, which it still retains; and though it has never become either populous or opulent, it can boast of being the most ancient habitation of the English in the New World. But however well chosen the situation might be, the members of the colony were far from availing themselves of its advantages. Violent animosities had broke out among some of their leaders, during their voyage to Virginia. These did not subside on their arrival there. The first deed of the council, which assumed the government in virtue of a commission brought from England under the seal of the company, and opened on the day after they landed, was an act of injustice. Capt. Smith, who had been appointed a member of the council, was excluded from his seat at the board by the mean jealousy of his colleagues, and not only reduced to the condition of a private man, but of one suspected and watched by his superiors. This diminution of his influence, and restraint on his activity, was an essential injury to the colony, which at that juncture stood in need of the aid of both. For soon after they began to settle, the English were involved in a war with the natives, partly by their own indiscretion, and partly by the suspicion and ferocity of those barbarians. And although the Indians, scattered over the countries adjacent to James river, were divided into independent tribes, so extremely feeble that hardly one of them could muster above two hundred warriors, they teased and annoyed an infant colony by their incessant hostilities. To this was added a calamity still more dreadful; the stock of provisions left for their subsistence, on the departure of their ships for England, was so scanty and of such bad quality, that a scarcity, approaching almost to absolute famine, soon followed. Such poor unwholesome fare soon brought on diseases, the violence of which was so much increased by the sultry heat of the climate, and the moisture of a country covered with wood, that before the beginning of September one half of their number died, and most of the survivors were sickly and dejected. In such

trying extremities the comparative powers of every individual are discovered and called forth, and each naturally takes that station and assumes that ascendant, to which he is entitled by his talents and force of mind. Every eye was now turned towards Smith, and all willingly devolved on him that authority of which they had formerly deprived him. His undaunted temper, deeply tinctured with the wild romantic spirit characteristic of military adventurers in that age, was peculiarly suited to such a situation. The vigour of his constitution continued fortunately still unimpaired by disease, and his mind was never appalled by danger. He instantly adopted the only plan that could save them from destruction. He began by surrounding James town with such rude fortifications as were a sufficient defence against the assaults of savages. He then marched at the head of a small detachment in quest of their enemies. Some tribes he gained by caresses and presents, and procured from them a supply of provisions. Others he attacked with open force; and defeating them on every occasion, whatever their superiority in numbers might be, compelled them to impart to him some portion of their winter stores. As the recompence of all his toils and dangers, he saw abundance and contentment re-established in the colony, and hoped that he should be able to maintain them in that happy state, until the arrival of ships from England in the spring; but in one of his excursions he was surprised by a numerous body of Indians, and in making his escape from them, after a gallant defence, he sunk to the neck in a swamp, and was obliged to surrender. Though he knew well what a dreadful fate awaits the prisoners of savages, his presence of mind did not forsake him. He shewed those who had taken him captive a mariner's compass, and amused them with so many wonderful accounts of its virtues, as filled them with astonishment and veneration, which began to operate very powerfully in his favour. They led him, however, in triumph through various parts of the country, and conducted him at last to Powhatan, the most considerable sachin in that part of Virginia. There the doom of death being pronounced, he was led to the place of execution, and his head already bowed down to receive the fatal blow, when that fond attachment of the American women to their European invaders, the beneficial effects of which the Spaniards often experienced, interposed in his behalf. The favourite daughter of Powhatan rushed in between him and the executioner, and by her entreaties and tears prevailed on her father to spare his life. The beneficence of his deliverer, whom the early English writers dignify with the title of the princess Pocahuntas, did not terminate here; she soon after procured his liberty, and sent him from time to time seasonable presents of provisions.

Smith, on his return to James town, found the colony reduced to thirty-eight persons, who in despair were preparing to abandon a country which did not seem destined to be the habitation of Englishmen. He employed caresses, threats, and even violence, in order to prevent them from executing this fatal resolution. With difficulty he prevailed on them to defer it so long, that the succour anxiously expected from England arrived. Plenty was instantly restored; a hundred new planters were added to their number; and an ample stock of whatever was requisite for clearing and sowing the ground was delivered to them. But an unlucky incident turned their attention from that species of industry which alone could render their situation comfortable. In a small stream of water that issued from a bank of sand near

James town, a sediment of some shining mineral substance, which had some resemblance of gold, was discovered. At a time when the precious metals were conceived to be the peculiar and only valuable productions of the New World, when every mountain was supposed to contain a treasure, and every rivulet was searched for its golden sands, this appearance was fondly considered as an infallible indication of a mine. Every hand was eager to dig; large quantities of this glittering dust were amassed. From some assay of its nature, made by an artist as unskilful as his companions were credulous, it was pronounced to be extremely rich. "There was now," says Smith, "no talk, no hope, no work, but dig gold, wash gold, refine gold." With this imaginary wealth the first vessel returning to England was loaded, while the culture of the land and every useful occupation were totally neglected.

The effects of this fatal delusion were soon felt. Notwithstanding all the provident activity of Smith, in procuring corn from the natives by traffic or by force, the colony began to suffer as much as formerly from scarcity of food, and was wasted by the same distempers. In hopes of obtaining some relief, Smith proposed, as they had not hitherto extended their researches beyond the countries contiguous to James river, to open an intercourse with the more remote tribes, and to examine into the state of culture and population among them. The execution of this arduous design he undertook himself, in a small open boat, with a feeble crew, and a very scanty stock of provisions. He began his survey at Cape Charles, and in two different excursions, which continued above four months, he advanced as far as the river Susquehanna, which flows into the bottom of the bay. He visited all the countries both on the east and west shores; he entered most of the considerable creeks; he sailed up many of the great rivers as far as their falls. He traded with some tribes; he fought with others; he observed the nature of the territory which they occupied, their mode of subsistence, the peculiarities in their manners; and left among all a wonderful admiration either of the beneficence or valour of the English. After sailing above three thousand miles in a paltry vessel, ill fitted for such an extensive navigation, during which the hardships to which he was exposed, as well as the patience with which he endured, and the fortitude with which he surmounted them, equal whatever is related of the celebrated Spanish discoverers in their most daring enterprizes, he returned to James town; he brought with him an account of that large portion of the American continent now comprehended in the two provinces of Virginia and Maryland, so full and exact, that after the progress of information and research for a century and a half, his map exhibits no inaccurate view of both countries, and is the original upon which all subsequent delineations and descriptions have been formed.

But whatever pleasing prospect of future benefit might open upon this complete discovery of a country formed by nature to be the seat of an exclusive commerce, it afforded but little relief for their present wants. The colony still depended for subsistence chiefly on supplies from the natives; as, after all the efforts of their own industry, hardly thirty acres of ground were yet cleared so as to be capable of culture. By Smith's attention, however, the stores of the English were so regularly filled, that for some time they felt no considerable distress; and at this juncture a change was made in the constitution of the company, which seemed to promise an increase

of their security and happiness. That supreme direction of all the company's operations, which the king by his charter had reserved to himself, discouraged persons of rank or property from becoming members of a society so dependent on the arbitrary will of the crown. Upon a representation of this to James he granted them a new charter, with more ample privileges. He enlarged the boundaries of the colony; he rendered the powers of the company, as a corporation, more explicit and complete; he abolished the jurisdiction of the council resident in Virginia; he vested the government entirely in a council residing in London; he granted to the proprietors of the company the right of electing the persons who were to compose this council, by a majority of voices; he authorized this council to establish such laws, orders, and forms of government and magistracy, for the colony and plantation, as they in their discretion should think to be fittest for the good of the adventurers and inhabitants there; he empowered them to nominate a governor to have the administration of affairs in the colony, and to carry their orders into execution. In consequence of these concessions, the company having acquired the power of regulating all its own transactions, the number of proprietors increased, and among them we find the most respectable names in the nation.

The first deed of the new council was to appoint Lord Delaware governor and captain-general of their colony in Virginia. To a person of his rank those high-sounding titles could be no allurements; and by his thorough acquaintance with the progress and state of the settlement, he knew enough of the labour and difficulty with which an infant colony is reared, to expect any thing but anxiety and care in discharging the duties of that delicate office. But, from zeal to promote an establishment which he expected to prove so highly beneficial to his country, he was willing to relinquish all the comforts of an honourable station, to undertake a long voyage to settle in an uncultivated region, destitute of every accommodation to which he had been accustomed, and where he foresaw that toil, and trouble, and danger awaited him. But as he could not immediately leave England, the council despatched Sir Thomas Gates and Sir George Summers, the former of whom had been appointed lieutenant-general and the latter admiral, with nine ships and five hundred planters. They carried with them commissions by which they were empowered to supersede the jurisdiction of the former council, to proclaim Lord Delaware governor, and, until he should arrive, to take the administration of affairs into their own hands. A violent hurricane separated the vessels in which Gates and Summers had embarked from the rest of the fleet, and stranded it on the coast of Bermudas. The other ships arrived safely at James town. But the fate of their commanders was unknown. Their commission for new-modelling the government, and all other public papers, were supposed to be lost together with them. The present form of government, however, was held to be abolished. No legal warrant could be produced for establishing any other. Smith was not in a condition at this juncture to assert his own rights, or to act with his wonted vigour. By an accidental explosion of gunpowder, he had been so miserably scorched and mangled that he was incapable of moving, and under the necessity of committing himself to the guidance of his friends, who carried him aboard one of the ships returning to England, in hopes that he might recover

by more skilful treatment than he could meet with in Virginia.

After his departure, every thing tended fast to the wildest anarchy. Faction and discontent had often arisen so high among the old settlers, that they could hardly be kept within bounds. The spirit of the new comers was too ungovernable to bear any restraint. Several among them of better rank were such dissipated hopeless young men, as their friends were glad to send out in quest of whatever fortune might betide them in a foreign land. Of the lower order many were so profligate or desperate that their country was happy to throw them out as nuisances in society. Such persons were little capable of the regular subordination, the strict economy, and persevering industry, which their situation required. The Indians, observing their misconduct, and that every precaution for sustenance or safety was neglected, not only withheld the supplies of provisions which they were accustomed to furnish, but harassed them with continual hostilities. All their subsistence was derived from the stores which they had brought from England; these were soon consumed; then the domestic animals sent out to breed in the country were devoured; and by this inconsiderate waste, they were reduced to such extremity of famine, as not only to eat the most nauseous and unwholesome roots and berries, but to feed on the bodies of the Indians whom they slew, and even on those of their companions who sunk under the oppression of such complicated distress. In less than six months, of five hundred persons whom Smith left in Virginia, only sixty remained; and these so feeble and dejected, that they could not have survived for ten days, if succour had not arrived from a quarter whence they did not expect it.

When Gates and Summers were thrown ashore on Bermudas, fortunately not a single person on board their ship perished. A considerable part of their provisions and stores, too, was saved, and in that delightful spot nature, with spontaneous bounty, presented to them such a variety of her productions, that a hundred and fifty people subsisted in affluence for ten months on an uninhabited island. Impatient, however, to escape from a place where they were cut off from all intercourse with mankind, they set about building two barks with such tools and materials as they had, and by amazing efforts of perseverance and ingenuity they finished them. In these they embarked, and steered directly towards Virginia, in hopes of finding an ample consolation for all their toil and dangers in the embraces of their companions, and amidst the comforts of a flourishing colony. After a more prosperous navigation than they could have expected in their ill-constructed vessels, they landed at James town. But instead of that joyful interview for which they fondly looked, a spectacle presented itself which struck them with horror. They beheld the miserable remainder of their countrymen emaciated with famine and sickness, sunk in despair, and in their figure and looks rather resembling spectres than human beings. As Gates and Summers, in full confidence of finding plenty of provisions in Virginia, had brought with them no larger stock than was deemed necessary for their own support during the voyage, their inability to afford relief to their countrymen added to the anguish with which they viewed this unexpected scene of distress. Nothing now remained but instantly to abandon a country, where it was impossible to subsist any longer; and though all that could be found in the stores of the colony, when added to what

remained of the stock brought from Bermudas, did not amount to more than was sufficient to support them for sixteen days, at the most scanty allowance, they set sail in hopes of being able to reach Newfoundland, where they expected to be relieved by their countrymen employed at that season in the fishery there.

But it was not the will of heaven that all the labour of the English in planting this colony, as well as all their hopes of benefit from its future prosperity, should be for ever lost. Before Gates and the melancholy companions of his voyage had reached the mouth of James river, they were met by Lord Delaware with three ships, that brought a large recruit of provisions, a considerable number of new settlers, and every thing requisite for defence or cultivation. By persuasion and authority he prevailed on them to return to James town, where they found their fort, their magazines, and houses entire, which Sir Thomas Gates, by some happy chance, had preserved from being set on fire at the time of their departure. A society so feeble and disordered in its frame, required a tender and skilful hand to cherish it, and restore its vigour. This it found in Lord Delaware: he searched into the causes of their misfortunes, as far as he could discover them, amidst the violence of their mutual accusations; but instead of exerting his power in punishing crimes that were past, he employed his prudence in healing their dissensions, and in guarding against a repetition of the same fatal errors. By unwearied assiduities, by the respect due to an amiable and beneficent character, by knowing how to mingle severity with indulgence, and when to assume the dignity of his office, as well as when to display the gentleness natural to his own temper, he gradually reconciled men corrupted by anarchy to subordination and discipline, he turned the attention of the idle and profligate to industry, and taught the Indians again to reverence and dread the English name. Under such an administration the colony began once more to assume a promising appearance; when unhappily for it, a complication of diseases brought on by the climate, obliged Lord Delaware to quit the country; the government of which he committed to Mr. Percy.

He was soon superseded by the arrival of Sir Thomas Dale; in whom the company had vested more absolute authority than in any of his predecessors, empowering him to rule by martial law; a short code of which, founded on the practice of the armies in the Low Countries, the most rigid military school at that time in Europe, they sent out with him. This system of government is so violent and arbitrary, that even the Spaniards themselves had not ventured to introduce it into their settlements; for among them, as soon as a plantation began, and the arts of peace succeeded to the operations of war, the jurisdiction of the civil magistrate was uniformly established. But however, unconstitutional or oppressive this may appear, it was adopted by the advice of Sir Francis Bacon, the most enlightened philosopher, and one of the most eminent lawyers of the age. The company, well acquainted with the inefficacy of every method which they had hitherto employed for restraining the unruly mutinous spirits which they had to govern, eagerly adopted a plan that had the sanction of such high authority to recommend it. Happily for the colony, Sir Thomas Dale, who was intrusted with this dangerous power, exercised it with prudence and moderation. By the vigour which the summary mode of military punishment gave to his administration, he introduced into

the colony more perfect order than had ever been established there; and at the same time he tempered his vigour with so much discretion, that no alarm seems to have been given by this formidable innovation.

The regular form which the colony now began to assume, induced the king to issue a new charter for the encouragement of the adventurers, by which he not only confirmed all their former privileges, and prolonged the term of exemption from payment of duties on the commodities exported by them, but granted them more extensive property, as well as more ample jurisdiction. All the islands lying within three hundred leagues of the coast were annexed to the province of Virginia. In consequence of this, the company took possession of Bermudas, and the other small islands discovered by Gates and Summers, and at the same time prepared to send out a considerable reinforcement to the colony at James town. The expense of those extraordinary efforts was defrayed by the profits of a lottery, which amounted nearly to thirty thousand pounds. This expedient they were authorized to employ by their new charter; and it is remarkable, as the first instance, in the English history, of any public countenance given to this pernicious seducing mode of levying money. But the house of Commons, which towards the close of this reign began to observe every measure of government with jealous attention, having remonstrated against the institution as unconstitutional and impolitic, James recalled the licence under the sanction of which it had been established.

By the severe discipline of martial law, the activity of the colonists was forced into a proper direction, and exerted itself in useful industry. This, aided by a fertile soil and favourable climate, soon enabled them to raise such a large stock of provisions, that they were no longer obliged to trust for subsistence to the precarious supplies which they obtained or extorted from the Indians. In proportion as the English became more independent, the natives courted their friendship upon more equal terms. The happy effects of this were quickly felt. Sir Thomas Dale concluded a treaty with one of their most powerful and warlike tribes, situated on the river Chickahominy, in which they consented to acknowledge themselves subjects to the king of Great Britain, to assume henceforth the name of Englishmen, to send a body of their warriors to the assistance of the English as often as they took the field against any enemy, and to deposit annually a stipulated quantity of Indian corn in the storehouses of the colony. An event, which the early historians of Virginia relate with peculiar satisfaction, prepared the way for this union. Pocahuntas, the favourite daughter of the great chief Powhatan, to whose intercession captain Smith was indebted for his life, persevered in her partial attachment to the English; and as she frequently visited their settlements, where she was always received with respectful hospitality, her admiration of their arts and manners continued to increase. During this intercourse, her beauty, which is represented as far superior to that of her countrywomen, made such impression on the heart of Mr. Rolfe, a young man of rank in the colony, that he warmly solicited her to accept of him as a husband. Where manners are simple, courtship is not tedious. Neither artifice prevents, nor ceremony forbids, the heart from declaring its sentiments. Pocahuntas readily gave her consent; Dale encouraged the alliance, and Powhatan did not disapprove it. The marriage was celebrated with extraordinary pomp;

and from that period a friendly correspondence subsisted between the colony and all the tribes subject to Powhatan, or that stood in awe of his power. Rolfe and his princess (for by that name the writers of the last age always distinguish her) set out for England, where she was received by James and his queen with the respect suited to her birth. Being carefully instructed in the principles of the christian faith, she was publicly baptized, but died a few years after, on her return to America, leaving one son, from whom are sprung some of the most respectable families in Virginia, who boast of their descent from the race of the ancient rulers of their country. But notwithstanding the visible good effects of that alliance, none of Rolfe's countrymen seem to have imitated the example which he set them, of intermarrying with the natives. Of all the Europeans who have settled in America, the English have availed themselves least of this obvious method of conciliating the affection of its original inhabitants; and, either from the shyness conspicuous in their national character, or from the want of that pliancy of manners which accommodates itself to every situation, they have been more averse than the French and Portuguese, or even the Spaniards, from incorporating with the native Americans. The Indians, courting such an union, offered their daughters in marriage to their new guests: and when they did not accept of the proffered alliance, they naturally imputed it to pride, and to their contempt of them as an inferior order of beings.

During the interval of tranquillity procured by the alliance with Powhatan, an important change was made in the state of the colony. Hitherto no right of private property in land had been established. The fields that were cleared had been cultivated by the joint labour of the colonists; their product was carried to the common storehouses, and distributed weekly to every family, according to its number and exigencies. A society, destitute of the first advantage resulting from social union, was not formed to prosper. Industry, when not excited by the idea of property in what was acquired by its own efforts, made no vigorous exertion. The head had no inducement to contrive, nor the hand to labour. The idle and the improvident trusted entirely to what was issued from the common store; the assiduity even of the sober and attentive relaxed when they perceived that others were to reap the fruit of their toil; and it was computed, that the united industry of the colony did not accomplish as much work in a week as might have been performed in a day, if each individual had laboured on his own account. In order to remedy this, Sir Thomas Dale divided a considerable portion of the land into small lots, and granted one of these to each individual in full property. From the moment that industry had the certain prospect of a recompence, it advanced with rapid progress. The articles of primary necessity were cultivated with so much attention as secured the means of subsistence; and such schemes of improvement were formed as prepared the way for the introduction of opulence into the colony.

The industrious spirit which began to rise among the planters was soon directed towards a new object; and they applied to it for some time with such inconsiderate ardour as was productive of fatal consequences. The culture of tobacco, which has since become the staple of Virginia, and the source of its prosperity, was introduced about this time into the colony. As the taste for that weed continued to increase in England, notwithstanding the zealous decla-

nations of James against it, the tobacco imported from Virginia came to a ready market; and though it was so much inferior in quality or in estimation to that raised by the Spaniards in the West Indian islands, that a pound of the latter sold for eighteen shillings, and of the former for no more than three shillings, it yielded a considerable profit. Allured by the prospect of such a certain and quick return, every other species of industry was neglected. The land which ought to have been reserved for raising provisions, and even the streets of James town, were planted with tobacco. Various regulations were framed to restrain this ill-directed activity. But, from eagerness for present gain, the planters disregarded every admonition. The means of subsistence became so scanty as forced them to renew their demands upon the Indians, who seeing no end of those exactions, their antipathy to the English name revived with additional rancour, and they began to form schemes of vengeance with a secrecy and silence peculiar to Americans.

Meanwhile the colony, notwithstanding this error in its operations, and the cloud that was gathering over its head, continued to wear an aspect of prosperity. Its numbers increased by successive migrations; the quantity of tobacco exported became every year more considerable, and several of the planters were not only in an easy situation, but advancing fast to opulence; and by two events, which happened nearly at the same time, both population and industry were greatly promoted. As few women had hitherto ventured to encounter the hardships which were unavoidable in an unknown and uncultivated country, most of the colonists, constrained to live single, considered themselves as no more than sojourners in a land to which they were not attached by the tender ties of a family and children. In order to induce them to settle there, the company took advantage of the apparent tranquillity in the country, to send out a considerable number of young women, of humble birth indeed, but of unexceptionable character, and encouraged the planters, by premiums and immunities, to marry them. These new companions were received with such fondness, and many of them so comfortably established, as invited others to follow their example; and by degrees, thoughtless adventurers, assuming the sentiments of virtuous citizens and of provident fathers of families, became solicitous about the prosperity of a country which they now considered as their own. As the colonists began to form more extensive plans of industry, they were unexpectedly furnished with means of executing them with greater facility. A Dutch ship from the coast of Guinea having sailed up James river, sold a part of her cargo of negroes to the planters; and as that hardy race was found more capable of enduring fatigue under a sultry climate than Europeans, their number has been increased by continual importation; their aid seems now to be essential to the existence of the colony, and the greater part of field-labour in Virginia is performed by servile hands.

But as the condition of the colony improved the spirit of its members became more independent. To Englishmen the summary and severe decisions of martial law, however tempered by the mildness of their governors, appeared intolerably oppressive; and they longed to recover the privileges to which they had been accustomed under the liberal form of government in their native country. In compliance with this spirit Sir George Yeardley, in the year 1619, called the first general assembly that was ever

held in Virginia; and the numbers of the people were now so increased, and their settlements so dispersed, that eleven corporations appeared by their representatives in this convention, where they were permitted to assume legislative power, and to exercise the noblest function of free men. The laws enacted in it seem neither to have been many nor of great importance; but the meeting was highly acceptable to the people, as they now beheld among themselves an image of the English constitution, which they revered as the most perfect model of free government. In order to render this resemblance more complete, and the rights of the planters more certain, the company issued a charter or ordinance, which gave a legal and permanent form to the government of the colony. The supreme legislative authority in Virginia, in imitation of that in Great Britain, was divided, and lodged partly in the governor, who held the place of the sovereign; partly in a council of state named by the company, which possessed some of the distinctions, and exercised some of the functions belonging to the peerage; partly in a general council or assembly composed of the representatives of the people, in which were vested powers and privileges similar to those of the House of Commons. In both these councils all questions were to be determined by the majority of voices, and a negative was reserved to the governor; but no law or ordinance, though approved of by all the three members of the legislature, was to be of force until it was ratified in England by a general court of the company, and returned under its seal. Thus the constitution of the colony was fixed, and the members of it are henceforth to be considered, not merely as servants of a commercial company dependent on the will and orders of their superior, but as free men and citizens.

The natural effect of that happy change in their condition was an increase of their industry. The product of tobacco in Virginia was now equal, not only to the consumption of it in Great Britain, but could furnish some quantity for a foreign market. The company opened a trade for it with Holland, and established warehouses for it in Middleburg and Flushing. James and his privy council, alarmed at seeing the commerce of a commodity, for which the demand was daily increasing, turned into a channel that tended to the diminution of the revenue, by depriving it of a considerable duty imposed on the importation of tobacco, interposed with vigour to check this innovation. Some expedient was found, by which the matter was adjusted for the present; but it is remarkable as the first instance of a difference in sentiment between the parent-state and the colony, concerning their respective rights. The former concluded that the trade of the colony should be confined to England, and all its productions be landed there. The latter claimed not only the general privilege of Englishmen to carry their commodities to the best market, but pleaded the particular concessions in their charter, by which an unlimited freedom of commerce seemed to be granted to them. The time for a more full discussion of this important question was not yet arrived.

But while the colony continued to increase so fast, that settlements were scattered not only along the banks of James and York rivers, but began to extend to the Rapahannock, and even to the Potowmack, the English, relying on their own numbers, and deceived by this appearance of prosperity, lived in full security. They neither attended to the movements of the Indians, nor suspected their machina-

tions; and though surrounded by a people whom they might have known from experience to be both artful and vindictive, they neglected every precaution for their own safety that was requisite in such a situation. Like the peaceful inhabitants of a society completely established, they were no longer soldiers but citizens, and were so intent on what was subservient to the comfort or embellishment of civil life, that every martial exercise began to be laid aside as unnecessary. The Indians, whom they commonly employed as hunters, were furnished with fire-arms, and taught to use them with dexterity. They were permitted to frequent the habitations of the English at all hours, and received as innocent visitants whom there was no reason to dread. This inconsiderate security enabled the Indians to prepare for the execution of that plan of vengeance, which they meditated with all the deliberate forethought which is agreeable to their temper. Nor did they want a leader capable of conducting their schemes with address. On the death of Powhatan, in the year 1618, Opechancanough succeeded him, not only as wirovane, or chief of his own tribe, but in that extensive influence over all the Indian nations of Virginia, which induced the English writers to distinguish him by the name of Emperor. According to the Indian tradition he was not a native of Virginia, but came from a distant country to the southwest, possibly from some province of the Mexican empire. But as he was conspicuous for all the qualities of highest estimation among savages, a fearless courage, great strength and agility of body, and crafty policy, he quickly rose to eminence and power. Soon after his elevation to the supreme command, a general massacre of the English seems to have been resolved upon; and during four years the means of perpetrating it with the greatest facility and success were concerted with amazing secrecy. All the tribes contiguous to the English settlements were successively gained, except those on the eastern shore, from whom, on account of their peculiar attachment to their new neighbours, every circumstance that might discover what they intended was carefully concealed. To each tribe its station was allotted, and the part it was to act prescribed. On the morning of the day consecrated to vengeance, each was at the place of rendezvous appointed, while the English were so little aware of the impending destruction, that they received with unsuspecting hospitality several persons sent by Opechancanough, under pretext of delivering presents of venison and fruits, but in reality to observe their motions. Finding them perfectly secure, at mid-day, the moment that was previously fixed for this deed of horror, the Indians rushed at once upon them in all their different settlements, and murdered men, women, and children, with undistinguishing rage, and that rancorous cruelty with which savages treat their enemies. In one hour nearly a fourth part of the whole colony was cut off, almost without knowing by whose hands they fell. The slaughter would have been universal, if compassion or a sense of duty had not moved a converted Indian, to whom the secret was communicated the night before the massacre, to reveal it to his master in such time as to save James town and some adjacent settlements; and if the English in other districts had not run to their arms with resolution prompted by despair, and defended themselves so bravely as to repulse their assailants, who, in the execution of their plan, did not discover courage equal to the sagacity and art with which they had concerted it.

But though the blow was thus prevented from descending with its full effect, it proved very grievous to an infant colony. In some settlements not a single Englishman escaped. Many persons of prime note in the colony, and, among these several members of the council, were slain. The survivors, overwhelmed with grief, astonishment, and terror, abandoned all their remote settlements, and crowding together for safety to James town, did not occupy a territory of greater extent than had been planted soon after the arrival of their countrymen in Virginia. Confined within those narrow boundaries, they were less intent on schemes of industry than on thoughts of revenge. Every man took arms. A bloody war against the Indians commenced; and, bent on exterminating the whole race, neither old nor young were spared. The conduct of the Spaniards in the southern regions of America was openly proposed as the most proper model to imitate; and regardless, like them, of those principles of faith, honour, and humanity, which regulate hostility among civilized nations and set bounds to its rage, the English deemed everything allowable that tended to accomplish their design. They hunted the Indians like wild beasts rather than enemies; and as the pursuit of them to their places of retreat in the woods, which covered the country, was both difficult and dangerous, they endeavoured to allure them from their inaccessible fastnesses by offers of peace and promises of oblivion, made with such an artful appearance of sincerity as deceived their crafty leader, and induced them to return to their former settlements, and resume their usual peaceful occupations. The behaviour of the two people seemed now to be perfectly reversed. The Indians, like men acquainted with the principles of integrity and good faith, on which the intercourse between nations is founded, confided in the reconciliation, and lived in absolute security without suspicion of danger; while the English, with perfidious craft, were preparing to imitate savages in their revenge and cruelty. On the approach of harvest, when they knew an hostile attack would be most formidable and fatal, they fell suddenly upon all the Indian plantations, murdered every person on whom they could lay hold, and drove the rest to the woods, where so many perished with hunger, that some of the tribes nearest to the English were totally extirpated. This atrocious deed, which the perpetrators laboured to represent as a necessary act of retaliation, was followed by some happy effects. It delivered the colony so entirely from any dread of the Indians, that its settlements began again to extend, and its industry to revive.

But unfortunately at this juncture the state of the company in England, in which the property of Virginia and the government of the colony settled there were vested, prevented it from seconding the efforts of the planters, by such a reinforcement of men and such a supply of necessaries, as were requisite to replace what they had lost. The company was originally composed of many adventurers, and increased so fast by the junction of new members, allured by the prospect of gain, or the desire of promoting a scheme of public utility, that its general courts formed a numerous assembly. The operation of every political principle and passion that spread through the kingdom was felt in those popular meetings and influenced their decisions. As towards the close of James's reign more just and enlarged sentiments with respect to constitutional liberty were diffused among the people, they came to understand their rights better and to assert them with greater clear-

ness; a distinction formerly little known, but now familiar in English policy, began to be established between the court and country parties, and the leaders of each endeavoured to derive power and consequence from every quarter. Both exerted themselves with emulation, in order to obtain the direction of a body so numerous and respectable as the company of Virginian adventurers. In consequence of this, business had been conducted in every general court for some years, not with the temperate spirit of merchants deliberating concerning their mutual interest, but with the animosity and violence natural to numerous assemblies, by which rival factions contend for superiority.

As the king did not often assemble the great council of the nation in parliament, the general courts of the company became a theatre on which popular orators displayed their talents; the proclamations of the crown and acts of the privy council, with respect to the commerce and police of the colony, were canvassed there with freedom, and censured with severity, ill-suited to the lofty ideas which James entertained of his own wisdom and the extent of his prerogative. In order to check this growing spirit of discussion the ministers employed all their address and influence to gain as many members of the company as might give them the direction of their deliberations. But so unsuccessful were they in this attempt that every measure proposed by them was reprobated by a vast majority, and sometimes without any reason but because they were the proposers of it. James, little favourable to the power of any popular assembly, and weary of contending with one over which he had laboured in vain to obtain an ascendant, began to entertain thoughts of dissolving the company, and new-modelling its constitution. Pretences, neither unpalatable nor destitute of some foundation, seemed to justify this measure. The slow progress of the colony, the large sums of money expended, and great number of men who had perished in attempting to plant it, the late massacre by the Indians, and every disaster that had befallen the English from their first migration to America, were imputed solely to the inability of a numerous company to conduct an enterprise so complex and arduous. The nation felt sensibly its disappointment in a scheme in which it had engaged with sanguine expectations of advantage, and wished impatiently for such an impartial scrutiny into former proceedings as might suggest more salutary measures in the future administration of the colony. The present state of its affairs, as well as the wishes of the people, seemed to call for the interposition of the crown; and James, eager to display the superiority of his royal wisdom, in correcting those errors into which the company had been betrayed by inexperience in the arts of government, boldly undertook the work of reformation. Without regarding the rights conveyed to the company by their charter, and without the formality of any judicial proceeding for annulling it, he, by virtue of his prerogative, issued a commission, empowering some of the judges and other persons of note, to examine into all the transactions of the company from its first establishment, and to lay the result of their inquiries, together with their opinion concerning the most effectual means of rendering the colony more prosperous, before the privy council. At the same time, by a strain of authority still higher, he ordered all the records and papers of the company to be seized, and two of its principal officers to be arrested. Violent and arbitrary as these acts of authority may now appear, the commis-

sioners carried on their inquiry without any obstruction but what arose from some feeble and ineffectual remonstrances of the company. The commissioners, though they conducted their scrutiny with much activity and vigour, did not communicate any of their proceedings to the company; but their report, with respect to its operations, seems to have been very unfavourable, as the king, in consequence of it, signified to the company his intention of vesting the supreme government of the company in a governor and twelve assistants, to be resident in England, and the executive power in a council of twelve, which should reside in Virginia. The governor and assistants were to be originally appointed by the king. Future vacancies were to be supplied by the governor and his assistants, but their nomination was not to take effect until it should be ratified by the privy council. The twelve councillors in Virginia were to be chosen by the governor and assistants; and this choice was likewise subjected to the review of the privy council. With an intention to quiet the minds of the colonists it was declared that private property should be deemed sacred; and for the more effectual security of it all grants of lands from the former company were to be confirmed by the new one. In order to facilitate the execution of this plan, the king required the company instantly to surrender its charter into his hands.

But here James and his ministers encountered a spirit of which they seem not to have been aware. They found the members of the company unwilling tamely to relinquish rights of franchises, conveyed to them with such legal formality, that upon faith in their validity they had expended considerable sums; and still more averse to the abolition of a popular form of government, in which every proprietor had a voice, in order to subject a colony, in which they were deeply interested, to the dominion of a small junta absolutely dependent on the crown. Neither promises nor threats could induce them to depart from these sentiments; and in a general court the king's proposal was almost unanimously rejected, and a resolution taken to defend to the utmost their chartered rights, if these should be called in question in any court of justice. James, highly offended at their presumption in daring to oppose his will, directed a writ of *quo warranto* to be issued against the company, that the validity of its charter might be tried in the court of King's Bench; and in order to aggravate the charge, by collecting additional proofs of mal-administration, he appointed some persons in whom he could confide, to repair to Virginia to inspect the state of the colony, and inquire into the conduct of the company, and of its officers there.

The law-suit in the King's Bench did not hang long in suspense. It terminated, as was usual in that reign, in a decision perfectly consonant to the wishes of the monarch. The charter was forfeited, the company was dissolved, and all the rights and privileges conferred upon it returned to the king, from whom they flowed.

Some writers, particularly Smith, the most intelligent and best informed historian of Virginia, mention the dissolution of the company as a most disastrous event to the colony. Animated with liberal sentiments, imbibed in an age when the principles of liberty were more fully unfolded than under the reign of James, they viewed his violent and arbitrary proceedings on this occasion with such indignation, that their abhorrence of the means which he employed to accomplish his design seems to have rendered them incapable of contemplating its effects with discern-

ment and candour. There is not perhaps any mode of governing an infant colony less friendly to its liberty, than the dominion of an exclusive corporation possessed of all the powers which James had conferred upon the company of adventurers in Virginia. During several years the colonists can hardly be considered in any other light than as servants to the company, nourished out of its stores, bound implicitly to obey its orders, and subjected to the most rigorous of all forms of government, that of martial law. Even after the native spirit of Englishmen began to rouse under oppression, and had extorted from their superiors the right of enacting laws for the government of that community of which they were members, as no act, though approved of by all the branches of the provincial legislature, was held to be of legal force until it was ratified by a general court in England, the company still retained the paramount authority in its own hands. Nor was the power of the company more favourable to the prosperity of the colony than to its freedom. A numerous body of merchants, as long as its operations are purely commercial, may carry them on with discernment and success. But the mercantile spirit seems ill adapted to conduct an enlarged and liberal plan of civil policy, and colonies have seldom grown up to maturity and vigour under its narrow and interested regulations. To the unavoidable defects in administration which this occasioned, were added errors arising from inexperience. The English merchants of that age had not those extensive views which a general commerce opens to such as have the direction of it. When they first began to venture out of the beaten track, they groped their way with timidity and hesitation. Unacquainted with the climate and soil of America, and ignorant of the productions best suited to them, they seem to have had no settled plan of improvement, and their schemes were continually varying. Their system of government was equally fluctuating. In the course of eighteen years ten different persons presided over the province as chief governors. No wonder that, under such administration, all the efforts to give vigour and stability to the colony should prove abortive, or produce only slender effects. These efforts, however, when estimated according to the ideas of that age, either with respect to commerce or to policy, were very considerable, and conducted with astonishing perseverance.

Above an hundred and fifty thousand pounds were expended in this first attempt to plant an English colony in America; and more than nine thousand persons were sent out from the mother country to people this new settlement. At the dissolution of the company the nation, in return for this waste of treasure and of people, did not receive from Virginia an annual importation of commodities exceeding twenty thousand pounds in value; and the colony was so far from having added strength to the state by an increase of population, that in the year one thousand six hundred and twenty-four scarcely two thousand persons survived; a wretched remnant of the numerous emigrants who had flocked thither with sanguine expectations of a very different fate.

The company, like all unprosperous societies, fell unopposed. The violent hand with which prerogative had invaded its rights was forgotten, and new prospects of success opened, under a form of government exempt from all the defects to which past disasters were imputed. The king and the nation concurred with equal ardour in resolving to encourage the colony. Soon after the final judgment in the court of

King's Bench against the company James appointed a council of twelve persons to take the temporary direction of affairs in Virginia, that he might have leisure to frame with deliberate consideration proper regulations for the permanent government of the colony. Pleased with such an opportunity of exercising his talents as a legislator, he began to turn his attention towards the subject; but death prevented him from completing his plan.

Charles I. on his accession to the throne, adopted all his father's maxims with respect to the colony in Virginia. He declared it to be a part of the empire annexed to the crown, and immediately subordinate to its jurisdiction; he conferred the title of governor on Sir George Yardely, and appointed him, in conjunction with a council of twelve and a secretary, to exercise supreme authority there, and enjoined them to conform, in every point, to such instructions as from time to time they might receive from him. From the tenor of the king's commission, as well as from the known spirit of his policy, it is apparent that he intended to vest every power of government, both legislative and executive, in the governor and council, without recourse to the representatives of the people, as possessing a right to enact laws for the community, or to impose taxes upon it. Yardely and his council, who seem to have been fit instruments for carrying this system of arbitrary rule into execution, did not fail to put such a construction on the words of their commission as was most favourable to their own jurisdiction. During a great part of Charles's reign, Virginia knew no other law than the will of the sovereign. Statutes were published, and taxes imposed, without once calling the representatives of the people to authorize them by their sanction. At the same time that the colonists were bereaved of political rights, which they deemed essential to freemen and citizens, their private property was violently invaded. A proclamation was issued by which, under pretences equally absurd and frivolous, they were prohibited from selling tobacco to any person but certain commissioners appointed by the king to purchase it on his account; and they had the cruel mortification to behold the sovereign, who should have afforded them protection, engross all the profits of their industry, by seizing the only valuable commodity which they had to vend, and retaining the monopoly of it in his own hands. While the staple of the colony in Virginia sunk in value under the oppression and restraints of a monopoly, property in land was rendered insecure by various grants of it, which Charles inconsequently bestowed upon his favourites. These were not only of such exorbitant extent as to be unfavourable to the progress of cultivation; but from inattention, or imperfect acquaintance with the geography of the country, their boundaries were so inaccurately defined, that large tracts already occupied and planted were often included in them.

The murmurs and complaints which such a system of administration excited were augmented by the rigour with which Sir John Harvey, who succeeded Yardely in the government of the colony, enforced every act of power. Rapacious, unfeeling, and haughty, he added insolence to oppression, and neither regarded the sentiments nor listened to the remonstrances of the people under his command. The colonists, far from the seat of government, and overawed by authority derived from a royal commission, submitted long to his tyranny and exactions. Their patience was at last exhausted; and in a transport of popular rage and indignation they seized their go

vernor, and sent him a prisoner to England, accompanied by two of their number, whom they deputed to prefer their accusations against him to the king. But this attempt to redress their own wrongs, by a proceeding so summary and violent as is hardly consistent with any idea of regular government, and can be justified only in cases of such urgent necessity as rarely occur in civil society, was altogether repugnant to every notion which Charles entertained with respect to the obedience due by subjects to their sovereign. To him the conduct of the colonists appeared to be not only an usurpation of his right to judge and to punish one of his own officers, but an open and audacious act of rebellion against his authority. Without deigning to admit their deputies into his presence, or to hear one article of their charge against Harvey, the king instantly sent him back to his former station, with an ample renewal of all the powers belonging to it. But though Charles deemed this vigorous step necessary in order to assert his own authority, and to testify his displeasure with those who had presumed to offer such an insult to it, he seems to have been so sensible of the grievances under which the colonists groaned, and of the chief source from which they flowed, that soon after he not only removed a governor so justly odious to them, but named as a successor Sir William Berkeley, a person far superior to Harvey in rank and abilities, and still more distinguished by possessing all the popular virtues to which the other was a stranger.

Under his government the colony in Virginia remained, with some short intervals of interruption, almost forty years; and to his mild and prudent administration its increase and prosperity are in a great measure to be ascribed. It was, indebted, however, to the king himself for such a reform of its constitution and policy, as gave a different aspect to the colony, and animated all its operations with new spirit. Though the tenor of Sir William Berkeley's commission was the same with that of his predecessor, he received instructions under the great seal, by which he was empowered to declare, that in all its concerns, civil as well as ecclesiastical, the colony was to be governed according to the laws of England; he was directed to issue writs for electing representatives of the people, who, in conjunction with the governor and council, were to form a general assembly, and to possess supreme legislative authority in the community; he was ordered to establish courts of justice, in which all questions, whether civil or criminal, were to be decided agreeably to the forms of judicial procedure in the mother country. It is not easy to discover what were the motives which induced a monarch, tenacious in adhering to any opinion or system which he had once adopted, jealous to excess of his own rights, and adverse on every occasion to any extension of the privileges claimed by his people, to relinquish his original plan of administration in the colony, and to grant such immunities to his subjects settled there. From the historians of Virginia, no less superficial than ill informed, no light can be derived with respect to this point. It is most probable the dread of the spirit then rising in Great Britain extorted from Charles concessions so favourable to Virginia. After an intermission of almost twelve years the state of his affairs compelled him to have recourse to the great council of the nation. There his subjects would find a jurisdiction independent of the crown, and able to controul its authority. There they hoped for legal redress of all their grievances. As the colonists in

Virginia had applied for relief to a former parliament, it might be expected with certainty that they would lay their case before the first meeting of an assembly in which they were secure of a favourable audience. Charles knew that if the spirit of his administration in Virginia were to be tried by the maxims of the English constitution, it must be severely reprehended. He was aware that many measures of greater moment in his government would be brought under a strict review in parliament; and, unwilling to give malcontents the advantage of adding a charge of oppression in the remote parts of his dominions to a catalogue of domestic grievances, he artfully endeavoured to take the merit of having granted voluntarily to his people in Virginia such privileges as he foresaw would be extorted from him.

But though Charles established the internal government of Virginia on a model similar to that of the English constitution, and conferred on his subjects there all the rights of freemen and citizens, he was extremely solicitous to maintain its connexion with the parent state. With this view he instructed Sir William Berkeley strictly to prohibit any commerce of the colony with foreign nations; and in order more certainly to secure exclusive possession of all the advantages arising from the sale of its productions, he was required to take a bond from the master of each vessel that sailed from Virginia to land his cargo in some part of the king's dominions in Europe. Even under this restraint, such is the kindly influence of free government on society, the colony advanced so rapidly in industry and population, that at the beginning of the civil war the English settled in it exceeded twenty thousand.

Gratitude towards a monarch from whose hands they had received immunities which they had long wished but hardly expected to enjoy, the influence and example of a popular governor, passionately devoted to the interests of his master, concurred in preserving inviolated loyalty among the colonists. Even after monarchy was abolished, after one king had been beheaded, and another driven into exile, the authority of the crown continued to be acknowledged and revered in Virginia. Irritated at this open defiance of its power, the parliament issued an ordinance, declaring, that as the settlement in Virginia had been made at the cost and by the people of England, it ought to be subordinate to and dependent upon the English commonwealth, and subject to such laws and regulations as are or shall be made in parliament; that, instead of this dutiful submission, the colonists had disclaimed the authority of the state and audaciously rebelled against it; that on this account they were denounced notorious traitors, and not only all vessels belonging to natives of England but those of foreign nations were prohibited to enter their ports, or to carry on any commerce with them.

It was not the mode of that age to wage a war of words alone. The efforts of a high-spirited government in asserting its own dignity were prompt and vigorous. A powerful squadron, with a considerable body of land forces, was despatched to reduce the Virginians to obedience. After compelling the colonies in Barbadoes and the other islands to submit to the commonwealth, the squadron entered the bay of Chesapeake. Berkeley, with more courage than prudence, took arms to oppose this formidable armament; but he could not long maintain such an unequal contest. His gallant resistance, however, procured favourable terms to the people under his government. A general indemnity for all past offences was granted; they acknowledged the authority of

the commonwealth, and were admitted to a participation of all the rights enjoyed by citizens. Berkeley, firm to his principles of loyalty, disdained to make any stipulation for himself; and choosing to pass his days far removed from the seat of a government which he detested, continued to reside in Virginia as a private man, beloved and respected by all over whom he had formerly presided.

Not satisfied with taking measures to subject the colonies, the commonwealth turned its attention towards the most effectual mode of retaining them in dependence on the parent state, and of securing to it the benefit of their increasing commerce. With this view the parliament framed two laws, one of which expressly prohibited all mercantile intercourse between the colonies and foreign states, and the other ordained that no production of Asia, Africa, or America should be imported into the dominions of the commonwealth but in vessels belonging to English owners, or to the people of the colonies settled there, and navigated by an English commander, and by crews of which the greater part must be Englishmen. But while the wisdom of the commonwealth prescribed the channel in which the trade of the colonies was to be carried on, it was solicitous to encourage the cultivation of the staple commodity of Virginia by an act of parliament, which gave legal force to all the injunctions of James and Charles against planting tobacco in England.

Under governors appointed by the commonwealth, or by Cromwell when he usurped the supreme power, Virginia remained almost nine years in perfect tranquillity. During that period many adherents to the royal party, and among these some gentlemen of good families, in order to avoid danger and oppression to which they were exposed in England, or in hopes of repairing their ruined fortunes, resorted thither. Warmly attached to the cause for which they had fought and suffered, and animated with all the passions natural to men recently engaged in a fierce and long protracted civil war, they, by their intercourse with the colonists, confirmed them in principles of loyalty, and added to their impatience and indignation under the restraints imposed on their commerce by their new masters. On the death of Matthews, the last governor named by Cromwell, the sentiments and inclination of the people, no longer under the controul of authority, burst out with violence. They forced Sir William Berkeley to quit his retirement; they unanimously elected him governor of the colony; and as he refused to act under an usurped authority, they boldly erected the royal standard, and acknowledging Charles II. to be their lawful sovereign, proclaimed him with all his titles; and the Virginians long boasted, that as they were the last of the king's subjects who renounced their allegiance, they were the first who returned to their duty.

Happily for the people of Virginia, a revolution in England, no less sudden and unexpected, seated Charles on the throne of his ancestors, and saved them from the severe chastisement to which their premature declaration in his favour must have exposed them. On receiving the first account of this event, the joy and exultation of the colony were universal and unbounded. These, however, were not of long continuance. Gracious but unproductive professions of esteem and good will were the only return made by Charles to loyalty and services which in their own estimation were so distinguished that no recompence was beyond what they might claim. If the king's neglect and ingratitude disappointed all

the sanguine hopes which their vanity had founded on the merit of their past conduct, the spirit which influenced parliament in its commercial deliberations opened a prospect that alarmed them with respect to their future situation. In framing regulations for the encouragement of trade, which, during the convulsions of civil war, and amidst continual fluctuations in government, had met with such obstruction that it declined in every quarter; the House of Commons, instead of granting the colonies that relief which they expected from the restraints in their commerce imposed by the commonwealth and Cromwell, not only adopted all their ideas concerning this branch of legislation, but extended them further.

This produced the *act of navigation*, the most important and memorable of any in the statute-book with respect to the history of English commerce. By it, besides several momentous articles foreign to the subject of this work, it was enacted, that no commodities should be imported into any settlement in Asia, Africa, or America, or exported from them, but in vessels of English or plantation built, whereof the master and three-fourths of the mariners shall be English subjects, under pain of forfeiting ship and goods; that none but natural-born subjects, or such as have been naturalized, shall exercise the occupation of merchant or factor in any English settlement, under pain of forfeiting their goods and chattels; that no sugar, tobacco, cotton, wool, indigo, ginger, or woods used in dyeing, of the growth or manufacture of the colonies, shall be shipped from them to any other country but England; and in order to secure the performance of this, a sufficient bond, with one surety, shall be given before sailing by the owners, for a specific sum proportional to the rate of the vessel employed by them. The productions subjected to this restriction are distinguished, in the language of commerce and finance, by the name of *enumerated commodities*, and as industry in its progress furnished new articles of value, these have been successively added to the roll, and subjected to the same restraint. Soon after, the act of navigation was extended, and additional restraints were imposed, by a new law, which prohibited the importation of any European commodity into the colonies, but what was laden in England in vessels navigated and manned as the act of navigation required. More effectual provision was made by this law for enacting the penalties to which the transgressors of the act of navigation were subjected; and the principles of policy, on which the various regulations contained in both statutes are founded, were openly avowed in a declaration, that as the plantations beyond seas are inhabited and peopled by subjects of England, they may be kept in a firmer dependence upon it, and rendered yet more beneficial and advantageous unto it, in the further employment and increase of English shipping and seamen, as well as in the vent of English woollen and other manufactures and commodities; and in making England a staple, not only of the commodities of those plantations, but also of the commodities of other countries and places, for the supplying of them; and it being the usage of other nations to keep the trade of their plantations to themselves. In prosecution of those favourite maxims, the English legislature proceeded a step further. As the act of navigation had left the people of the colonies at liberty to export the enumerated commodities from one plantation to another without paying any duty, it subjected them to a tax equivalent to what was paid by the consumers of these commodities in England.

By these successive regulations, the plan of securing to England a monopoly of the commerce with its colonies, and of shutting up every other channel into which it might be diverted, was perfected, and reduced into a complete system. On one side of the Atlantic these regulations have been extolled as an extraordinary effort of political sagacity, and have been considered as the great charter of national commerce, to which the parent state is indebted for all its opulence and power. On the other, they have been execrated as a code of oppression, more suited to the illiberality of mercantile ideas than to extensive views of legislative wisdom. Which of these opinions is best founded, I shall examine at large in another part of this work. But in writing the history of the English settlements in America, it was necessary to trace the progress of those restraining laws with accuracy, as in every subsequent transaction we may observe a perpetual exertion, on the part of the mother-country, to enforce and extend them; and on the part of the colonies, endeavours no less unrelenting to elude or to obstruct their operation.

Hardly was the act of navigation known in Virginia, and its effects begun to be felt, when the colony remonstrated against it as a grievance, and petitioned earnestly for relief. But the commercial ideas of Charles and his ministers coincided so perfectly with those of parliament, that, instead of listening with a favourable ear to their applications, they laboured assiduously to carry the act into strict execution. For this purpose, instructions were issued to the governor, forts were built on the banks of the principal rivers, and small vessels appointed to cruise on the coast. The Virginians, seeing no prospect of obtaining exemption from the act, set themselves to evade it; and found means, notwithstanding the vigilance with which they were watched, of carrying on a considerable clandestine trade with foreigners, particularly with the Dutch settled on Hudson's river. Emboldened by observing disaffection spread through the colony, some veteran soldiers who had served under Cromwell, and had been banished to Virginia, formed a design of rendering themselves masters of the country, and of asserting its independence on England. This rash project was discovered by one of their associates, and disconcerted by the vigorous exertions of Sir William Berkeley. But the spirit of discontent, though repressed, was not extinguished. Every day something occurred to revive and to nourish it. As it is with extreme difficulty that commerce can be turned into a new channel, tobacco, the staple of the colony, sunk prodigiously in value when they were compelled to send it all to one market. It was some time before England could furnish them regularly with full assortments of those necessary articles, without which the industry of the colony could not be carried on, or its prosperity secured. Encouraged by the symptoms of general languor and despondency which this declining state of the colony occasioned, the Indians seated towards the ends of the rivers ventured first to attack the remote settlements, and then to make incursions into the interior parts of the country. Unexpected as these hostilities were, from a people who during a long period had lived in friendship with the English, a measure taken by the king seems to have excited still greater terror among the most opulent people of the colony. Charles had imprudently imitated the example of his father, by granting such large tracts of land in Virginia to several of his courtiers, as tended to unsettle the distribu-

tion of property in the country, and to render the title of the most ancient planters to their estates precarious and questionable. From those various causes, which in a greater or lesser degree affected every individual in the colony, the indignation of the people became general, and was worked up to such a pitch, that nothing was wanting to precipitate them into the most desperate acts but some leader qualified to unite and to direct their operations.

Such a leader they found in Nathaniel Bacon, a colonel of militia, who, though he had been settled in Virginia only three years, had acquired, by popular manners, an insinuating address, and the consideration derived from having been regularly trained in England to the profession of law, such general esteem, that he had been admitted into the council, and was regarded as one of the most respectable persons in the colony. Bacon was ambitious, eloquent, daring, and, prompted either by honest zeal to redress the public wrongs, or allured by hopes of raising himself to distinction and power, he mingled with the malcontents; and by his bold harangues and confident promises of removing all their grievances, he inflamed them almost to madness. As the devastation committed by the Indians was the calamity most sensibly felt by the people, he accused the governor of having neglected the proper measures for repelling the invasions of the savages, and exhorted them to take arms in their own defence, and to exterminate that odious race. Great numbers assembled, and chose Bacon to be their general. He applied to the governor for a commission, confirming this election of the people, and offered to march instantly against the common enemy. Berkeley, accustomed by long possession of supreme command to high ideas of the respect due to his station, considered this tumultuary armament as an open insult to his authority, and suspected that, under specious appearances, Bacon concealed most dangerous designs. Unwilling, however, to give further provocations to an incensed multitude by a direct refusal of what they demanded, he thought it prudent to negotiate, in order to gain time; and it was not until he found all endeavours to soothe them ineffectual, that he issued a proclamation, requiring them, in the king's name, under the pain of being denounced rebels, to disperse.

But Bacon, sensible that he had now advanced so far as rendered it impossible to recede with honour or safety, instantly took the only resolution that remained in his situation. At the head of a chosen body of his followers, he marched rapidly to James town, and surrounding the house where the governor and council were assembled, demanded the commission for which he had formerly applied. Berkeley, with the proud indignant spirit of a cavalier, disdaining the requisitions of a rebel, peremptorily refused to comply, and calmly presented his naked breast to the weapons which were pointed against it. The council, however, foreseeing the fatal consequences of driving an enraged multitude, in whose power they were, to the last extremities of violence, prepared a commission constituting Bacon general of all the forces in Virginia, and by their entreaties prevailed on the governor to sign it. Bacon with his troops retired in triumph. Hardly was the council delivered by his departure from the dread of present danger, when, by a transition not unusual in feeble minds, presumptuous boldness succeeded to excessive fear. The commission granted to Bacon was declared to be null, having been extorted by force; he was proclaimed a rebel,

his followers were required to abandon his standard, and the militia ordered to arm, and to join the governor.

Enraged at conduct which he branded with the name of base and treacherous, Bacon, instead of continuing his march towards the Indian country, instantly wheeled about, and advanced with all his forces to James town. The governor, unable to resist such a numerous body, made his escape, and fled across the bay to Acomack on the eastern shore. Some of the counsellors accompanied him thither, others retired to their own plantations. Upon the flight of Sir William Berkeley, and dispersion of the council, the frame of civil government in the colony seemed to be dissolved, and Bacon became possessed of supreme and uncontrolled power. But as he was sensible that his countrymen would not long submit with patience to authority acquired and held merely by force of arms, he endeavoured to found it on a more constitutional basis, by obtaining the sanction of the people's approbation. With this view he called together the most considerable gentlemen in the colony, and having prevailed on them to bind themselves by oath to maintain his authority, and to resist every enemy that should oppose it, he from that time considered his jurisdiction as legally established.

Berkeley, meanwhile, having collected some forces, made inroads into different parts of the colony where Bacon's authority was recognised. Several sharp conflicts happened with various success. James town was reduced to ashes, and the best cultivated districts in the province were laid waste, sometimes by one party, and sometimes by the other. But it was not by his own exertions that the governor hoped to terminate the contest. He had early transmitted an account of the transactions in Virginia to the king, and demanded such a body of soldiers as would enable him to quell the insurgents, whom he represented as so exasperated by the restraints imposed on their trade, that they were impatient to shake off all dependence on the parent state. Charles, alarmed at a commotion no less dangerous than unexpected, and solicitous to maintain his authority over a colony the value of which was daily increasing and more fully understood, speedily despatched a small squadron with such a number of regular troops as Berkeley had required. Bacon and his followers received information of this armament, but were not intimidated at its approach. They boldly determined to oppose it with open force, and declared it to be consistent with their duty and allegiance, to treat all who should aid Sir William Berkeley as enemies, until they should have an opportunity of laying their grievances before their sovereign.

But while both parties prepared, with equal animosity, to involve their country in the horrors of civil war, an event happened, which quieted the commotion almost as suddenly as it had been excited. Bacon, when ready to take the field, sickened and died. None of his followers possessed such talents, or were so much objects of the people's confidence, as entitled them to aspire to the supreme command. Destitute of a leader to conduct and animate them, their sanguine hopes of success subsided; mutual distrust accompanied this universal despondency; all began to wish for an accommodation; and after a short negotiation with Sir William Berkeley, they laid down their arms, and submitted to his government, on obtaining a promise of general pardon,

Thus terminated an insurrection, which, in the annals of Virginia, is distinguished by the name of Bacon's rebellion. During seven months this daring leader was master of the colony, while the royal governor was shut up in a remote and ill-peopled corner of it. What were the real motives that prompted him to take arms, and to what length he intended to carry his plans of reformation, either in commerce or government, it is not easy to discover in the scanty materials from which we derive our information with respect to this transaction. It is probable, that his conduct, like that of other adventurers in faction, would have been regulated chiefly by events; and accordingly as these proved favourable or adverse, his views and requisitions would have been extended or circumscribed.

Sir William Berkeley, as soon as he was reinstated in his office, called together the representatives of the people, that by their advice and authority public tranquility and order might be perfectly established. Though this assembly met a few weeks after the death of Bacon, while the memory of reciprocal injuries was still recent, and when the passions excited by such a fierce contest had but little time to subside, its proceedings were conducted with a moderation seldom exercised by the successful party in a civil war. No man suffered capitally; a small number were subjected to fines; others were declared incapable of holding any office of trust; and with those exceptions the promise of general indemnity was confirmed by law. Soon after, Berkeley was recalled, and colonel Jefferys was appointed his successor.

From that period to the revolution in 1688, there is scarcely any memorable occurrence in the history of Virginia. A peace was concluded with the Indians. Under several successive governors, administration was carried on in the colony with the same arbitrary spirit that distinguished the latter years of Charles II. and the precipitate counsels of James II. The Virginians, with a constitution which in form resembled that of England, enjoyed hardly any portion of the liberty which that admirable system of policy is framed to secure. They were deprived even of the last consolation of the oppressed, the power of complaining, by a law which, under severe penalties, prohibited them from speaking disrespectfully of the governor, or defaming, either by words, or writing, the administration of the colony. Still, however, the laws restraining their commerce were felt as an intolerable grievance, and they nourished in secret a spirit of discontent, which, from the necessity of concealing it, acquired a greater degree of acrimony. But notwithstanding those unfavourable circumstances, the colony continued to increase. The use of tobacco was now become general in Europe; and though it had fallen considerably in price, the extent of demand compensated that diminution, and by giving constant employment to the industry of the planters, diffused wealth among them. At the revolution the number of inhabitants in the colony exceeded sixty thousand, and in the course of twenty-eight years its population had been more than doubled.

BOOK X.

When James I., in the year one thousand six hundred and six, made that magnificent partition which has been mentioned, of a vast region in North America, extending from the thirty-fourth to the forty-fifth degree of latitude, between two trading

companies of his subjects, he established the residence of the one in London, and of the other in Plymouth. The former was authorized to settle in the southern, and the latter in the northern part of this territory, then distinguished by the general name of Virginia. This arrangement seems to have been formed upon the idea of some speculative refiner, who aimed at diffusing the spirit of industry, by fixing the seat of one branch of the trade that was now to be opened on the east coast of the island, and the other on the west. But London possesses such advantages of situation that the commercial wealth and activity of England have always centered in the capital. At the beginning of the last century the superiority of the metropolis in both these respects was so great, that though the powers and privileges conferred by the king on the two trading companies were precisely the same, the adventurers settled in Plymouth fell far short of those in London in the vigour and success of their efforts towards accomplishing the purpose of their institution. Though the operations of the Plymouth company were animated by the public-spirited zeal of Sir John Popham, Chief Justice of England, Sir Ferdinando Gorges, and some other gentlemen of the west, all its exertions were feeble and unfortunate.

The first vessel fitted out by the company was taken by the Spaniards. In the year one thousand six hundred and seven a feeble settlement was made at Sagahadoc; but on account of the rigour of the climate was soon relinquished, and for some time nothing further was attempted than a few fishing voyages to Cape Cod, or a pitiful traffic with the natives for skins and oil. One of the vessels equipped for this purpose was commanded by Captain Smith, whose name has been so often mentioned with distinction in the history of Virginia. The adventure was prosperous and lucrative. But his ardent enterprising mind could not confine its attention to objects so unequal to it as the petty details of a trading voyage. He employed a part of his time in exploring the coast, and in delineating its bays and harbours. On his return he laid a map of it before Prince Charles, and, with the usual exaggeration of discoverers, painted the beauty and excellence of the country in such glowing colours that the young prince, in the warmth of admiration, declared that it should be called New England; a name which effaced that of Virginia, and by which it is still distinguished.

The favourable accounts of the country by Smith, as well as the success of his voyage, seem to have encouraged private adventurers to prosecute the trade on the coast of New England with greater briskness; but did not inspire the languishing company of Plymouth with such vigour as to make any new attempt towards establishing a permanent colony there. Something more than the prospect of distant gain to themselves or of future advantages to their country, was requisite in order to induce men to abandon the place of their nativity to migrate to another quarter of the globe, and endure innumerable hardships under an untried climate, and in an uncultivated land covered with woods, or occupied by fierce and hostile tribes of savages. But what mere attention to private emolument or to national utility could not affect was accomplished by the operation of a higher principle. Religion had gradually excited among a great body of the people a spirit that fitted them remarkably for encountering the dangers, and surmounting the obstacles which had hitherto rendered abortive the schemes of colonization in that part of

America allotted to the company of Plymouth. As the various settlements in New England are indebted for their origin to this spirit, as in the course of our narrative we shall discern its influence mingling in all their transactions, and giving a peculiar tincture to the character of the people as well as to their institutions, both civil and ecclesiastical, it becomes necessary to trace its rise and progress with attention and accuracy.

When the superstitions and corruptions of the Romish church prompted different nations of Europe to throw off its yoke and to withdraw from its communion, the mode as well as degree of their separation was various. Wherever reformation was sudden, and carried on by the people without authority from their rulers, or in opposition to it, the rupture was violent and total. Every part of the ancient fabric was overturned, and a different system, not only with respect to doctrine, but to church government and the external rites of worship, was established. Calvin, who by his abilities, learning, and austerity of manners, had acquired high reputation and authority in the Protestant churches, was a zealous advocate for this plan of thorough reformation. He exhibited a model of that pure form of ecclesiastical policy which he approved in the constitution of the church of Geneva. The simplicity of its institutions, and still more their repugnancy to those of the popish church, were so much admired by all the stricter reformers that it was copied, with some small variations, in Scotland, in the republic of the United Provinces, in the dominions of the house of Brandenburg, in those of the elector Palatine, and in the churches of the Hugonots in France.

But in those countries where the steps of departure from the church of Rome were taken with greater deliberation, and regulated by the wisdom or policy of the supreme magistrate, the separation was not so wide. Of all the reformed churches that of England has deviated least from the ancient institutions. The violent but capricious spirit of Henry VIII., who, though he disclaimed the supremacy, revered the tenets of the papal see, checked innovations in doctrine or worship during his reign. When his son ascended the throne and the Protestant religion was established by law, the cautious prudence of Archbishop Cranmer moderated the zeal of those who had espoused the new opinions. Though the articles to be recognized as the system of national faith were framed conformably to the doctrines of Calvin, his notions with respect to church government and the mode of worship were not adopted. As the hierarchy in England was incorporated with the civil policy of the kingdom, and constituted a member of the legislature, archbishops and bishops, with all the subordinate ranks of ecclesiastics subject to them, were continued according to ancient form, and with the same dignity and jurisdiction. The peculiar vestments in which the clergy performed their sacred functions, bowing at the name of Jesus, kneeling at receiving the sacrament of the Lord's supper, the sign of the cross in baptism, the use of the ring in marriage, with several other rites to which long usage had accustomed the people, and which time had rendered venerable, were still retained. But though parliament enjoined the observance of these ceremonies under very severe penalties, several of the more zealous clergy entertained scruples with respect to the lawfulness of complying with this injunction: and the vigilance and authority of Cranmer and Ridley with difficulty saved

their infant church from the disgrace of a schism on this account.

On the accession of Mary, the furious zeal with which she persecuted all who had adopted the tenets of the reformers forced many eminent Protestants, laymen as well as ecclesiastics, to seek an asylum on the continent. Frankfort, Geneva, Basil, and Strassburg received them with affectionate hospitality as sufferers in the cause of truth, and the magistrates permitted them to assemble by themselves for religious worship. The exiles who took up their residence in the two former cities, modelled their little congregations according to the ideas of Calvin, and with a spirit natural to men in their situation, eagerly adopted institutions which appeared to be further removed from the superstitions of popery than those of their own church. They returned to England as soon as Elizabeth re-established the Protestant religion, not only with more violent antipathy to the opinions and practices of that church by which they had been oppressed, but with a strong attachment to that mode of worship to which they had been for some years accustomed. As they were received by their countrymen with the veneration due to confessors, they exerted all the influence derived from that opinion, in order to obtain such a reformation in the English ritual as might bring it nearer to the standard of purity in foreign churches. Some of the queen's most confidential ministers were warmly disposed to co-operate with them in this measure. But Elizabeth paid little regard to the inclinations of the one or the sentiments of the other. Fond of pomp and ceremony, accustomed, according to the mode of that age, to study religious controversy, and possessing, like her father, such confidence in her own understanding, that she never doubted her capacity to judge and decide with respect to every point in dispute between contending sects, she chose to act according to her own ideas, which led her rather to approach nearer to the church of Rome, in the parade of external worship, than to widen the breach by abolishing any rite already established. An act of parliament, in the first year of her reign, not only required an exact conformity to the mode of worship prescribed in the service-book, under most rigorous penalties, but empowered the queen to enjoin the observance of such additional ceremonies as might tend, in her opinion, to render the public exercises of devotion more decent and edifying.

The advocates for a further reformation, notwithstanding this cruel disappointment of the sanguine hopes with which they returned to their native country, did not relinquish their design. They disseminated their opinions with great industry among the people. They extolled the purity of foreign churches, and inveighed against the superstitious practices with which religion was defiled in their own church. In vain did the defenders of the established system represent that these forms and ceremonies were in themselves things perfectly indifferent, which, from long usage, were viewed with reverence; and, by their impression upon the senses and imagination tended not only to fix the attention but to affect the heart, and to warm it with devout and worthy sentiments. The puritans (for by that name such as scrupled to comply with what was enjoined by the act of uniformity were distinguished), maintained that the rites in question were inventions of men, superadded to the simple and reasonable service required in the word of God; that from the excessive solicitude with which conformity to them was exacted, the multitude must conceive such a high opi-

nion of their value and importance, as might induce them to rest satisfied with the mere form and shadow of religion, and to imagine that external observances may compensate for the want of inward sanctity; that ceremonies which had been long employed by a society manifestly corrupt, to veil its own defects, and to seduce and fascinate mankind, ought now to be rejected as relics of superstition unworthy of a place in a church which gloried in the name of *Reformed*.

The people, to whom in every religious controversy the final appeal is made, listened to the arguments of the contending parties; and it is obvious to which of them men, who had lately beheld the superstitious spirit of popery, and felt its persecuting rage, would lend the most favourable ear. The desire of a further separation from the church of Rome spread wide through the nation. The preachers who contended for this, and who refused to wear the surplice and other vestments peculiar to their order, or to observe the ceremonies enjoined by law, were followed and admired, while the ministry of the zealous advocates for conformity was deserted, and their persons often exposed to insult. For some time the non-conformists were connived at; but as their number and boldness increased, the interposition both of spiritual and civil authority was deemed necessary in order to check their progress. To the disgrace of Christians the sacred rights of conscience and private judgment, as well as the charity and mutual forbearance suitable to the mild spirit of the religion which they professed, were in that age little understood. Not only the idea of toleration but even the word itself in the sense now affixed to it, was then unknown. Every church claimed a right to employ the hand of power for the protection of truth and the extirpation of error. The laws of her kingdom armed Elizabeth with ample authority for this purpose, and she was abundantly disposed to exercise it with full vigour. Many of the most eminent among the puritan clergy were deprived of their benefices, others were imprisoned, several were fined, and some put to death. But persecution, as usually happens, instead of extinguishing, inflamed their zeal to such a height that the jurisdiction of the ordinary courts of law was deemed insufficient to suppress it, and a new tribunal was established under the title of the *high commission for ecclesiastical affairs*, whose powers and mode of procedure were hardly less odious or less hostile to the principles of justice than those of the Spanish inquisition. Several attempts were made in the House of Commons to check these arbitrary proceedings, and to moderate the rage of persecution; but the queen always imposed silence upon those who presumed to deliver any opinion with respect to a matter appertaining solely to her prerogative, in a tone as imperious and arrogant as was ever used by Henry VIII. in addressing his parliaments; and so tamely obsequious were the guardians of the people's rights that they not only obeyed those unconstitutional commands, but consented to an act by which every person who should absent himself from church during a month was subjected to punishment by fine and imprisonment; and if after conviction he did not within three months renounce his erroneous opinions and conform to the laws, he was then obliged to abjure the realm; but if he either refused to comply with this condition, or returned from banishment, he should be put to death as a felon without benefit of clergy.

By this iniquitous statute, equally repugnant to ideas of civil and of religious liberty, the puritans

were cut off from any hope of obtaining either reformation in the church or indulgence to themselves. Exasperated by this rigorous treatment their antipathy to the established religion increased, and with the progress natural to violent passions, carried them far beyond what was their original aim. The first puritans did not entertain any scruples with respect to the lawfulness of episcopal government, and seem to have been very unwilling to withdraw from communion with the church of which they were members. But when they were thrown out of her bosom, and constrained to hold separate assemblies for the worship of God, their followers no longer viewed a society by which they were oppressed, with reverence or affection. Her government, her discipline, her ritual, were examined with minute attention. Every error was pointed out, and every defect magnified. The more boldly any preacher inveighed against the corruptions of the church he was listened to with greater approbation; and the further he urged his disciples to depart from such an impure community, the more eagerly did they follow him. By degrees ideas of ecclesiastical policy, altogether repugnant to those of the established church, gained footing in the nation. The more sober and learned puritans inclined to that form which is known by the name of Presbyterian. Such as were more thoroughly possessed with the spirit of innovation, however much they might approve the equality of pastors which that system establishes, reprobated the authority which it vests in various judicatories, descending from one to another in regular subordination, as inconsistent with christian liberty.

These wild notions floated for some time in the minds of the people, and amused them with many ideal schemes of ecclesiastical policy. At length Robert Brown, a popular declaimer in high estimation, reduced them to a system on which he modelled his own congregation. He taught that the church of England was corrupt and antichristian, its ministers not lawfully ordained, its ordinances and sacraments invalid; and therefore he prohibited his people to hold communion with it in any religious function. He maintained that a society of christians, uniting together to worship God, constituted a church possessed of complete jurisdiction in the conduct of its own affairs, independent of any other society, and unaccountable to any superior; that the priesthood was neither a distinct order in the church, nor conferred an indelible character; but that every man qualified to teach might be set apart for that office by the election of the brethren, and by imposition of their hands: in like manner, by their authority, he might be discharged from that function and reduced to the rank of a private christian; that every person, when admitted a member of a church, ought to make a public confession of his faith, and give evidence of his being in a state of favour with God; and that all the affairs of a church were to be regulated by the decision of the majority of its members.

This democratical form of government, which abolished all distinction of ranks in the church, and conferred an equal portion of power on every individual, accorded so perfectly with the levelling genius of fanaticism that it was fondly adopted by many as a complete model of christian policy. From their founder they were denominated Brownists; and as their tenets were more hostile to the established religion than those of other separatists, the fiercest storm of persecution fell upon their heads. Many of them were fined or imprisoned, and some put to death: and though Brown, with a levity of which

there are few examples among enthusiasts whose vanity has been soothed by being recognized as heads of a party, abandoned his disciples, conformed to the established religion, and accepted of a benefice in the church, the sect not only subsisted but continued to spread, especially among persons in the middle and lower ranks of life. But as all their motions were carefully watched both by the ecclesiastical and civil courts, which, as often as they were detected, punished them with the utmost rigour, a body of them, weary of living in a state of continual danger and alarm, fled to Holland, and settled in Leyden, under the care of Mr. John Robinson, their pastor. There they resided for several years unmolested and obscure. But many of their aged members dying, and some of the younger marrying into Dutch families, while their church received no increase, either by recruits from England or by proselytes gained in the country, they began to be afraid that all their high attainments in spiritual knowledge would be lost, and that perfect fabric of policy which they had erected would be dissolved and consigned to oblivion, if they remained longer in a strange land.

Deeply affected with the prospect of an event which to them appeared fatal to the interests of truth, they thought themselves called, in order to prevent it, to remove to some other place where they might profess and propagate their opinions with greater success. America, in which their countrymen were at that time intent on planting colonies, presented itself to their thoughts. They flattered themselves with hopes of being permitted, in that remote region, to follow their own ideas in religion without disturbance. The dangers and hardships to which all former emigrants to America had been exposed, did not deter them. "They were well weaned (according to their own description) from the delicate milk of their mother country, and inured to the difficulties of a strange land. They were knit together in a strict and sacred band, by virtue of which they held themselves obliged to take care of the good of each other, and of the whole. It was not with them as with other men, whom small things could discourage, or small discontents cause to wish themselves at home again." The first object of their solicitude was to secure the free exercise of their religion. For this purpose they applied to the king; and though James refused to give them any explicit assurance of toleration, they seem to have obtained from him some promise of his connivance as long as they continued to demean themselves quietly. So eager were they to accomplish their favourite scheme, that relying on this precarious security, they began to negotiate with the Virginian company for a tract of land within the limits of their patent. This they easily procured from a society desirous of encouraging migration to a vast country, of which they had hitherto occupied only a few spots.

After the utmost efforts their preparations fell far short of what was requisite for beginning the settlement of a new colony. A hundred and twenty persons sailed from England in a single ship on this arduous undertaking. The place of their destination was Hudson's river, where they intended to settle; but their captain having been bribed, as is said, by the Dutch, who had then formed a scheme, which they afterwards accomplished, of establishing a colony there, carried them so far towards the north, that the first land in America which they made was Cape Cod. They were now not only beyond the

precincts of the territory which had been granted to them, but beyond those of the company from which they derived their right. The season, however, was so far advanced, and sickness raged so violently among men unaccustomed to the hardships of a long voyage, that it became necessary to take up their abode there. After exploring the coast, they chose for their station a place now belonging to the province of Massachusetts Bay, to which they gave the name of New Plymouth, probably out of respect to that company within whose jurisdiction they now found themselves situated.

No season could be more unfavourable to settlement than that in which the colony landed. The winter, which from the predominance of cold in America, is rigorous to a degree unknown in parallel latitudes of our hemisphere, was already set in; and they were slenderly provided with what was requisite for comfortable subsistence, under a climate considerably more severe than that for which they had made preparation. Above one half of them was cut off before the return of spring by diseases, or by famine; the survivors, instead of having leisure to attend to the supply of their own wants, were compelled to take arms against the savages in their neighbourhood. Happily for the English, a pestilence which raged in America the year before they landed, had swept off so great a number of the natives that they were quickly repulsed and humbled. The privilege of professing their own opinions, and of being governed by laws of their own framing, afforded consolation to the colonists amidst all their dangers and hardships. The constitution of their church was the same with that which they had established in Holland. Their system of civil government was founded on those ideas of the natural equality among men, to which their ecclesiastical policy had accustomed them. Every free man, who was a member of the church, was admitted into the supreme legislative body. The laws of England were adopted as the basis of their jurisprudence, though with some diversity in the punishments inflicted upon crimes, borrowed from the Mosaic institutions. The executive power was vested in a governor and some assistants, who were elected annually by the members of the legislative assembly. So far their institutions appear to be founded on the ordinary maxims of human prudence. But it was a favourite opinion with all the enthusiasts of that age, that the Scriptures contained a complete system not only of spiritual instruction but of civil wisdom and polity; and without attending to the peculiar circumstances or situation of the people whose history is there recorded, they often deduced general rules for their own conduct from what happened among men in a very different state. Under the influence of this wild notion the colonists of New Plymouth, in imitation of the primitive christians, threw all their property into a common stock, and, like members of one family, carried on every work of industry by their joint labour for public behoof. But, however this resolution might evidence the sincerity of their faith, it retarded the progress of their colony. The same fatal effects flowed from this community of goods and of labour, which had formerly been experienced in Virginia; and it soon became necessary to relinquish what was too refined to be capable of being accommodated to the affairs of men. But though they built a small town, and surrounded it with such a fence as afforded sufficient security against the assaults of Indians, the soil around it was so poor, their religious principles were so unso-

cial, and the supply sent them by their friends so scanty, that at the end of ten years the number of people belonging to the settlement did not exceed three hundred. During some years they appear not to have acquired right, by any legal conveyance, to the territory which they had occupied. At length they obtained a grant of property from the council of the New Plymouth company, but were never incorporated as a body politic by royal charter. Unlike all the other settlements in America, this colony must be considered merely as a voluntary association held together by the tacit consent of its members to recognize the authority of laws, and submit to the jurisdiction of magistrates, framed and chosen by themselves. In this state it remained an independent but feeble community until it was united to its more powerful neighbour, the colony of Massachusetts Bay, the origin and progress of which I now proceed to relate.

The original company of Plymouth having done nothing effectual towards establishing any permanent settlement in America, James I. in the year one thousand six hundred and twenty issued a new charter to the Duke of Lenox, the Marquis of Buckingham, and several other persons of distinction in his court, by which he conveyed to them a right to a territory in America still more extensive than what had been granted to the former patentees, incorporating them as a body politic, in order to plant colonies there, with powers and jurisdictions similar to those contained in his charters to the companies of South and North Virginia. This society was distinguished by the name of the grand council of Plymouth for planting and governing New England. What considerations of public utility could induce the king to commit such an undertaking to persons apparently so ill qualified for conducting it, or what prospect of private advantage prompted them to engage in it, the information we receive from contemporary writers does not enable us to determine. Certain it is, that the expectations of both were disappointed; and after many schemes and arrangements, all the attempts of the new associates towards colonization proved unsuccessful.

New England must have remained unoccupied if the same causes which occasioned the emigration of the Brownists had not continued to operate. Notwithstanding the violent persecution to which puritans of every denomination were still exposed, their number and zeal daily increased. As they now despaired of obtaining in their own country any relaxation of the penal statutes enacted against their sect, many began to turn their eyes towards some other place of retreat, where they might profess their own opinions with impunity. From the tranquillity which their brethren had hitherto enjoyed in New Plymouth, they hoped to find this desired asylum in New England; and by the activity of Mr. White, a non-conformist minister at Dorchester, an association was formed by several gentlemen who had imbibed puritanical notions in order to conduct a colony thither. They purchased from the council of Plymouth all the territory, extending in length from three miles north of the river Merrimack, to three miles south of Charles river, and in breadth, from the Atlantic to the Southern ocean. Zealous as these proprietors were to accomplish their favourite purpose, they quickly perceived their own inability to attempt the population of such an immense region, and deemed it necessary to call in the aid of more opulent co-partners.

Of these they found, without difficulty, a sufficient

number, chiefly in the capital, and among persons in the commercial and other industrious walks of life, who had openly joined the sect of the puritans, or secretly favoured their opinions. These new adventurers, with the caution natural to men conversant in business, entertained doubts concerning the propriety of founding a colony on the basis of a grant from a private company of patentees, who might convey a right of property in the soil, but could not confer jurisdiction, or the privilege of governing that society which they had in contemplation to establish. As it was only from royal authority that such powers could be derived, they applied for these; and Charles granted their request with a facility which appears astonishing, when we consider the principles and views of the men who were suitors for the favour.

Time has been considered as the parent of political wisdom, but its instructions are communicated slowly. Although the experience of above twenty years might have taught the English the impropriety of committing the government of settlements in America to exclusive corporations resident in Europe, neither the king nor his subjects had profited so much by what passed before their eyes as to have extended their ideas beyond those adopted by James in his first attempts towards colonization. The charter of Charles I. to the adventurers associated for planting the province of Massachusetts bay was perfectly similar to those granted by his father to the two Virginian companies and to the council of Plymouth. The new adventures were incorporated as a body politic, and their right to the territory, which they had purchased from the council at Plymouth, being confirmed by the king, they were empowered to dispose of the lands, and to govern the people who should settle upon them. The first governor of the company and his assistants were named by the crown; the right of electing their successors was vested in the members of the corporation. The executive power was committed to the governor and assistants; that of legislation to the body of proprietors, who might make statutes and orders for the good of the community, not inconsistent with the laws of England, and enforce the observance of them, according to the course of other corporations within the realm. Their lands were to be held by the same liberal tenure with those granted to the Virginian company. They obtained the same temporary exemption from internal taxes, and from duties on goods exported or imported; and notwithstanding their migration to America, they and their descendants were declared to be entitled to all the rights of natural-born subjects.

The manifest object of this charter was to confer on the adventurers who undertook to people the territory on Massachusetts bay, all the corporate rights possessed by the council of Plymouth, from which they had purchased it, and to form them into a public body, resembling other great trading companies, which the spirit of monarchy had at that time multiplied in the kingdom. The king seems not to have foreseen, or to have suspected the secret intentions of those who projected the measure; for so far was he from alluring emigrants, by any hopes of indulgence with respect to their religious scruples, or from promising any relaxation from the rigour of the penal statutes against non-conformists, that he expressly provides for having the oath of supremacy administered to every person who shall pass to the colony, or inhabit there.

But whatever were the intentions of the king, the

adventurers kept their own object steadily in view. Soon after their powers to establish a colony were rendered complete by the royal charter, they fitted out five ships for New England; on board of which embarked upwards of three hundred passengers with a view of settling there. These were mostly zealous puritans, whose chief inducement to relinquish their native land was the hope of enjoying religious liberty in a country far removed from the seat of government and the oppression of ecclesiastical courts.—Some eminent non-conformist ministers accompanied them as their spiritual instructors. On their arrival in New England they found the wretched remainder of a small body of emigrants, who had left England the preceding year, under the conduct of Endicott, a deep enthusiast, whom, prior to their incorporation by the royal charter, the associates had appointed deputy-governor. They were settled at a place called by the Indians Naunkeag, and to which Endicott, with the fond affectation of fanatics of that age to employ the language and appellations of Scripture in the affairs of common life, had given the name of Salem.

The emigrants under Endicott, and such as now joined them, coincided perfectly in religious principles. They were puritans of the strictest form; and to men of this character the institution of a church was naturally of such interesting concern as to take place of every other object. In this first transaction they displayed at once the extent of the reformation at which they aimed. Without regard to the sentiments of that monarch under the sanction of whose authority they settled in America, and from whom they derived right to act as a body politic, and in contempt of the laws of England, with which the charter required that none of their acts or ordinances should be inconsistent, they adopted in their infant church that form of policy which has since been distinguished by the name of independent. They united together in religious society, by a solemn covenant with God and with one another, and in strict conformity, as they imagined, to the rules of Scripture. They elected a pastor, a teacher, and an elder, whom they set apart for their respective offices, by imposition of the hands of the brethren. All who were that day admitted members of the church signified their assent to a confession of faith drawn up by their teacher, and gave an account of the foundation of their own hopes as christians; and it was declared that no person should hereafter be received into communion until he gave satisfaction to the church with respect to his faith and sanctity. The form of public worship which they instituted was without a liturgy, disencumbered of every superfluous ceremony, and reduced to the lowest standard of Calvinistic simplicity.

It was with the utmost complacency that men passionately attached to their own notions, and who had long been restrained from avowing them, employed themselves in framing this model of a pure church. But in the first moment that they began to taste of christian liberty themselves, they forgot that other men had an equal title to enjoy it. Some of their number, retaining a high veneration for the ritual of the English church, were so much offended at the total abolition of it, that they withdrew from communion with the newly instituted church, and assembled separately for the worship of God. With an inconsistency of which there are such flagrant instances among christians of every denomination that it cannot be imputed as a reproach peculiar to any sect, the very men who had themselves fled from

persecution became persecutors; and had recourse, in order to enforce their own opinions, to the same unhallowed weapons, against the employment of which they had lately remonstrated with so much violence. Endicott called the two chief malcontents before him; and though they were men of note, and among the number of original patentees, he expelled them from the society, and sent them home in the ships which were returning to England. The colonists were now united in sentiments; but, on the approach of winter, they suffered so much from diseases, which carried off almost one half of their number, that they made little progress in occupying the country.

Meanwhile the directors of the company in England exerted their utmost endeavours in order to reinforce the colony with a numerous body of new settlers; and as the intolerant spirit of Laud exacted conformity to all the injunctions of the church with greater rigour than ever, the condition of such as had any scruples with respect to this became so intolerable, that many accepted of their invitation to a secure retreat in New England. Several of these were persons of greater opulence and of better condition than any who had hitherto migrated to that country. But as they intended to employ their fortunes, as well as to hazard their persons, in establishing a permanent colony there, and foresaw many inconveniences from their subjection to laws made without their own consent, and framed by a society which must always be imperfectly acquainted with their situation, they insisted that the corporate powers of the company should be transferred from England to America, and the government of the colony be vested entirely in those who, by settling in the latter country, became members of it. The company had already expended considerable sums in prosecuting the designs of their institution, without having received almost any return, and had no prospect of gain, or even of reimbursement, but what was too remote and uncertain to be suitable to the ideas of merchants, the most numerous class of its members. They hesitated, however, with respect to the legality of granting the demand of the intended emigrants. But such was their eagerness to be disengaged from an unpromising adventure, that, "by general consent it was determined, that the charter should be transferred, and the government be settled in New England." To the members of the corporation who chose to remain at home was reserved a share in the trading stock and profits of the company during seven years.

In this singular transaction, to which there is nothing similar in the history of English colonization, two circumstances merit particular attention: one is the power of the company to make this transference; the other is the silent acquiescence with which the king permitted it to take place. If the validity of this determination of the company be tried by the charter which constituted it a body politic, and conveyed to it all the corporate powers with which it was invested, it is evident that it could neither exercise those powers in any mode different from what the charter prescribed, nor alienate them in such a manner as to convert the jurisdiction of a trading corporation in England into a provincial government in America. But from the first institution of the company of Massachusetts bay, its members seem to have been animated with a spirit of innovation in civil policy, as well as in religion; and by the habit of rejecting established usages in the one, they were prepared for deviating from them

in the other. They had applied for a royal charter, in order to give legal effect to their operations in England, as acts of a body politic; but the persons whom they sent out to America, as soon as they landed there, considered themselves as individuals united together by voluntary association, possessing the natural right of men who form a society, to adopt what mode of government, and to enact what laws, they deemed most conducive to general felicity. Upon this principle of being entitled to judge and to decide for themselves, they established their church in Salem, without regard to the institutions of the church of England, of which the charter supposed them to be members, and bound of consequence to conformity with its ritual. Suitably to the same ideas, we shall observe them framing all their future plans of civil and ecclesiastical policy. The king, though abundantly vigilant in observing and checking slighter encroachments on his prerogative, was either so much occupied at that time with other cares, occasioned by his fatal breach with his parliament, that he could not attend to the proceedings of the company; or he was so much pleased with the prospect of removing a body of turbulent subjects to a distant country, where they might be useful, and could not prove dangerous, that he was disposed to connive at the irregularity of a measure which facilitated their departure.

Without interruption from the crown, the adventurers proceeded to carry their scheme into execution. In a general court, John Winthrop was appointed governor, and Thomas Dudley deputy-governor, and eighteen assistants were chosen; in whom, together with the body of freemen who should settle in New England, were vested with all the corporate rights of the company. With such zeal and activity did they prepare for emigration, that in the course of the ensuing year seventeen ships sailed for New England, and aboard these above fifteen hundred persons, among whom were several of respectable families, and in easy circumstances. On their arrival in New England, many were so ill satisfied with the situation of Salem, that they explored the country in quest of some better station; and settling in different places around the bay, according to their various fancies, laid the foundations of Boston, Charles town, Dorchester, Roxborough, and other towns, which have since become considerable in the province. In each of these a church was established on the same model with that of Salem. This, together with the care of making provision for their subsistence during winter, occupied them entirely during some months. But in the first general court, their disposition to consider themselves as members of an independent society, unconfin'd by the regulations in their charter, began to appear. The election of the governor and deputy-governor, the appointment of all other officers, and even the power of making laws, all which were granted by the charter to the freemen, were taken from them, and vested in the council of assistants. But the aristocratical spirit of this resolution did not accord with the ideas of equality prevalent among the people, who had been surprised into an approbation of it. Next year the freemen, whose numbers had been greatly augmented by the admission of new members, resumed their former rights.

But, at the same time, they ventured to deviate from the charter in a matter of greater moment, which deeply affected all the future operations of the colony, and contributed greatly to form that peculiar character by which the people of New Eng-

land have been distinguished. A law was passed, declaring that none shall hereafter be admitted freemen, or be entitled to any share in the government, or be capable of being chosen magistrates, or even of serving as jurymen, but such as have been received into the church as members. By this resolution, every person who did not hold the favourite opinions concerning the doctrines of religion, the discipline of the church, or the rites of worship, was at once cast out of the society, and stripped of all the privileges of a citizen. An uncontrolled power of approving or rejecting the claims of those who applied for admission into communion with the church being vested in the ministers and leading men of each congregation, the most valuable of all civil rights was made to depend on their decision with respect to qualifications purely ecclesiastical. As in examining into these they proceeded not by any known or established rules, but exercised a discretionary judgment, the clergy rose gradually to a degree of influence and authority from which the levelling spirit of the independent church-policy was calculated to exclude them. As by their determination the political condition of every citizen was fixed, all paid court to men possessed of such an important power, by assuming those austere and sanctimonious manners which were known to be the most certain recommendation to their favour. In consequence of this ascendant, which was acquired chiefly by the wildest enthusiasts among the clergy, their notions became a standard to which all studied to conform, and the singularities characteristic of the puritans in that age increased, of which many remarkable instances will occur in the course of our narrative.

Though a considerable number of planters was cut off by the diseases prevalent in a country so imperfectly cultivated by its original inhabitants as to be still almost one continued forest, and several, discouraged by the hardships to which they were exposed, returned to England, recruits sufficient to replace them arrived. At the same time the small-pox, a distemper fatal to the people of the New World, swept away such multitudes of the natives, that some whole tribes disappeared; and Heaven, by thus evacuating a country in which the English might settle without molestation, was supposed to declare its intentions that they should occupy it.

As several of the vacant Indian stations were well chosen, such was the eagerness of the English to take possession of them, that their settlements became more numerous and more widely dispersed than suited the condition of an infant colony. This led to an innovation which totally altered the nature and constitution of the government. When a general court was to be held in the year one thousand six hundred and thirty-four, the freemen, instead of attending it in person, as the charter prescribed, elected representatives in their different districts, authorizing them to appear in their name, with full power to deliberate and decide concerning every point that fell under the cognizance of the general court.

Whether this measure was suggested by some designing leaders, or whether they found it prudent to soothe the people by complying with their inclination, is uncertain. The representatives were admitted, and considered themselves, in conjunction with the governor and assistants, as the supreme legislative assembly of the colony. In assertion of their own rights, they enacted that no law should be passed, no tax should be imposed, and no public officer should be appointed, but in the general assembly. The pretences

for making this new arrangement were plausible. The number of freemen was greatly increased; many resided at a distance from the places where the supreme courts were held; personal attendance became inconvenient; the form of government in their own country had rendered familiar the idea of delegating their rights, and committing the guardianship of their liberties, to representatives of their own choice, and the experience of ages had taught them that this important trust might with safety be lodged in their hands. Thus did the company of Massachusetts bay, in less than six years from its incorporation by the king, mature and perfect a scheme which, I have already observed, some of its more artful and aspiring leaders seem to have had in view when the association for peopling New England was first formed. The colony must henceforward be considered, not as a corporation whose powers were defined and its mode of procedure regulated by its charter, but as a society, which, having acquired or assumed political liberty, had, by its own voluntary deed, adopted a constitution or government framed on the model of that in England.

But however liberal their system of civil policy might be, as their religious opinions were no longer under any restraint of authority, the spirit of fanaticism continued to spread, and became every day wilder and more extravagant. Williams, a minister of Salem, in high estimation, having conceived an antipathy to the cross of St. George in the standard of England, declaimed against it with so much vehemence, as a relic of superstition and idolatry which ought not to be retained among a people so pure and sanctified, that Endicott, one of the members of the court of assistants, in a transport of zeal, publicly cut out the cross from the ensign displayed before the governor's gate. This frivolous matter interested and divided the colony. Some of the militia scrupled to follow colours in which there was a cross, lest they should do honour to an idol: others refused to serve under a mutilated banner, lest they should be suspected of having renounced their allegiance to the crown of England. After a long controversy, carried on by both parties with that heat and zeal which in trivial disputes supply the want of argument, the contest was terminated by a compromise. The cross was retained in the ensigns of forts and ships, but erased from the colours of the militia. Williams, on account of this, as well as of some other doctrines deemed unsound, was banished out of the colony.

The prosperous state of New England was now so highly extolled, and the simple frame of its ecclesiastical policy was so much admired by all whose affections were estranged from the church of England, that crowds of new settlers flocked thither. Among these were two persons, whose names have been rendered memorable by the appearance which they afterwards made on a more conspicuous theatre: one was Hugh Peters, the enthusiastic and intriguing chaplain of Oliver Cromwell; the other Mr. Henry Vane, son of Sir Henry Vane, a privy counsellor, high in office, and of great credit with the king; a young man of a noble family, animated with such zeal for pure religion and such love of liberty as induced him to relinquish all his hopes in England, and to settle in a colony hitherto no further advanced in improvement than barely to afford subsistence to its members, was received with the fondest admiration. His mortified appearance, his demure look, and rigid manners, carried even beyond the standard of preciseness, that society which he joined,

seemed to indicate a man of high spiritual attainments, while his abilities and address in business pointed him out as worthy of the highest station in the community. With universal consent, and high expectations of advantage from his administration, he was elected governor in the year subsequent to his arrival. But as the affairs of an infant colony afforded not objects adequate to the talents of Vane, his busy pragmatistical spirit occupied itself with theological subtleties and speculations unworthy of his attention. These were excited by a woman, whose reveries produced such effects both within the colony and beyond its precincts, that, frivolous as they may now appear, they must be mentioned as an occurrence of importance in its history.

It was the custom at that time in New England, among the chief men in every congregation, to meet once a week, in order to repeat the sermons which they had heard, and to hold religious conference with respect to the doctrine contained in them. Mrs. Hutchinson, whose husband was among the most respectable members of the colony, regretting that persons of her sex were excluded from the benefit of those meetings, assembled stately in her house a number of women, who employed themselves in pious exercises similar to those of the men. At first she satisfied herself with repeating what she could recollect of the discourses delivered by their teachers. She began afterwards to add illustrations, and at length proceeded to censure some of the clergy as unsound, and to vent opinions and fancies of her own. These were all founded on the system which is denominated Antinomian by divines, and tinged with the deepest enthusiasm. She taught, that sanctity of life is no evidence of justification, or of a state of favour with God; and that such as inculcated the necessity of manifesting the reality of our faith by obedience, preached only a covenant of works; she contended that the Spirit of God dwelt personally in good men, and by inward revelations and impressions they received the fullest discoveries of the divine will. The fluency and confidence with which she delivered these notions gained her many admirers and proselytes, not only among the vulgar but among the principal inhabitants. The whole colony was interested and agitated. Vane, whose sagacity and acuteness seemed to forsake him whenever they were turned towards religion, espoused and defended her wildest tenets. Many conferences were held, days of fasting and humiliation were appointed, a general synod was called; and, after dissensions so violent as threatened the dissolution of the colony, Mrs. Hutchinson's opinions were condemned as erroneous, and she herself banished. Several of her disciples withdrew from the province of their own accord. Vane quitted America in disgust, unlamented even by those who had lately admired him; some of whom now regarded him as a mere visionary, and others as one of those dark turbulent spirits doomed to embroil every society into which they enter.

However much these theological contests might disquiet the colony of Massachusetts bay, they contributed to the more speedy population of America. When Williams was banished from Salem in the year one thousand six hundred and thirty-four, such was the attachment of his hearers to a pastor whose piety they revered, that a good number of them voluntarily accompanied him in his exile. They directed their march towards the south; and having purchased from the natives a considerable tract of land, to which Williams gave the name of Provi-

dence, they settled there. They were joined soon after by some of those to whom the proceedings against Mrs. Hutchinson gave disgust; and by a transaction with the Indians they obtained a right to a fertile island in Naraganset bay, which acquired the name of Rhode Island. Williams remained among them upwards of forty years, respected as the father and the guide of the colony which he had planted. His spirit differed from that of the Puritans in Massachusetts; it was mild and tolerating; and having ventured himself to reject established opinions, he endeavoured to secure the same liberty to other men, by maintaining that the exercise of private judgment was a natural and sacred right; that the civil magistrate has no compulsive jurisdiction in the concerns of religion; that the punishment of any person on account of his opinions was an encroachment on conscience, and an act of persecution. These humane principles he instilled into his followers; and all who felt or dreaded oppression in other settlements resorted to a community in which universal toleration was known to be a fundamental maxim. In the plantations of Providence and Rhode Island, political union was established by voluntary association, and the equality of condition among the members, as well as their religious opinions; their form of government was purely democratical, the supreme power being lodged in the freemen personally assembled. In this state they remained until they were incorporated by charter.

To similar causes the colony of Connecticut is indebted for its origin. The rivalry between Mr. Cotton and Mr. Hooker, two favourite ministers in the settlement of Massachusetts bay, disposed the latter, who was least successful in this contest for fame and power, to wish for some settlement at a distance from a competitor by whom his reputation was eclipsed. A good number of those who had imbibed Mrs. Hutchinson's notions, and were offended with such as combatted them, offered to accompany him. Having employed proper persons to explore the country, they pitched upon the west side of the great river Connecticut at the most inviting station; and in the year one thousand six hundred and thirty-six, about a hundred persons, with their wives and families, after a fatiguing march of many days through woods and swamps, arrived there, and laid the foundation of the towns of Hartford, Springfield, and Weatherfield. This settlement was attended with peculiar irregularities. Part of the district now occupied lay beyond the limits of the territory granted to the colony of Massachusetts bay, and yet the emigrants took a commission from the governor and court of assistants, empowering them to exercise jurisdiction in that country. The Dutch from Manhados or New York, having discovered the river Connecticut, and established some trading houses upon it, had acquired all the right that prior possession confers. Lord Say and Sele and Lord Brook, the heads of two illustrious families, were so much alarmed at the arbitrary measures of Charles I., both in his civil and ecclesiastical administration, that they took a resolution not unbefitting young men of noble birth and liberal sentiments, of retiring to the New World, in order to enjoy such a form of religion as they approved of, and those liberties which they deemed essential to the well-being of society. They, too, fixed on the banks of the Connecticut as their place of settlement, and had taken possession, by building a fort at the mouth of the river, which, from their united names, was called Say Brook. The emigrants from

Massachusetts, without regarding either the defects in their own right or the pretensions of other claimants, kept possession, and proceeded with vigour to clear and cultivate the country. By degrees they got rid of every competitor. The Dutch, recently settled in America, and too feeble to engage in a war, peaceably withdrew from Connecticut. Lord Say and Sele and Lord Brook made over to the colony whatever title they might have to any lands in that region. Society was established by a voluntary compact of the freemen; and though they soon disclaimed all dependence on the colony of Massachusetts bay, they retained such veneration for its legislative wisdom as to adopt a form of government nearly resembling its institutions, with respect both to civil and ecclesiastical policy. At a subsequent period, the colony of Connecticut was likewise incorporated by royal charter.

The history of the first attempts to people the provinces of New Hampshire and Main, which form the fourth and most extensive division in New England, is obscure and perplexed, by the interfering claims of various proprietors. The company of Plymouth had inconsiderately parcelled out the northern part of the territory contained in its grant among different persons: of these only Sir Ferdinando Gorges and Captain Mason seem to have had any serious intention to occupy the land allotted to them. Their efforts to accomplish this were meritorious and persevering, but unsuccessful. The expense of settling colonies in an uncultivated country must necessarily be great and immediate; the prospect of a return is often uncertain, and always remote. The funds of two private adventurers were not adequate to such an undertaking. Nor did the planters whom they sent out possess that principle of enthusiasm, which animated their neighbours of Massachusetts with vigour to struggle through all the hardships and dangers to which society in its infancy is exposed in a savage land. Gorges and Mason, it is probable, must have abandoned their design, if, from the same motives that settlements had been made in Rhode Island and Connecticut, colonists had not unexpectedly migrated into New Hampshire and Main. Mr. Wheelwright, a minister of some note, nearly related to Mrs. Hutchinson, and one of her most fervent admirers and partisans, had on this account been banished from the province of Massachusetts bay. In quest of a new station, he took a course opposite to the other exiles, and, advancing towards the north, founded the town of Exeter on a small river flowing into Piskataqua bay. His followers, few in number, but firmly united, were of such rigid principles, that even the churches of Massachusetts did not appear to them sufficiently pure. From time to time they received some recruits, whom love of novelty, or dissatisfaction with the ecclesiastical institutions of the other colonies, prompted to join them. Their plantations were widely dispersed, but the country was thinly peopled, and its political state extremely unsettled. The colony of Massachusetts bay claimed jurisdiction over them, as occupying lands situated within the limits of their grant. Gorges and Mason asserted the rights conveyed to them as proprietors by their charter. In several districts the planters, without regarding the pretensions of either party, governed themselves by maxims and laws copied from those of their brethren in the adjacent colonies. The first reduction of the political constitution in the provinces of New Hampshire and Main into a regular and

permanent form, was subsequent to the Revolution. By extending their settlements, the English became exposed to new danger. The tribes of Indians around Massachusetts bay were feeble and unwarlike; yet from regard to justice, as well as motives of prudence, the first colonists were studious to obtain the consent of the natives before they ventured to occupy any of their lands; and though in such transactions the consideration given was often very inadequate to the value of the territory acquired, it was sufficient to satisfy the demands of the proprietors. The English took quiet possession of the lands thus conveyed to them, and no open hostility broke out between them and the ancient possessors. But the colonies of Providence and Connecticut soon found that they were surrounded by more powerful and martial nations. Among these the most considerable were the Naragansets and Pequods; the former seated on the bay which bears their name, and the latter occupying the territory which stretches from the river Pequod along the banks of the Connecticut. The Pequods were a formidable people, who could bring into the field a thousand warriors not inferior in courage to any in the New World. They foresaw, not only that the extermination of the Indian race must be the consequence of permitting the English to spread over the continent of America, but that, if measures were not speedily concerted to prevent it, the calamity would be unavoidable. With this view they applied to the Naragansets, requesting them to forget ancient animosities for a moment, and to co-operate with them in expelling a common enemy who threatened both with destruction. They represented that, when those strangers first landed, the object of their visit was not suspected, and no proper precautions were taken to check their progress; that now, by sending out colonies in one year towards three different quarters, their intentions were manifest, and the people of America must abandon their native seats to make way for unjust intruders.

But the Naragansets and Pequods, like most of the contiguous tribes in America, were rivals, and there subsisted between them an hereditary and implacable enmity. Revenge is the darling passion of savages; in order to secure the indulgence of which there is no present advantage that they will not sacrifice, and no future consequence which they do not totally disregard. The Naragansets, instead of closing with the prudent proposal of their neighbours, discovered their hostile intentions to the governor of Massachusetts bay; and, eager to lay hold on such a favourable opportunity of wreaking their vengeance on their ancient foes, entered into an alliance with the English against them. The Pequods, more exasperated than discouraged by the imprudence and treachery of their countrymen, took the field, and carried on the war in the usual mode of Americans. They surprised stragglers, and scalped them: they plundered and burnt remote settlements; they attacked Fort Say Brook without success, though garrisoned only by twenty men; and when the English began to act offensively, they retired to fastnesses which they deemed inaccessible. The different colonies had agreed to unite against the common enemy, each furnishing a quota of men in proportion to its numbers. The troops of Connecticut, which lay most exposed to danger, were soon assembled. The march of those from Massachusetts, which formed the most considerable body, was retarded by the most singular cause that ever influenced the operations of a military force. When

they were mustered previous to their departure, it was found that some of the officers, as well as of the private soldiers, were still under a covenant of works; and that the blessing of God could not be implored or expected to crown the arms of such unhallowed men with success. The alarm was general, and many arrangements necessary in order to cast out the unclean, and to render this little band sufficiently pure to fight the battles of a people who entertained high ideas of their own sanctity.

Meanwhile the Connecticut troops, reinforced by a small detachment from Say Brook, found it necessary to advance towards the enemy. They were posted on a rising ground, in the middle of a swamp towards the head of the river Mistick, which they had surrounded with palisades, the best defence that their slender skill in the art of fortification had discovered. Though they knew that the English were in motion, yet, with the usual improvidence and security of savages, they took no measures either to observe their progress, or to guard against being surprised themselves. The enemy, unperceived, reached the palisades; and if a dog had not given the alarm by barking, the Indians must have been massacred without resistance. In a moment, however, they started to arms, and, raising the war-cry, prepared to repel the assailants. But at that early period of their intercourse with the Europeans, the Americans were little acquainted with the use of gunpowder, and dreaded its effects extremely. While some of the English galled them with an incessant fire through the intervals between the palisades, others forced their way by the entries into the fort, filled only with branches of trees; and setting fire to the huts, which were covered with reeds, the confusion and terror quickly became general. Many of the women and children perished in the flames; and the warriors, in endeavouring to escape, were either slain by the English, or, falling into the hands of their Indian allies, who surrounded the fort at a distance, were reserved for a more cruel fate. After the junction of the troops from Massachusetts, the English resolved to pursue their victory; and hunting the Indians from one place of retreat to another, some subsequent encounters were hardly less fatal to them than the action on the Mistick. In less than three months the tribe of Pequods was exterminated; a few miserable fugitives, who took refuge among the neighbouring Indians, being incorporated by them, lost their name as a distinct people. In this first essay of their arms the colonists of New England seem to have been conducted by skilful and enterprising officers, and displayed both courage and perseverance as soldiers. But they stained their laurels by the use which they made of victory. Instead of treating the Pequods as an independent people, who made a gallant effort to defend the property, the rights, and the freedom of their nation, they retaliated upon them all the barbarities of American war. Some they massacred in cold blood, others they gave up to be tortured by their Indian allies, a considerable number they sold as slaves in Bermudas, the rest were reduced to servitude among themselves.

But reprehensible as this conduct of the English must be deemed, their vigorous efforts in this decisive campaign filled all the surrounding tribes of Indians with such a high opinion of their valour as secured a long tranquillity to all their settlements. At the same time, the violence of administration in England continued to increase their population and strength, by forcing many respectable subjects to

tear themselves from all the tender connexions that bind men to their native country, and to fly for refuge to a region of the New World, which hitherto presented to them nothing that could allure them thither but exemption from oppression. The number of those emigrants drew the attention of government, and appeared so formidable, that a proclamation was issued, prohibiting masters of ships from carrying passengers to New England without special permission. On many occasions this injunction was eluded or disregarded. Fatally for the king, it operated with full effect in one instance. Sir Arthur Haslerig, John Hampden, Oliver Cromwell, and some other persons whose principles and views coincided with theirs, impatient to enjoy those civil and religious liberties which they struggled in vain to obtain in Great Britain, hired some ships to carry them and their attendants to New England. By order of council, an embargo was laid on these when on the point of sailing; and Charles, far from suspecting that the future revolutions in his kingdoms were to be excited and directed by persons in such a humble sphere of life, forcibly detained the men destined to overturn his throne, and to terminate his days by a violent death.

But, in spite of all the efforts of government to check this spirit of migration, the measures of the king and his ministers were considered by a great body of the people as so hostile to those rights which they deemed most valuable, that in the course of the year one thousand six hundred and thirty-eight, about three thousand persons embarked for New England, choosing rather to expose themselves to all the consequences of disregarding the royal proclamation, than to remain longer under oppression. Exasperated at this contempt of his authority, Charles had recourse to a violent but effectual mode of accomplishing what he had in view. A writ of *quo warranto* was issued against the corporation of Massachusetts bay. The colonists had conformed so little to the terms of their charter, that judgment was given against them without difficulty. They were found to have forfeited all their rights as a corporation, which of course returned to the crown, and Charles began to take measures for new modelling the political frame of the colony, and vesting the administration of its affairs in other hands. But his plans were never carried into execution. In every corner of his dominions the storm now began to gather, which soon burst out with such fatal violence, that Charles, during the remainder of his unfortunate reign, occupied with domestic and more interesting cares, had not leisure to bestow any attention upon a remote and inconsiderable province.

On the meeting of the Long Parliament, such a revolution took place in England, that all the motives for migrating to the New World ceased. The maxims of the puritans with respect to the government both of church and state became predominant in the nation, and were enforced by the hand of power. Their oppressors were humbled; that perfect system of reformed polity, which had long been the object of their admiration and desire, was established by law; and amidst the intrigues and conflicts of an obstinate civil war, turbulent and aspiring spirits found such full occupation, that they had no inducement to quit a busy theatre, on which they had risen to act a most conspicuous part. From the year one thousand six hundred and twenty, when the first feeble colony was conducted to New England by the Brownists, to the year one thousand six hundred and forty, it has been computed that

twenty-one thousand two hundred British subjects had settled there. The money expended by various adventurers during that period, in fitting out ships, in purchasing stock, and transporting settlers, amounted, on a moderate calculation, nearly to two hundred thousand pounds; a vast sum in that age, and which no principles, inferior in force to those wherewith the puritans were animated, could have persuaded men to lay out on the uncertain prospect of obtaining an establishment in a remote uncultivated region, which, from its situation and climate, could allure them with no hope but that of finding subsistence and enjoying freedom. For some years, even subsistence was procured with difficulty; and it was towards the close of the period to which our narrative is arrived, before the product of the settlement yielded the planters any return for their stock. About that time they began to export corn in small quantities to the West Indies, and made some feeble attempts to extend the fishery, and to open the trade in lumber, which have since proved the staple articles of commerce in the colony. Since the year one thousand six hundred and forty the number of people with which New England has recruited the population of the parent state, is supposed at least to equal what may have been drained from it by occasional migrations thither.

But though the sudden change of system in Great Britain stopped entirely the influx of settlers into New England, the principles of the colonists coincided so perfectly with those of the popular leaders in parliament, that they were soon distinguished by peculiar marks of their brotherly affection. By a vote of the House of Commons in the year one thousand six hundred and forty-two, the people in all the different plantations of New England were exempted from payment of any duties, either upon goods exported thither, or upon those which they imported into the mother country, until the house shall take further order to the contrary. This was afterwards confirmed by the authority of both houses. Encouraged by such an extraordinary privilege, industry made rapid progress in all the districts of New England, and population increased along with it. In return for those favours the colonists applauded the measures of parliament, celebrated its generous efforts to vindicate the rights and liberties of the nation, prayed for the success of its arms, and framed regulations in order to prevent any exertion in favour of the king on the other side of the Atlantic.

Relying on the indulgent partiality with which all their proceedings were viewed by men thus closely united with them in sentiment and wishes, the people of New England ventured on a measure which not only increased their security and power, but may be regarded as a considerable step towards independence. Under the impression or pretext of the danger to which they were exposed from the surrounding tribes of Indians, the four colonies of Massachusetts, Plymouth, Connecticut, and Newhaven, entered into a league of perpetual confederacy, offensive and defensive; an idea familiar to several leading men in the colonies, as it was framed in imitation of the famous bond of union among the Dutch provinces, in whose dominions the Brownists had long resided. It was stipulated that the confederates should henceforth be distinguished by the name of the United Colonies of New England; that each colony shall remain separate and distinct, and have exclusive jurisdiction within its own territory; and that in every war, offensive or defensive, each of the confederates shall furnish his quota of men, provisions,

and money, at a rate to be fixed from time to time, in proportion to the number of people in each settlement; that an assembly composed of two commissioners from each colony shall be held annually, with power to deliberate and decide in all points of common concern to the confederacy; and every determination, in which six of their number concur, shall be binding on the whole. In this transaction the colonies of New England seem to have considered themselves as independent societies, possessing all the rights of sovereignty, and free from the control of any superior power. The governing party in England, occupied with affairs of more urgent concern, and no wise disposed to observe the conduct of their brethren in America with any jealous attention, suffered the measure to pass without animadversion.

Emboldened by this connivance, the spirit of independence gathered strength, and soon displayed itself more openly; some persons of note in the colony of Massachusetts, averse to the system of ecclesiastical polity established there, and preferring to it the government and discipline of the churches of England or Scotland, having remonstrated to the general court against the injustice of depriving them of their rights as freemen, and of their privileges as christians, because they could not join as members with any of the congregational churches, petitioned that they might no longer be bound to obey laws to which they had not assented, nor be subjected to taxes imposed by an assembly in which they were not represented. Their demands were not only rejected, but they were imprisoned and fined as disturbers of the public peace; and when they appointed some of their number to lay their grievances before parliament, the annual court, in order to prevent this appeal to the supreme power, attempted first to seize their papers, and then to obstruct their embarkation for England. But though neither of these could be accomplished, such was the address and influence of the colony's agents in England, that no inquiry seems to have been made into this transaction. This was followed by an indication, still less ambiguous, of the aspiring spirit prevalent among the people of Massachusetts. Under every form of government the right of coining money has been considered as a prerogative peculiar to sovereignty, and which no subordinate member in any state is entitled to claim. Regardless of this established maxim, the general court ordered a coinage of silver money at Boston, stamped with the name of the colony and a tree, as an apt symbol of its progressive vigour. Even this usurpation escaped without notice. The independents having now humbled all rival sects, engrossed the whole direction of affairs in Great Britain; and long accustomed to admire the government of New England, framed agreeably to those principles which they had adopted as the most perfect model of civil and ecclesiastical polity, they were unwilling to stain its reputation by censuring any part of its conduct.

When Cromwell usurped the supreme power, the colonies of New England continued to stand as high in his estimation. As he had deeply imbibed all the fanatical notions of the independents, and was perpetually surrounded by the most eminent and artful teachers of that sect, he kept a constant correspondence with the leading men in the American settlements, who seem to have looked up to him as a zealous patron. He in return considered them as his most devoted adherents, attached to him no less by affection than by principle. He soon gave a striking proof of this. On the conquest of Jamaica he

formed a scheme for the security and improvement of the acquisition made by his victorious arms, suited to the ardour of an impetuous spirit that delighted in accomplishing its ends by extraordinary means. He proposed to transport the people of New England to that island, and employed every argument calculated to make impression upon them, in order to obtain their consent. He endeavoured to rouse their religious zeal, by representing what a fatal blow it would be to the man of sin, if a colony of the faithful were settled in the midst of his territories in the New World. He allured them with prospects of immense wealth in a fertile region, which would reward the industry of those who cultivated it with all the precious productions of the torrid zone, and ex-

pressed his fervent wish that they might take possession of it, in order to fulfil God's promise of making his people the head and not the tail. He assured them of being supported by the whole force of his authority, and of vesting all the powers of government entirely in their hands. But by this time the colonists were attached to a country in which they had resided for many years, and where, though they did not attain opulence, they enjoyed the comforts of life in great abundance; and they dreaded so much the noxious climate of the West Indies, which had proved fatal to a great number of the English who first settled in Jamaica, that they declined, though in the most respectful terms, closing with the protector's proposition.

[Dr. Robertson's untimely death prevented his carrying the history of America any further. It is continued to the present time from other and original sources.]

NOTES AND ILLUSTRATIONS TO ROBERTSON'S HISTORY OF AMERICA.

NOTE 1.—TYRE was situated at such a distance from the Arabian gulf, or Red sea, as made it impracticable to convey commodities from thence to that city by land carriage. This induced the Phenicians to render themselves masters of *Rhinoecura* or *Rhinocolura*, the nearest port in the Mediterranean to the Red sea. They landed the cargoes which they purchased in Arabia, Ethiopia, and India, at Elath, the safest harbour in the Red sea towards the north. Thence they were carried by land to Rhinocolura, the distance not being very considerable; and being re-shipped in that port, were transported to Tyre, and distributed over the world. Strabon. Geogr. edit. Casaub. lib. xvi. p. 1128. Diodor. Sicul. Biblioth. Hist. edit. Wesselingii, lib. 1. p. 70.

NOTE 2.—The *Periplus Hannonis* is the only authentic monument of the Carthaginian skill in naval affairs, and one of the most curious fragments transmitted to us by antiquity. The learned and industrious Mr. Dodwell, in a dissertation prefixed to the *Periplus* of Hanno, in the edition of the *Minor Geographers* published at Oxford, endeavours to prove that this is a spurious work, the composition of some Greek, who assumed Hanno's name. But M. de Montesquieu, in his *l'Esprit des Loix*, lib. xxi. c. 8, and M. de Bougainville, in a dissertation published, tom. xxvi. of the *Mémoires de l'Académie des Inscriptions*, &c. have established its authenticity by arguments which to me appear unanswerable. Ramusio has accompanied his translation of this curious voyage with a dissertation tending to illustrate it, *Raccolte de Viaggi*, vol. i. p. 112. M. de Bougainville has, with great learning and ability, treated the same subject. It appears that Hanno, according to the mode of ancient navigation, undertook this voyage in small vessels, so constructed that he could keep close in with the coast. He sailed from Gades to the island of Cerne in twelve days. This is probably what is known to the moderns by the name of the isle of Arguin. It became the chief station of the Carthaginians on that coast; and M. de Bougainville contends, that the cisterns found there are monuments of the Carthaginian power and ingenuity. Proceeding from Cerne, and still following the winding of the coast, he arrived, in seventeen days, at a promontory which he called *The West Horn*, probably Cape Palmas. From this he advanced to

another promontory, which he named *The South Horn*, and which is manifestly Cape de Tres Puntas, about five degrees north of the line. All the circumstances contained in the short abstract of his journal, which is handed down to us, concerning the appearance and state of the countries on the coast of Africa, are confirmed and illustrated by a comparison with the accounts of modern navigators. Even those circumstances which, from their seeming improbability, have been produced to invalidate the credibility of his relation, tend to confirm it. He observes, that in the country to the south of Cerne, a profound silence reigned through the day; but during the night innumerable fires were kindled along the banks of the rivers, and the air resounded with the noise of pipes and drums, and cries of joy. The same thing, as Ramusio observes, still takes place. The excessive heat obliges the negroes to take shelter in the woods, or in their houses, during the day. As soon as the sun sets they sally out, and by torch-light enjoy the pleasure of music and dancing, in which they spend the night. Ramus. i. 113, F. In another place he mentions the sea as burning with torrents of fire. What occurred to M. Adanson on the same coast, may explain this: "as soon," says he, "as the sun dipped beneath the horizon, and night overspread the earth with darkness, the sea lent us its friendly light. While the prow of our vessel ploughed the foaming surges, it seemed to set them all on fire. Thus we sailed in a luminous enclosure, which surrounded us like a large circle of rays, from whence darted in the wake of the ship a long stream of light." *Voyage to Senegal*, p. 176. This appearance of the sea, observed by Hunter, has been mentioned as an argument against the authenticity of the *Periplus*. It is, however, a phenomenon very common in warm climates. Captain Cook's *Second Voyage*, vol. i. p. 15. The *Periplus* of Hanno has been translated, and every point with respect to it has been illustrated with much learning and ingenuity, in a work published by Don Pedr. Rodrig. Campomanes, entitled, *Antigüedad marítima de Cartago, con el Periplo de su General Hannon traducido e ilustrado*. Mad. 1756. 4to.

NOTE 3.—Long after the navigation of the Phenicians, and of Eudoxus round Africa, Polybius, the most intelligent and best informed historian of antiquity, and

particularly distinguished by his attention to geographical researches, affirms that it was not known, in his time, whether Africa was a continued continent, stretching to the south, or whether it was encompassed by the sea. Polybii Hist. lib. iii. Pliny the naturalist asserts, that there can be no communication between the southern and northern temperate zones. Plinii Hist. Natur. edit. in usum Delph. 4to. lib. ii. c. 68. If they had given full credit to the accounts of those voyages, the former could not have entertained such a doubt, the latter could not have delivered such an opinion. Strabo mentions the voyage of Eudoxus, but treats it as a fabulous tale, lib. ii. p. 155; and according to his account of it, no other judgment can be formed with respect to it. Strabo seems not to have known any thing with certainty concerning the form and state of the southern parts of Africa. Geogr. lib. xvii. p. 1180. Ptolemy, the most inquisitive and learned of all the ancient geographers, was equally unacquainted with any parts of Africa situated a few degrees beyond the equinoctial line; for he supposes that this great continent was not surrounded by the sea, but that it stretched, without interruption, towards the south pole; and he so far mistakes its true figure, that he describes the continent as becoming broader and broader as it advanced towards the south. Ptolemæi Geogr. lib. iv. c. 9. Brietii Parallela Geogr. veteris et novæ, p. 86.

NOTE 4.—A fact, recorded by Strabo, affords a very strong and singular proof of the ignorance of the ancients with respect to the situation of the various parts of the earth. When Alexander marched along the banks of the Hydaspes and Acesine, two of the rivers which fall into the Indus, he observed that there were many crocodiles in those rivers, and that the country produced beans of the same species with those which were common in Egypt. From these circumstances he concluded that he had discovered the source of the Nile, and prepared a fleet to sail down the Hydaspes to Egypt. Strab. Geogr. lib. xv. p. 1020. This amazing error did not arise from any ignorance of geography peculiar to that monarch; for we are informed by Strabo, that Alexander applied with particular attention in order to acquire the knowledge of this science, and had accurate maps or descriptions of the countries through which he marched. Lib. ii. p. 120. But in his age the knowledge of the Greeks did not extend beyond the limits of the Mediterranean.

NOTE 5.—As the flux and reflux of the sea is remarkably great at the mouth of the river Indus, this would render the phenomenon more formidable to the Greeks. Varen. Geogr. vol. i. p. 251.

NOTE 6.—It is probable that the ancients were seldom allowed to advance so far as the mouth of the Ganges either by motives of curiosity, or views of commercial advantage. In consequence of this, their idea concerning the position of that great river was very erroneous. Ptolemy places that branch of the Ganges which he distinguishes by the name of the Great Mouth, in the hundred and forty-sixth degree of longitude from his first meridian in the Fortunate Islands. But its true longitude, computed from that meridian, is now determined, by astronomical observations, to be only a hundred and five degrees. A geographer so eminent must have been betrayed into an error of this magnitude by the imperfection of the information which he had received concerning those distant regions; and this affords a striking proof of the intercourse with them being extremely rare. With respect to the countries of India beyond

the Ganges, his intelligence was still more defective, and his errors more enormous. I shall have occasion to observe, in another place, that he has placed the country of the Seres, or China, no less than sixty degrees further east than its true position. M. d'Anville, one of the most learned and intelligent of the modern geographers, has set this matter in a clear light, in two dissertations published in Mem. de l'Academ. des Inscrip. &c. tom. xxxii. p. 573, 604.

NOTE 7.—It is remarkable that the discoveries of the ancients were made chiefly by land; those of the moderns are carried on chiefly by sea. The progress of conquest led to the former, that of commerce the latter. It is a judicious observation of Strabo, that the conquests of Alexander the Great made known the east, those of the Romans opened the west, and those of Mithridates, king of Pontus, the north. Lib. i. p. 26. When discovery is carried on by land alone its progress must be slow and its operations confined. When it is carried on only by sea its sphere may be more extensive, and its advances more rapid; but it labours under peculiar defects. Though it may make known the position of different countries, and ascertain their boundaries as far as these are determined by the ocean, it leaves us in ignorance with respect to their interior state. Above two centuries and a half have elapsed since the Europeans sailed round the southern promontory of Africa, and have traded in most of its ports; but in a considerable part of that great continent they have done little more than survey its coasts, and mark its capes and harbours. Its interior regions are in a great measure unknown. The ancients, who had a very imperfect knowledge of its coasts, except where they are washed by the Mediterranean or Red sea, were accustomed to penetrate into its inland provinces, and if we may rely on the testimony of Herodotus and Diodorus Siculus, had explored many parts of it now altogether unknown.—Unless both modes of discovery be united, the geographical knowledge of the earth must remain incomplete and inaccurate.

NOTE 8.—The notion of the ancients concerning such an excessive degree of heat in the torrid zone, as rendered it uninhabitable, and their persisting in this error long after they began to have some commercial intercourse with several parts of India lying within the tropics, must appear so singular and absurd, that it may not be unacceptable to some of my readers to produce evidence of their holding this opinion, and to account for the apparent inconsistency of their theory with their experience. Cicero, who had bestowed attention upon every part of philosophy known to the ancients, seem to have believed that the torrid zone was uninhabitable, and, of consequence, that there would be no intercourse between the northern and southern temperate zones. He introduces Africanus thus addressing the younger Scipio: "You see this earth encompassed, and as it were bound in, by certain zones, of which two, at the greatest distance from each other, and sustaining the opposite poles of heaven, are frozen with perpetual cold: the middle one, and the largest of all, is burnt with the heat of the sun; two are habitable, the people in the southern one are antipodes to us, with whom we have no connection." *Somnium Scipionis*, c. 6. Geminus, a Greek philosopher, contemporary with Cicero, delivers the same doctrine, not in a popular work, but in his *Eisagoge eis phainomena*, a treatise purely scientific. "When we speak," says he, "of the southern temperate zone, and its inhabitants, and concerning those who are called antipodes, it must always be understood, that we have

no certain knowledge or information concerning the southern temperate zone, whether it be inhabited or not. But from the spherical figure of the earth, and the course which the sun holds between the tropics, we conclude that there is another zone situated to the south, which enjoys the same degree of temperature with the northern one which we inhabit." Cap. xiii. p. 31. ap. Petavii Opus de Doctr. Temp. in quo Uranologium sive Systemata var. Auctorum. Amst. 1705. vol. iii. The opinion of Pliny the naturalist, with respect to both these points, was the same: "There are five divisions of the earth which are called zones. All that portion which lies near to the two opposite poles is oppressed with vehement cold and eternal frost. There, unblest with the aspect of milder stars, perpetual darkness reigns, or at the utmost a feeble light reflected from surrounding snows. The middle of the earth, in which is the orbit of the sun, is scorched and burnt up with flames and fiery vapour. Between these torrid and frozen districts, lie two other portions of the earth, which are temperate; but, on account of the burning region interposed, there can be no communication between them. Thus heaven has deprived us of three parts of the earth." Lib. ii. c. 68. Strabo delivers his opinion to the same effect, in terms no less explicit: "The portion of the earth which lies near the equator, in the torrid zone, is rendered uninhabitable by heat." Lib. ii. p. 154. To these I might add the authority of many other respectable philosophers and historians of antiquity.

In order to explain the sense in which this doctrine was generally received, we may observe, that Parmenides, as we are informed by Strabo, was the first who divided the earth into five zones, and he extended the limits of the zone which he supposed to be uninhabitable on account of heat, beyond the tropics. Aristotle, as we learn likewise from Strabo, fixed the boundaries of the different zones in the same manner as they are defined by modern geographers. But the progress of discovery having gradually demonstrated that several regions of the earth which lay within the tropics were not only habitable, but populous and fertile, this induced later geographers to circumscribe the limits of the torrid zone. It is not easy to ascertain with precision the boundaries which they allotted to it. From a passage in Strabo, who, as far as I know, is the only author of antiquity from whom we receive any hint concerning this subject, I should conjecture, that those who calculated according to the measurement of the earth by Eratosthenes, supposed the torrid zone to comprehend near sixteen degrees, about eight on each side of the equator; whereas such as followed the computation of Posidonius allotted about twenty-four degrees, or somewhat more than twelve degrees on each side of the equator, to the torrid zone. Strabo, lib. ii. p. 151. According to the former opinion, about two thirds of that portion of the earth which lies between the tropics was considered as habitable; according to the latter, about one half of it. With this restriction, the doctrine of the ancients concerning the torrid zone appears less absurd; and we can conceive the reason of their asserting this zone to be uninhabitable, even after they had opened a communication with several places within the tropics. When men of science spoke of the torrid zone, they considered it as it was limited by the definition of geographers to sixteen, or at the utmost to twenty-four degrees; and as they knew almost nothing of the countries nearer to the equator, they might still suppose them to be uninhabitable. In loose and popular discourse, the name of the torrid zone continued to be given to all that

portion of the earth which lies within the tropics. Cicero seems to be unacquainted with those ideas of the later geographers; and, adhering to the division of Parmenides, describes the torrid zone as the largest of the five. Some of the ancients rejected the notion concerning the intolerable heat of the torrid zone as a popular error. This, we are told by Plutarch, was the sentiment of Pythagoras; and we learn from Strabo, that Eratosthenes and Polybius had adopted the same opinion, lib. ii. p. 154. Ptolemy seems to have paid no regard to the ancient doctrine and opinions concerning the torrid zone.

NOTE 9.—The court of inquisition, which effectually checks a spirit of liberal inquiry, and of literary improvement, wherever it is established, was unknown in Portugal in the fifteenth century, when the people of that kingdom began their voyages of discovery. More than a century elapsed before it was introduced by John III. whose reign commenced A. D. 1521.

NOTE 10.—An instance of this is related by Hackluyt, upon authority of the Portuguese historian Garcia de Resende. Some English merchants having resolved to open a trade with the coast of Guinea, John II. of Portugal dispatched ambassadors to Edward IV. in order to lay before him the right which he had acquired by the pope's bull to the dominion of that country, and to request of him to prohibit his subjects to prosecute their intended voyage. Edward was so much satisfied with the exclusive title of the Portuguese, that he issued his orders in the terms which they desired. Hackluyt, Navigations, Voyages, and Traffics of the English, vol. ii. part ii. p. 2.

NOTE 11.—The time of Columbus's death may be nearly ascertained by the following circumstances. It appears from the general fragment of a letter, addressed by him to Ferdinand and Isabella, A. D. 1501, that he had, at that time, been engaged forty years in a seafaring life. In another letter he informs them, that he went to sea at the age of fourteen: from those facts it follows, that he was born A. D. 1447. Life of Christoph. Columbus, by his son Don Ferdinand. Churchill's collection of Voyages, Vol. ii. p. 484, 485.

NOTE 12.—The spherical figure of the earth was known to the ancient geographers. They invented the method, still in use, of computing the longitude and latitude of different places. According to their doctrine, the equator, or imaginary line which encompasses the earth, contained three hundred and sixty degrees; these they divided into twenty-four parts, or hours, each equal to fifteen degrees. The country of the *Seres* or *Sinae*, being the farthest part of India known to the ancients, was supposed by Marinus Tyrius, the most eminent of the ancient geographers before Ptolemy, to be fifteen hours, or two hundred and twenty-five degrees to the east of the first meridian, passing through the Fortunate Islands. Ptolemai Geogr. lib. i. c. 11. If this supposition was well founded, the country of the *Seres*, or China, was only nine hours, or one hundred and thirty-five degrees, west from the Fortunate or Canary islands; and the navigation in that direction was much shorter than by the course which the Portuguese were pursuing. Marco Polo, in his travels, had described countries, particularly the island of Cipango or Zippangri, supposed to be Japan, considerably to the east of any part of Asia known to the ancients. Marcus Paulus de Region. Oriental. lib. ii. c. 70. lib. iii. c. 2. Of course, this country, as it extended further to the east, was still nearer to the Canary islands. The conclusions of Columbus, though drawn from inaccurate observations, were just. If the suppositions of Marinus had been well founded, and if the coun-

tries which Marco Polo visited had been situated to the east of those whose longitude Marinus had ascertained, the proper and nearest course to the East Indies must have been to steer directly west. Herrera, dec. 1. lib. i. c. 2. A more extensive knowledge of the globe has now discovered the great error of Marinus, in supposing China to be fifteen hours, or two hundred and twenty-five degrees east from the Canary Islands, and that even Ptolemy was mistaken, when he reduced the longitude of China to twelve hours, or one hundred and eighty degrees. The longitude of the western frontier of that vast empire is seven hours, or one hundred and fifteen degrees from the meridian of the Canary Islands. But Columbus followed the light which his age afforded, and relied upon the authority of writers, who were, at that time, regarded as the instructors and guides of mankind in the science of geography.

NOTE 13.—As the Portuguese, in making their discoveries, did not depart far from the coasts of Africa, they concluded that birds, whose flight they observed with great attention, did not venture to any considerable distance from land. In the infancy of navigation it was not known, that birds often stretched their flight to an immense distance from any shore. In sailing towards the West Indian islands, birds are often seen at the distance of two hundred leagues from the nearest coast. Sloane's Nat. Hist. of Jamaica, vol. i. p. 30. Catesby saw an owl at sea, when the ship was six hundred leagues distant from land. Nat. Hist. of Carolina, pref. p. 7. Hist. Naturelle de M. Buffon, tom. xvi. p. 32. From which it appears, that this indication of land, on which Columbus seems to have relied with some confidence, was extremely uncertain. This observation is confirmed by Capt. Cook, the most extensive and experienced navigator of any age or nation. "No one yet knows (says he) to what distance any of the oceanic birds go to sea; for my own part, I do not believe that there is one in the whole tribe that can be relied on in pointing out the vicinity of land." Voyage towards the South Pole, vol. i. p. 275.

NOTE 14.—In a letter of the admiral's to Ferdinand and Isabella, he describes one of the harbours in Cuba with all the enthusiastic admiration of a discoverer.—"I discovered a river which a galley might easily enter: the beauty of it induced me to sound, and I found from five to eight fathoms of water. Having proceeded a considerable way up the river, every thing invited me to settle there. The beauty of the river, the clearness of the water, through which I could see the sandy bottom, the multitude of palm trees of different kinds, the tallest and finest I had seen, and an infinite number of other large and flourishing trees, the birds, and the verdure of the plains, are so wonderfully beautiful, that this country excels all others as far as the day surpasses the night in brightness and splendour, so that I often said, that it would be in vain for me to attempt to give your highnesses a full account of it, for neither my tongue nor my pen could come up to the truth; and indeed I am so much amazed at the sight of such beauty, that I know not how to describe it." Life of Columbus, c. 30.

NOTE 15.—The account which Columbus gives of the humanity and orderly behaviour of the natives on this occasion is very striking. "The king," says he, in a letter to Ferdinand and Isabella, "having been informed of our misfortune, expressed great grief for our loss, and immediately sent aboard all the people in the place in many large canoes; we soon unloaded the ship of every thing that was upon

deck, as the king gave us great assistance: he himself, with his brothers and relations, took all possible care that every thing should be properly done, both aboard and on shore. And, from time to time, he sent some of his relations weeping, to beg of me not to be dejected, for he would give me all that he had. I can assure your highness, that so much care would not have been taken in securing our effects in any part of Spain, as all our property was put together in one place near his palace, until the houses which he wanted to prepare for the custody of it were emptied. He immediately placed a guard of armed men, who watched during the whole night, and those on shore lamented as if they had been much interested in our loss. The people are so affectionate, so tractable, and so peaceable, that I swear to your highnesses that there is not a better race of men, nor a better country, in the world. They love their neighbour as themselves; their conversation is the sweetest and mildest in the world, cheerful and always accompanied with a smile. And although it is true that they go naked, yet your highnesses may be assured that they have many very commendable customs; the king is served with great state, and his behaviour is so decent, that it is pleasant to see him, as it is likewise to observe the wonderful memory which these people have, and their desire of knowing every thing, which leads them to inquire into its causes and effects." Life of Columbus, c. 32. It is probable that the Spaniards were indebted for this officious attention, to the opinion which the Indians entertained of them as a superior order of beings.

NOTE 16.—Every monument of such a man as Columbus is valuable. A letter which he wrote to Ferdinand and Isabella, describing what passed on this occasion, exhibits a most striking picture of his integrity, his humanity, his prudence, his public spirit, and courtly address. "I would have been less concerned for this misfortune had I alone been in danger, both because my life is a debt that I owe to the Supreme Creator, and because I have at other times been exposed to the most imminent hazard. But what gave me infinite grief and vexation was, that after it had pleased our Lord to give me faith to undertake this enterprize, in which I had now been so successful, that my opponents would have been convinced, and the glory of your highnesses, and the extent of your territory increased by me, it should please the divine majesty to stop all by my death. All this would have been more tolerable, had it not been attended with the loss of those men whom I had carried with me, upon promise of the greatest prosperity, who, seeing themselves in such distress, cursed not only their coming along with me, but that fear and awe of me which prevented them from returning, as they often had resolved to have done. But besides all this, my sorrow was greatly increased by recollecting that I had left my two sons at school at Cordova, destitute of friends, in a foreign country, when it could not in all probability be known that I had done such services as might induce your highnesses to remember them. And though I comforted myself with the faith that our Lord would not permit that, which tended so much to the glory of his church, and which I had brought about with so much trouble, to remain imperfect; yet I considered that, on account of my sins, it was his will to deprive me of that glory which I might have attained in this world. While in this confused state, I thought on the good fortune which accompanies your highnesses, and imagined that, although

I should perish, and the vessel be lost, it was possible that you might somehow come to the knowledge of my voyage, and the success with which it was attended. For that reason I wrote upon parchment with the brevity which the situation required, that I had discovered the lands which I promised, in how many days I had done it, and what course I had followed. I mentioned the goodness of the country, the character of the inhabitants, and that your highnesses' subjects were left in possession of all that I had discovered. Having sealed this writing, I addressed it to your highnesses, and promised a thousand ducats to any person who should deliver it sealed, so that if any foreigners found it, the promised reward might prevail on them not to give the information to another. I then caused a great cask to be brought to me, and wrapping up the parchment in an oiled cloth, and afterwards in a cake of wax, I put it into the cask, and having stopped it well, I cast it into the sea. All the men believed that it was some act of devotion. Imagining that this might never chance to be taken up, as the ships approached nearer to Spain, I made another packet like the first, and placed it at the top of the poop, so that if the ship sunk, the cask remaining above water might be committed to the guidance of fortune."

NOTE 17.—Some Spanish authors, with the meanness of national jealousy, have endeavoured to detract from the glory of Columbus by insinuating that he was led to the discovery of the New World, not by his own inventive or enterprising genius, but by information which he had received. According to their account, a vessel having been driven from its course by easterly winds, was carried before them far to the west, and landed on the coast of an unknown country, from which it returned with difficulty; the pilot and three sailors being the only persons who survived the distresses which the crew suffered, from want of provisions and fatigue in this long voyage. In a few days after their arrival, all the four died; but the pilot having been received into the house of Columbus, his intimate friend disclosed to him, before his death, the secret of the discovery which he had accidentally made, and left him his papers, containing a journal of a voyage, which served as a guide to Columbus in his undertaking. Gomara, as far as I know, is the first author who published this story, Hist. c. 13. Every circumstance is destitute of evidence to support it. Neither the name of the vessel nor its destination is known. Some pretend that it belonged to one of the seaport towns in Andalusia, and was sailing either to the Canaries, or to Madeira; others, that it was a Biscayner in its way to England; others, a Portuguese ship trading on the coast of Guinea. The name of the pilot is alike unknown, as well as that of the port in which he landed on his return. According to some, it was in Portugal; according to others, in Madeira, or the Azores. The year in which this voyage was made is no less uncertain. Monson's Naval Tracts. Churchill, iii. 371. No mention is made of this pilot, or his discoveries, by And. Bermudes, or Pet. Martyr, the contemporaries of Columbus. Herrera, with his usual judgment, passes over it in silence. Oviedo takes notice of this report, but considers it as a tale fit only to amuse the vulgar. Hist. lib. ii. c. 2. As Columbus held his course directly west from the Canaries, and never varied it, some later authors have supposed that this uniformity is a proof of his being guided by some previous information. But they do not recollect the principles on which he founded all his hopes

of success, that by holding a westerly course he must certainly arrive at those regions of the east described by the ancients. His firm belief of his own system led him to take that course, and to pursue it without deviation.

The Spaniards are not the only people who have called in question Columbus's claim to the honour of having discovered America. Some German authors ascribe this honour to Martin Behaim, their countryman. He was of the noble family of the Behaims of Schwartzbach, citizens of the first rank in the imperial town of Nuremberg. Having studied under the celebrated John Muller, better known by the name of Regiomontanus, he acquired such knowledge of cosmography, as excited a desire of exploring those regions, the situation and qualities of which he had been accustomed, under that able master, to investigate and describe. Under the patronage of the Duchess of Burgundy, he repaired to Lisbon, whither the fame of the Portuguese discoveries invited all the adventurous spirits of the age. There, as we learn from Herman Schedel, of whose *Chronicon Mundi* a German translation was printed at Nuremberg, A. D. 1493, his merit as a cosmographer raised him, in conjunction with Diego Cana, to the command of a squadron fitted out for discovery in the year 1483. In that voyage he is said to have discovered the kingdom of Congo. He settled in the island of Fayal, one of the Azores, and was a particular friend of Columbus. Herrera, dec. 11. lib. ii. c. 2. Magellan had a terrestrial globe made by Behaim, on which he demonstrated the course that he proposed to hold in search of the communication with the South sea, which he afterwards discovered. Gomara. Hist. c. 19. Herrera, dec. 11. lib. ii. c. 19. In the year 1492 Behaim visited his relations in Nuremberg, and left with them a map drawn with his own hand, which is still preserved among the archives of the family. Thus far the story of Martin Behaim seems to be well authenticated; but the account of his having discovered any part of the New World appears to be merely conjectural.

In the first edition, as I had at that time hardly any knowledge of Behaim but what I derived from a frivolous dissertation, 'De vero Novi Orbis Inventore,' published at Francfort, A. D. 1714, by Jo. Frid. Stuvinius, I was induced by the authority of Herrera, to suppose that Behaim was not a native of Germany; but from more full and accurate information, communicated to me by the learned Dr. John Reinhold Forster, I am now satisfied that I was mistaken. Dr. Forster has been likewise so good as to favour me with a copy of Behaim's map, as published by Doppelmayr, in his account of the mathematicians and artists of Nuremberg. From this map the imperfection of cosmographical knowledge at that period is manifest. Hardly one place is laid down in its true situation. Nor can I discover from it any reason to suppose that Behaim had the least knowledge of any region in America. He delineates, indeed, an island to which he gives the name of St. Brandon. This, it is imagined, may be some part of Guiana, supposed at first to be an island. He places it in the same latitude with the Cape Verd isles, and I suspect it to be an imaginary island which has been admitted into some ancient maps on no better authority than the legend of the Irish St. Brandon, or Brendan, whose story is so childishly fabulous as to be unworthy of any notice. Girald. Cambrensis ap. Misingham Florilegium Sanctorum, p. 427.

The pretensions of the Welch to the discovery of America seem not to rest on a foundation much more

solid. In the twelfth century, according to Powell, a dispute having arisen among the sons of Owen Guyneth, king of North Wales, concerning the succession to his crown, Madoc, one of their number, weary of this contention, betook himself to sea in quest of a more quiet settlement. He steered due west, leaving Ireland to the north, and arrived in an unknown country, which appeared to him so desirable that he returned to Wales, and carried thither several of his adherents and companions. This is said to have happened about the year 1170, and after that he and his colony were heard of no more. But it is to be observed that Powell, on whose testimony the authenticity of this story rests, published his history above four centuries from the date of the event which he relates. Among a people as rude and as illiterate as the Welch at that period, the memory of a transaction so remote must have been very imperfectly preserved, and would require to be confirmed by some author of greater credit, and nearer to the era of Madoc's voyage, than Powell. Later antiquaries have indeed appealed to the testimony of Meredith ap Rees, a Welch bard, who died A. D. 1477. But he, too, lived at such a distance of time from the event, that he cannot be considered as a witness of much more credit than Powell. Besides, his verses, published by Hakluyt, vol. iii. p. 1. convey no information, but that Madoc, dissatisfied with his domestic situation, employed himself in searching the ocean for new possessions. But even if we admit the authenticity of Powell's story, it does not follow that the unknown country which Madoc discovered by steering west, in such a course as to leave Ireland to the north, was any part of America. The naval skill of the Welch in the twelfth century was hardly equal to such a voyage. If he made any discovery at all, it is more probable that it was Madeira, or some other of the western isles. The affinity of the Welch language with some dialects spoken in America, has been mentioned as a circumstance which confirms the truth of Madoc's voyage. But that affinity has been observed in so few instances, and in some of these is so obscure, or so fanciful, that no conclusion can be drawn from the casual resemblance of a small number of words. There is a bird, which, as far as is yet known, is found only on the coasts of South America, from Port Desire to the Straits of Magellan. It is distinguished by the name of *Penguin*. This word in the Welch language signifies *White-head*. Almost all the authors who favour the pretensions of the Welch to the discovery of America, mention this as an irrefragable proof of the affinity of the Welch language with that spoken in this region of America. But Mr. Pennant, who has given a scientific description of the penguin, observes, that all the birds of this genus have black heads, "so that we must resign every hope (adds he) founded on this hypothesis, of retrieving the Cambrian race in the New World." *Philos. Transac.* vol. lviii. p. 91, &c. Besides this, if the Welch, towards the close of the twelfth century, had settled in any part of America, some remains of the christian doctrine and rites must have been found among their descendants, when they were discovered about three hundred years posterior to their migration; a period so short, that in the course of it we cannot well suppose that all European ideas and arts would be totally forgotten. Lord Littleton in his notes to the fifth book of his *History of Henry II.* p. 371, has examined what Powell relates concerning the discoveries made by Madoc, and

invalidates the truth of his story by other arguments of great weight.

The pretensions of the Norwegians to the discovery of America seem to be better founded than those of the Germans or Welch. The inhabitants of Scandinavia were remarkable in the middle ages for the boldness and extent of their maritime excursions. In 874 the Norwegians discovered and planted a colony in Iceland. In 982 they discovered Greenland, and established settlements there. From that some of their navigators proceeded towards the west, and discovered a country more inviting than those horrid regions with which they were acquainted. According to their representation this country was sandy on the coasts, but in the interior parts level and covered with wood, on which account they gave it the name of *Helle-land*, and *Mark land*, and having afterwards found some plants of the vine which bore grapes, they called it *Win-land*. The credit of this story rests, as far as I know, on the authority of the *saga*, or chronicle of king Olaus, composed by Snorro Sturlunson, or *Sturlusons*, published by Perinskiold, at Stockholm, A. D. 1697. As Snorro was born in the year 1179, his chronicle might be compiled about two centuries after the event which he relates. His account of the navigation and discoveries of *Biorn*, and his companion *Lief*, is a very rude, confused tale, pp. 104, 110, 326. It is impossible to discover from him what part of America it was in which the Norwegians landed. According to his account of the length of the days and nights, it must have been as far north as the fifty-eighth degree of latitude, on some part of the coast of Labrador, approaching near to the entry of Hudson's straits. Grapes, certainly, are not the production of that country. Torfæus supposes that there is an error in the text, by rectifying of which the place where the Norwegians landed may be supposed to be situated in latitude 49 degrees. But neither is that the region of the vine in America. From perusing Snorro's tale I should think that the situation of Newfoundland corresponds best with that of the country discovered by the Norwegians. Grapes, however, are not the production of that barren island. Other conjectures are mentioned by M. Mallet, *Introd. à l'Hist. de Danem.* 175, &c. I am not sufficiently acquainted with the literature of the north to examine them. It seems manifest, that if the Norwegians did discover any part of America at that period their attempts to plant colonies proved unsuccessful, and all knowledge of it was soon lost.

NOTE 18.—Peter Martyr, ab Angleria, a Milanese gentleman, residing at that time in the court of Spain, whose letters contain an account of the transactions of that period, in the order wherein they occurred, describes the sentiments with which he himself and his learned correspondents were affected, in very striking terms. "*Præ letitia prosluissae te, vixque a lachrymis præ gaudio temperasse, quando literas adpexisti meas quibus, de antipodum orbe latenti hactenus, te certiorum feci, mi suavisime Pomponi, insinuasti. Ex tuis ipse literis colligo, quid senseris. Sensisti autem, tantique rem fecisti, quanti virum summa doctrina insignitum deuit. Quis namque cibus sublimibus præstari potest ingenii, isto suavior? quod condimentum gratius? A me facio conjecturam. Beatos sentio spiritus meos, quando accitos alloquor prudentes aliquos ex his qui ab ea redeunt provincia. Implicent animos pecuniarum cumulis augendis miseri avari, libidibus obsceni; nostras nos mentes, postquam Deo pleni ali-*"

quando fuerimus, contemplando, hujuscemodi rerum notitia demulciamus." Epist. 152. Pomponio Læto.

NOTE 19.—So firmly were men of science in that age persuaded that the countries which Columbus had discovered were connected with the East Indies, that Bernaldes, the Cura de los Palacios, who seems to have been no inconsiderable proficient in the knowledge of cosmography, contends that Cuba was not an island, but a part of the continent, and united to the dominions of the Great Khan. This he delivered as his opinion to Columbus himself, who was his guest for some time on his return from his second voyage; and he supports it by several arguments, mostly founded on the authority of Sir John Mandeville; MS. *penes me*. Antonio Gallo, who was secretary to the magistracy of Genoa towards the close of the fifteenth century, published a short account of the navigations and discoveries of his countryman Columbus, annexed to his *Opuscula Historica de Rebus Populi Genuensibus*; in which he informs us, from letters of Columbus which he himself had seen, that it was his opinion, founded upon nautical observations, that one of the islands he had discovered was distant only two hours or thirty degrees from Cattigara, which, in the charts of the geographers of that age, was laid down upon the authority of Ptolemy, lib. vii. c. 3, as the most easterly place in Asia. From this he concluded, that if some unknown continent did not obstruct the navigation, there must be a short and easy access, by holding a westerly course, to this extreme region of the east. Muratori *Scriptores Rer. Italicarum*, vol. xxiii. p. 304.

NOTE 20.—Bernaldes, the Cura or Rector de los Palacios, a contemporary writer, says, that five hundred of these captives were sent to Spain, and sold publicly in Seville as slaves; but that by the change of climate and their inability to bear the fatigue of labour, they all died in a short time.—MS. *penes me*.

NOTE 21.—Columbus seems to have formed some very singular opinions concerning the countries which he had now discovered. The violent swell and agitation of the waters on the coast of Trinidad, led him to conclude this to be the highest part of the terraqueous globe; and he imagined that various circumstances concurred in proving that the sea was here visibly elevated. Having adopted this erroneous principle, the apparent beauty of the country induced him to fall in with a notion of Sir John Mandeville, c. 102, that the terrestrial paradise was the highest land in the earth; and he believed that he had been so fortunate as to discover this happy abode. Nor ought we to think it strange that a person of so much sagacity should be influenced by the opinion or reports of such a fabulous author as Mandeville. Columbus and the other discoverers were obliged to follow such guides as they could find; and it appears from several passages in the manuscript of Andr. Bernaldes, the friend of Columbus, that no inconsiderable degree of credit was given to the testimony of Mandeville in that age. Bernaldes frequently quotes him, and always with respect.

NOTE 22.—It is remarkable that neither Gomara nor Oviedo, the most ancient Spanish historians of America, nor Herrera, consider Ojeda, or his companion Vespucci, as the first discoverers of the continent of America. They uniformly ascribe this honour to Columbus. Some have supposed that national resentment against Vespucci, for deserting the service of Spain, and entering into that of Portugal, may have prompted these writers to conceal the actions which he performed. But Martyr and Benzoni, both Italians, could not

be warped by the same prejudice. Martyr was a contemporary author; he resided in the court of Spain, and had the best opportunity to be exactly informed with respect to all public transactions; and yet neither in his *Decads*, the first general history published of the New World, nor in his epistles, which contain an account of all the remarkable events of his time, does he ascribe to Vespucci the honour of having first discovered the continent. Benzoni went as an adventurer to America in the year 1541, and resided there a considerable time. He appears to have been animated with a warm zeal for the honour of Italy, his native country, and yet does not mention the exploits and discoveries of Vespucci. Herrera, who compiled his general history of America from the most authentic records, not only follows those early writers, but accuses Vespucci of falsifying the dates of both the voyages which he made to the New World, and of confounding the one with the other, in order that he might arrogate to himself the glory of having discovered the continent. Her. dec. 1. lib. iv. c. 2. He asserts, that in a judicial inquiry into this matter by the royal fiscal, it was proved by the testimony of Ojeda himself, that he touched at Hispaniola when returning to Spain from his first voyage; whereas Vespucci gave out that they returned directly to Cadiz from the coast of Paria, and touched at Hispaniola only in their second voyage; and that he had finished the voyage in five months, whereas, according to Vespucci's account, he had employed seventeen months in performing it. *Viaggio primo de Am. Vespucci*, p. 36. *Viag. segundo*, p. 45. Herrera gives a more full account of this inquest in another part of his *Decads*, and to the same effect. Her. dec. 1. lib. vii. c. 5. Columbus was in Hispaniola when Ojeda arrived there, and had by that time come to an agreement with Roldan, who opposed Ojeda's attempt to excite a new insurrection, and, of consequence, his voyage must have been posterior to that of the admiral. Life of Columbus, c. 84. According to Vespucci's account, he set out on his first voyage, May 10, 1497. *Viag. primo*, p. 6. At that time Columbus was in the court of Spain, preparing for his voyage, and seems to have enjoyed a considerable degree of favour. The affairs of the New World were at this juncture under the direction of Antonio Torres, a friend of Columbus. It is not probable, that at that period a commission would be granted to another person, to anticipate the admiral, by undertaking a voyage which he himself intended to perform. Fonseca, who patronized Ojeda, and granted the license for his voyage, was not recalled to court, and reinstated in the direction of Indian affairs, until the death of prince John, which happened September, 1497 (*P. Martyr*, Ep. 182.), several months posterior to the time at which Vespucci pretends to have set out upon his voyage. A life of Vespucci was published at Florence by the Abate Bandini, A. D. 1745, 4to. It is a work of no merit, written with little judgment, and less candour. He contends for his countryman's title to the discovery of the continent with all the blind zeal of national partiality, but produces no new evidence to support it. We learn from him that Vespucci's account of his voyage was published as early as the year 1510, and probably sooner. *Vita di Am. Vesp.* p. 52. At what time the name of America came to be first given to the New World is not certain.

NOTE 23.—The form employed on this occasion served as a model to the Spaniards in all their subsequent conquests in America. It is so extra-

ordinary in its nature, and gives us such an idea of the proceedings of the Spaniards, and the principles upon which they founded their right to the extensive dominions which they acquired in the New World, that it well merits the attention of the reader. "I Alonso de Ojeda, servant of the most high and powerful kings of Castile and Leon, the conquerors of barbarous nations, their messenger and captain, notify to you and declare, in as ample form as I am capable, that God our Lord, who is one and eternal, created the heaven and the earth, and one man and one woman, of whom you and we, and all the men who have been or shall be in the world, are descended. But as it has come to pass through the number of generations during more than five thousand years, that they have been dispersed into different parts of the world, and are divided into various kingdoms and provinces, because one country was not able to contain them, nor could they have found in one the means of subsistence and preservation; therefore God our Lord gave the charge of all those people to one man named St. Peter, whom he constituted the lord and head of all the human race, that all men, in whatever place they are born, or in whatever faith or place they are educated, might yield obedience unto him. He hath subjected the whole world to his jurisdiction, and commanded him to establish his residence in Rome, as the most proper place for the government of the world. He likewise promised and gave him power to establish his authority in every other part of the world, and to judge and govern all Christians, Moors, Jews, Gentiles, and all other people, of whatever sect or faith they may be. To him is given the name of *Pope*, which signifies admirable, great father and guardian, because he is the father and governor of all men. Those who lived in the time of this holy father obeyed and acknowledged him as their lord and king, and the superior of the universe. The same has been observed with respect to them who, since his time, have been chosen to the pontificate. Thus it now continues, and will continue to the end of the world.

"One of these pontiffs, as lord of the world, hath made a grant of these islands, and of the *Tierra Firmé* of the ocean sea, to the catholic kings of Castile, Don Ferdinand and Donna Isabella, of glorious memory, and their successors, our sovereigns, with all they contain, as is more fully expressed in certain deeds passed upon that occasion, which you may see, if you desire it. Thus his majesty is king and lord of these islands and of the continent, in virtue of this donation; and, as king and lord aforesaid, most of the islands to which his title has been notified, have recognised his majesty, and now yield obedience and subjection to him as their lord, voluntarily and without resistance; and instantly, as soon as they received information, they obeyed the religious men sent by the king to preach to them, and to instruct them in our holy faith; and all these, of their own free will, without any recompence or gratuity, became christians, and continue to be so; and his majesty having received them graciously under his protection, has commanded that they should be treated in the same manner as his other subjects and vassals. You are bound and obliged to act in the same manner. Therefore I now entreat and require you to consider attentively what I have declared to you; and that you may more perfectly comprehend it, that you take such time as is reasonable, in order that you may acknowledge the church as the superior and

guide of the universe, and likewise the holy father called the pope, in his own right, and his majesty by his appointment, as king and sovereign lord of these islands, and of the *Tierra Firmé*; and that you consent that the aforesaid holy fathers shall declare and preach to you the doctrines above mentioned. If you do this, you act well, and perform that to which you are bound and obliged; and his majesty, and I in his name, will receive you with love and kindness, and will leave you, your wives and children, free and exempt from servitude, and in the enjoyment of all you possess, in the same manner as the inhabitants of the islands. Besides this, his majesty will bestow upon you many privileges, exemptions, and rewards. But if you will not comply, or maliciously delay to obey my injunction, then, with the help of God, I will enter your country by force; I will carry on war against you with the utmost violence; I will subject you to the yoke of obedience to the church and king; I will take your wives and children, and will make them slaves, and sell or dispose of them according to his majesty's pleasure; I will seize your goods, and do you all the mischief in my power, as rebellious subjects, who will not acknowledge or submit to their lawful sovereign. And I protest, that all the bloodshed and calamities which shall follow, are to be imputed to you, and not to his majesty, or to me, or the gentlemen who serve under me; and as I have now made this declaration and requisition unto you, I require the notary here present to grant me a certificate of this, subscribed in proper form." Herrera, dec. 1. lib. vii. c. 14.

NOTE 24.—Balboa, in his letter to the king, observes, that of the hundred and ninety men whom he took with him, there never were above eighty fit for service at one time. So much did they suffer from hunger, fatigue, and sickness. Herrera, dec. 1. lib. x. c. 16. P. Mart. decad. 225.

NOTE 25.—Fonseca, bishop of Palencia, the principal director of American affairs, had eight hundred Indians in property; the commendator Lope de Conchillos, his chief associate in that department, eleven hundred; and their favourites had considerable numbers. They sent overseers to the islands, and hired out those slaves to the planters. Herrera, dec. 1. lib. ix. c. 14. p. 325.

NOTE 26.—Though America is more plentifully supplied with water than the other regions of the globe, there is no river or stream of water in Yucatan. This peninsula projects from the continent a hundred leagues, but, where broadest, does not extend above twenty-five leagues. It is an extensive plain, not only without mountains, but without almost any inequality of ground. The inhabitants are supplied with water from pits, and wherever they dig them, find it in abundance. It is probable, from all those circumstances, that this country was formerly covered by the sea. Herrera *Descriptio Indiæ Occidentalis*, p. 14. *Histoire Naturelle*, par M. de Buffon, tom. i. p. 593.

NOTE 27.—M. Clavigero censures me for having represented the Spaniards who sailed with Cordova and Grijalva, as fancying, in the warmth of their imagination, that they saw cities on the coast of Yucatan adorned with towers and *cupolas*. I know not what translation of my history he has consulted (for his quotation from it is not taken from the original), but I never imagined that any building erected by the Americans could suggest the idea of a cupola or dome, a structure which their utmost skill in architecture was incapable of rearing. My words

are, that they fancied the villages which they saw from their ships "to be cities adorned with towers and pinnacles." By *pinnacles* I meant some elevation above the rest of the building; and the passage is translated almost literally from Herrera, dec. 2. lib. iii. c. 1. In almost all the accounts of new countries given by the Spanish discoverers of that age, this warmth of admiration is conspicuous, and led them to describe these new objects in the most splendid terms. When Cordova and his companions first beheld an Indian village of greater magnitude than any they had beheld in the islands, they dignified it by the name of *Grand Cairo*, B. Diaz, c. 2. From the same cause Grijalva and his associates thought the country, along the coast of which they held their course, entitled to the name of New Spain.

NOTE 28.—The height of the most elevated point in the Pyrenees is, according to M. Cassini, six thousand six hundred and forty-six feet. The height of the Peak of Teneriffe, according to the measurement of P. Feuillé, is thirteen thousand one hundred and seventy-eight feet. The height of Chimborazzo, the most elevated point of the Andes, is twenty thousand two hundred and eighty feet; no less than seven thousand one hundred and two feet above the highest mountain in the ancient continent. Voyage de D. Juan Ulloa, Observations Astron. et Physiq. tom. ii. p. 114. The line of congelation on Chimborazzo, or that part of the mountain which is covered perpetually with snow, is no less than two thousand four hundred feet from its summit. Prevot. Hist. Gener. des Voyages, vol. xiii. p. 636.

NOTE 29.—As a particular description makes a stronger impression than general assertions, I shall give one of Rio de la Plata by an eye-witness, P. Cattaneo, a Modenese Jesuit, who landed at Buenos Ayres in 1749, and thus represents what he felt when such new objects were first presented to his view. "While I resided in Europe, and read in books of history or geography that the mouth of the river de la Plata was a hundred and fifty miles in breadth, I considered it as an exaggeration, because in this hemisphere we have no example of such vast rivers. When I approached its mouth, I had the most vehement desire to ascertain the truth with my own eyes; and I have found the matter to be exactly as it was represented. This I deduce particularly from one circumstance: When we took our departure from Monte-Video, a fort situated more than a hundred miles from the mouth of the river, and where its breadth is considerably diminished, we sailed a complete day before we discovered the land on the opposite bank of the river; and when we were in the middle of the channel, we could not discern land on either side, and saw nothing but the sky and water, as if we had been in some great ocean. Indeed we should have taken it to be sea, if the fresh water of the river, which was turbid like the Po, had not satisfied us that it was a river. Moreover, at Buenos Ayres, another hundred miles up the river, and where it is still much narrower, it is not only impossible to discern the opposite coast, which is indeed very low and flat, but one cannot perceive the houses or the tops of the steeples in the Portuguese settlement at Colonia on the other side of the river."—Lettera prima, published by Muratori, Il Christianesimo Felice, &c. i. p. 357.

NOTE 30.—Newfoundland, part of Nova Scotia, and Canada, are the countries which lie in the same parallel of latitude with the kingdom of France; and in every part of these the water of the rivers is frozen during winter to the thickness of several feet; the

earth is covered with snow as deep; almost all the birds fly, during that season, from a climate where they could not live. The country of the Esquimaux, part of Labrador, and the countries on the south of Hudson's bay, are in the same parallel with Great Britain; and yet in all these the cold is so intense, that even the industry of Europeans has not attempted cultivation.

NOTE 31.—Acosta is the first philosopher, as far as I know, who endeavoured to account for the different degrees of heat in the old and new continents, by the agency of the winds which blow in each. Hist. Moral. &c. lib. ii. and iii. M. de Buffon adopts this theory, and has not only improved it by new observations, but has employed his amazing powers of descriptive eloquence in embellishing and placing it in the most striking light. Some remarks may be added, which tend to illustrate more fully a doctrine of much importance in every inquiry concerning the temperature of various climates.

When a cold wind blows over land, it must in its passage rob the surface of some of its heat. By means of this, the coldness of the wind is abated. But if it continue to blow in the same direction, it will come, by degrees, to pass over a surface already cooled, and will suffer no longer any abatement of its own keenness. Thus, as it advances over a large tract of land, it brings on all the severity of intense frost.

Let the same wind blow over an extensive and deep sea; the superficial water must be immediately cooled to a certain degree, and the wind proportionably warmed. But the superficial and colder water becoming specifically heavier than the warm water below it, descends; what is warmer supplies its place, which, as it comes to be cooled in its turn, continues to warm the air which passes over it, or to diminish its cold. This change of the superficial water and successive ascent of that which is warmer, and the consequent successive abatement of coldness in the air, is aided by the agitation caused in the sea by the mechanical action of the wind, and also by the motion of the tides. This will go on, and the rigour of the wind will continue to diminish, until the whole water is so far cooled that the water on the surface is no longer removed from the action of the wind, fast enough to hinder it from being arrested by frost. Whenever the surface freezes, the wind is no longer warmed by the water from below, and it goes on with undiminished cold.

From those principles may be explained the severity of winter frosts in extensive continents; their mildness in small islands; and the superior rigour of winter in those parts of North America with which we are best acquainted. In the north-west parts of Europe, the severity of winter is mitigated by the west winds, which usually blow in the months of November, December, and part of January.

On the other hand, when a warm wind blows over land, it heats the surface, which must therefore cease to abate the fervour of the wind. But the same wind blowing over water, agitates it, brings up the cold water from below, and thus is continually losing somewhat of its own heat.

But the great power of the sea to mitigate the heat of the wind or air passing over it, proceeds from the following circumstance:—that on account of the transparency of the sea, its surface cannot be heated to a great degree by the sun's rays; whereas the ground, subjected to their influence, very soon acquires great heat. When, therefore, the wind blows over a torrid continent, it is soon raised to a

heat almost intolerable; but during its passage over an extensive ocean, it is gradually cooled; so that on its arrival at the furthest shore, it is again fit for respiration.

Those principles will account for the sultry heats of large continents in the torrid zone; for the mild climate of islands in the same latitude; and for the superior warmth in summer which large continents, situated in the temperate or colder zones of the earth, enjoy, when compared with that of islands. The heat of a climate depends not only upon the immediate effect of the sun's rays, but on their continued operation, on the effect which they have formerly produced, and which remains for some time in the ground. This is the reason why the day is warmest about two in the afternoon, the summer warmest about the middle of July, and the winter coldest about the middle of January.

The forests which cover America, and hinder the sun-beams from heating the ground, are a great cause of the temperate climate in the equatorial parts. The ground, not being heated, cannot heat the air; and the leaves, which receive the rays intercepted from the ground, have not a mass of matter sufficient to absorb heat enough for this purpose. Besides, it is a known fact, that the vegetative power of a plant occasions a perspiration from the leaves in proportion to the heat to which they are exposed; and from the nature of evaporation, this perspiration produces a cold in the leaf proportional to the perspiration. Thus the effect of the leaf in heating the air in contact with it, is prodigiously diminished. For these observations, which throw much additional light on this curious subject, I am indebted to my ingenious friend, Mr. Robison, professor of natural philosophy in the university of Edinburgh.

NOTE 32.—The climate of Brazil has been described by two eminent naturalists, Piso and Margrave, who observed it with a philosophical accuracy for which we search in vain in the accounts of many other provinces in America. Both represent it as temperate and mild, when compared with the climate of Africa. They ascribe this chiefly to the refreshing wind which blows continually from the sea. The air is not only cool, but chilly through the night, in so much that the natives kindle fires every evening in their huts. Piso de Medicina Brasiliensi, lib. i. p. 1, &c. Margravin Histor. Rerum Natural. Brasiliæ, lib. viii. c. 3. p. 264. Nieuhoff, who resided long in Brazil, confirms their description. Churchill's Collection, vol. ii. page 26. Gumilla, who was a missionary many years among the Indians upon the river Orinoco, gives a similar description of the temperature of the climate there. Hist. del'Orinoco, tom. i. p. 26. P. Acugna felt a very considerable degree of cold in the countries on the banks of the river Amazons. Relat. vol. ii. p. 56. M. Biet, who lived a considerable time in Cayenne, gives a similar account of the temperature of that climate, and ascribes it to the same cause. Voyage de la France, Equinox, p. 330. Nothing can be more different from these descriptions than that of the burning heat of the African coast given by M. Adanson. Voyage to Senegal, passim.

NOTE 33.—Two French frigates were sent upon a voyage of discovery in the year 1739. In latitude 44 deg. south, they began to feel a considerable degree of cold. In latitude 48 deg. they met with islands of floating ice. Histoires des Navigations aux Terres Australes, tom. ii. p. 256, &c. Dr. Halley fell in with ice in lat. 59 deg. Id. tom. i. p. 47. Commodore Byron, when on the coast of Patagonia, lat.

50 deg. 33 min. south, on the fifteenth of December, which is midsummer in that part of the globe, the twenty-first of December, being the longest day there, compares the climate to that of England in the middle of winter. Voyages by Hawkesworth, i. 25. Mr. Banks having landed on Terra del Fuego, in the bay of Good Success, lat. 55 deg. on the sixteenth of January, which corresponds to the month of July in our hemisphere, two of his attendants died in one night of extreme cold, and all the party were in the most eminent danger of perishing. Id. ii. 51, 52. By the fourteenth of March, corresponding to September in our hemisphere, winter was set in with rigour, and the mountains were covered with snow. Ibid. 72. Captain Cook, in his voyage towards the south pole, furnishes new and striking instances of the extraordinary predominance of cold in this region of the globe. "Who would have thought (says he) that an island of no greater extent than seventy leagues in circuit, situated between the latitude of 54 and 55 deg. should, in the very height of summer, be in a manner wholly covered, many fathoms deep, with frozen snow, but more especially the S. W. coast? The very summits of the lofty mountains were cased with snow and ice; but the quantity that lay in the valleys is incredible; and at the bottom of the bays the coast was terminated by a wall of ice of considerable height." Vol. ii. p. 217.

In some places of the ancient continent, an extraordinary degree of cold prevails in very low latitudes. Mr. Bogle, in his embassy to the court of the Delai Lama, passed the winter of the year 1774 at Chamnanning, in lat. 31 deg. 39 min. N. He often found the thermometer in his room twenty-nine degrees under the freezing point by Fahrenheit's scale; and in the middle of April the standing waters were all frozen, and heavy showers of snow frequently fell. The extraordinary elevation of the country seems to be the cause of this excessive cold. In travelling from Indostan to Thibet, the ascent to the summit of the Boutan mountains is very great, but the descent on the other side is not in equal proportion. The kingdom of Thibet is an elevated region, extremely bare and desolate. Account of Thibet, by Mr. Stewart, read in the Royal Society, p. 7. The extraordinary cold in low latitudes in America cannot be accounted for by the same cause. Those regions are not remarkable for elevation. Some of them are countries depressed and level.

The most obvious and probable cause of the superior degree of cold towards the southern extremity of America seems to be the form of the continent there. Its breadth gradually decreases as it stretches from St. Antonio southwards, and from the bay of St. Julian to the straits of Magellan, its dimensions are much contracted. On the east and west sides it is washed by the Atlantic and Pacific oceans. From its southern point it is probable that a great extent of sea, without any considerable tract of land, reaches to the Antarctic pole. In whichever of these directions the wind blows, it is cooled before it approaches the Magellanic regions by passing over a vast body of water; nor is the land there of such extent that it can recover any considerable degree of heat in its progress over it. These circumstances concur in rendering the temperature of the air in this district of America more similar to that of an insular than to that of a continental climate, and hinder it from acquiring the same degree of summer heat with places in Europe and Asia in a correspondent northern latitude. The north wind is the only one that reaches this part of America, after blowing

over a great continent. But from an attentive survey of its position, this will be found to have a tendency rather to diminish than augment the degree of heat. The southern extremity of America is properly the termination of the immense ridge of the Andes, which stretches nearly in a direct line from north to south, through the whole extent of the continent. The most sultry regions in South America, Guiana, Brazil, Paraguay, and Tucuman, lie many degrees to the east of the Magellanic regions. The level country of Peru, which enjoys the tropical heats, is situated considerably to the west of them. The north wind then, though it blows over land, does not bring to the southern extremity of America an increase of heat collected in its passage over torrid regions; but before it arrives there, it must have swept along the summits of the Andes, and comes impregnated with the cold of that frozen region.

Though it be now demonstrated that there is no southern continent in that region of the globe which it was supposed to occupy, it appears to be certain from Captain Cook's discoveries, that there is a large tract of land near the south pole, which is the source of most of the ice spread over the vast southern ocean. Vol. ii. p. 230, 239, &c. Whether the influence of this remote frozen continent may reach the southern extremity of America, and affect its climate, is an inquiry not unworthy of attention.

NOTE 34.—M. Condamine is one of the latest and most accurate observers of the interior state of South America. "After descending from the Andes" (says he), "one beholds a vast and uniform prospect of water and verdure, and nothing more. One treads upon the earth, but does not see it; as it is so entirely covered with luxuriant plants, weeds, and shrubs, that it would require a considerable degree of labour to clear it for the space of a foot." *Relation abrégée d'un Voyage*, &c. p. 48. One of the singularities in the forests is a sort of osiers, or withes, called *bejuocos* by the Spaniards, *lianes* by the French, and *nibbes* by the Indians, which are usually employed as ropes in America. This is one of the parasitical plants, which twists about the trees it meets with, and rising above their highest branches, its tendrils descend perpendicularly, strike into the ground, take root, rise up around another tree, and thus mount and descend alternately. Other tendrils are carried obliquely by the wind, or some accident, and form a confusion of interwoven cordage, which resembles the rigging of a ship. Bancroft, *Nat. Hist. of Guiana*, 99. These withes are often as thick as the arm of a man. *Ib.* p. 75. M. Bouguer's account of the forests in Peru perfectly resembles this description. *Voyages au Peru*, p. 16. Oviedo gives a similar description of the forests in other parts of America. *Hist. lib. ix.* p. 144. D. The country of the Moxos is so much overflowed that they are obliged to reside on the summit of some rising ground during some part of the year, and have no communication with their countrymen at any distance. *Lettres Edifiantes*, tom. x. p. 187. Garcia gives a full and just description of the rivers, lakes, woods, and marshes in those countries of America which lie between the tropics. *Origen de los Indios*, lib. ii. c. 5, s. 4, 5. The incredible hardships to which Gonzalez Pizarro was exposed in attempting to march into the country to the east of the Andes, convey a very striking idea of that part of America in its original uncultivated state. *Garcil. de la Vega, Royal. Comment. of Peru*, part ii. book iii. c. 2—5.

NOTE 35.—The animals of America seem not to have been always of a size inferior to those in other

quarters of the globe. From antlers of the moose-deer which have been found in America, it appears to have been an animal of great size. Near the banks of the Ohio a considerable number of bones of an immense magnitude have been found. The place where this discovery has been made lies about one hundred and ninety miles below the junction of the river Scioto with the Ohio. It is about four miles distant from the banks of the latter on the side of the marsh called the Salt Lick. The bones lie in vast quantities about five or six feet under ground, and the stratum is visible in the bank on the edge of the Lick. *Journal of Colonel George Croghan, MS. penes me.* This spot seems to be accurately laid down by Evans in his map. These bones must have belonged to animals of enormous bulk; but naturalists, being acquainted with no living creature of such size, were at first inclined to think that they were mineral substances. Upon receiving a greater number of specimens, and after inspecting them more narrowly, they are now allowed to be the bones of an animal. As the elephant is the largest known quadruped, and the tusks which were found nearly resembled, both in form and quality, the tusks of an elephant, it was concluded, that the carcasses deposited on the Ohio were of that species. But Dr. Hunter, one of the persons of our age best qualified to decide with respect to this point, having accurately examined several parcels of the tusks, and grinders, and jaw-bones, sent from the Ohio to London, gives it as his opinion, that they did not belong to an elephant, but to some huge carnivorous animal of an unknown species. *Phil. Transact.* vol. lviii. p. 34. Bones of the same kind, and as remarkable for their size, have been found near the mouths of the great rivers Obi, Jeniseia, and Lena, in Siberia. *Strahlerenberg, Descript. of North and East Parts of Europe and Asia*, p. 402, &c. The elephant seems to be confined in his range to the torrid zone, and never multiplies beyond it. In such cold regions as those bordering on the frozen sea he could not live. The existence of such large animals in America might open a wide field for conjecture. The more we contemplate the face of nature, and consider the variety of her productions, the more we must be satisfied, that astonishing changes have been made in the terraqueous globe by convulsions and revolutions, of which no account is preserved in history.

NOTE 36.—This degeneracy of the domestic European animals in America may be imputed to some of these causes. In the Spanish settlements, which are situated either within the torrid zone, or in countries bordering upon it, the increase of heat, and diversity of food, prevent sheep and horned cattle from attaining the same size as in Europe. They seldom become so fat, and their flesh is not so juicy, or of such delicate flavour. In North America where the climate is more favourable, and similar to that of Europe, the quality of the grasses which spring up naturally in their pasture-grounds is not good. *Mitchell*, p. 151. Agriculture is still so much in its infancy, that artificial food for cattle is not raised in any quantity. During a winter, long in many provinces and rigorous in all, no proper care is taken of their cattle. The general treatment of their horses and horned cattle is injudicious and harsh in all the English colonies. These circumstances contribute more, perhaps, than any thing peculiar in the quality of the climate, to the degeneracy of breed in the horses, cows, and sheep, of many of the North American provinces.

NOTE 37.—In the year 1518 the island of Hispan-

niola was afflicted with a dreadful visitation of those destructive insects, the particulars of which Herrera describes, and mentions a singular instance of the superstitution of the Spanish planters. After trying various methods of exterminating the ants, they resolved to implore protection of the saints; but as the calamity was new, they were at a loss to find out the saint who could give them the most effectual aid. They cast lots in order to discover the patron whom they should invoke. The lots decided in favour of St. Saturninus. They celebrated his festival with great solemnity, and immediately, adds the historian, the calamity began to abate. Herrera, dec. 2, lib. iii. c. 15, p. 107.

NOTE 38.—The author of *Recherches Philosophiques sur les Américains*, supposes this difference in heat to be equal to twelve degrees, and that a place thirty degrees from the equator in the old continent is as warm as one situated eighteen degrees from it in America, tom. i. p. 11. Dr. Mitchell, after observations carried on during thirty years, contends that the difference is equal to fourteen or fifteen degrees of latitude. Present State, &c. p. 257.

NOTE 39.—January 3rd, 1765, Mr. Bertram, near the head of St. John's river, in East Florida, observed a frost so intense, that in one night the ground was frozen an inch thick upon the banks of the river. The limes, citrons, and banana trees at St. Augustin were destroyed. Bertram's Journal, p. 20. Other instances of the extraordinary operations of cold in the southern provinces of North America are collected by Dr. Mitchell. Present State, p. 206, &c. February 7th, 1747, the frost at Charlestown was so intense, that a person having carried two quart bottles of hot water to bed, in the morning they were split to pieces, and the water converted into solid lumps of ice. In a kitchen, where there was a fire, the water in a jar, where there was a large live eel, was frozen to the bottom. Almost all the orange and olive-trees were destroyed. Description of South Carolina, 8vo. Lond. 1761.

NOTE 40.—A remarkable instance of this occurs in Dutch Guiana, a country everywhere level, and so low, that during the rainy seasons it is usually covered with water near two feet in height. This renders the soil so rich, that on the surface, for twelve inches in depth, it is a stratum of perfect manure, and as such has been transported to Barbadoes. On the banks of the Essequibo, thirty crops of ratan canes have been raised successively; whereas, in the West India Islands, not more than two is ever expected from the richest land. The expedients by which the planters endeavour to diminish this excessive fertility of the soil are various. Bancroft, Nat. Hist. of Guiana, p. 10, &c.

NOTE 41.—Muller seems to have believed, without sufficient evidence, that the cape had been doubled, tom. i. p. 11, &c.; and the imperial academy of St. Petersburg gives some countenance to it by the manner in which *Tschukotskoi-noss* is laid down in their charts. But I am assured, from undoubted authority, that no Russian vessel has ever sailed round that cape; and as the country of *Tschutki* is not subject to the Russian empire, it is very imperfectly known.

NOTE 42.—Were this the place for entering into a long and intricate geographical disquisition, many curious observations might arise from comparing the accounts of the two Russian voyages and the charts of their respective navigations. One remark is applicable to both. We cannot rely with absolute

certainty on the position which they assign to several of the places which they visited. The weather was so extremely foggy, that they seldom saw the sun or stars; and the position of the islands and supposed continents was commonly determined by reckoning, not by observation. Behring and Tschirikow proceeded much further towards the east than Krenitzin. The land discovered by Behring, which he imagined to be part of the American continent, is in the 236th degree of north longitude from the first meridian in the isle of Ferro, and in 58 deg. 28 min. of latitude. Tschirikow came upon the same coast in longitude 241 deg., latitude 65 deg. Muller, i. 248, 249. The former must have advanced 60 degrees from the port of Petropawłowski, from which he took his departure, and the latter 65 degrees. But from the chart of Krenitzin's voyage, it appears that he did not sail further towards the east than the 208th degree, and only 32 degrees from Petropawłowski. In 1741, Behring and Tschirikow, both in going and returning, held a course which was mostly to the south of that chain of islands which they discovered; and observing the mountainous and rugged aspect of the headlands which they descried towards the north, they supposed them to be promontories belonging to some part of the American continent, which, as they fancied, stretched as far south as the latitude 56. In this manner they are laid down in the chart published by Muller, and likewise in a manuscript chart drawn by a mate of Behring's ship, communicated to me by Mr. Professor Robinson. But in 1769, Krenitzin, after wintering in the island Alaxa, stood so far towards the north in his return, that his course lay through the middle of what Behring and Tschirikow had supposed to be a continent, which he found to be an open sea, and that they had mistaken rocky isles for the headlands of a continent. It is probable, that the countries discovered in 1741, towards the east, do not belong to the American continent, but are only a continuation of the chain of islands. The number of volcanoes in this region of the globe is remarkable. There are several in Kamtschatka, and not one of the islands, great or small, as far as the Russian navigation extends, is without them. Many are actually burning, and the mountains in all bear marks of having been once in a state of eruption. Were I disposed to admit such conjectures as have found place in other inquiries concerning the people of America, I might suppose that this part of the earth, having manifestly suffered violent convulsions from earthquakes and volcanoes, an isthmus, which may have formerly united Asia to America, has been broken, and formed into a cluster of islands by the shock.

It is singular, that at the very time the Russian navigators were attempting to make discoveries in the north-west of America, the Spaniards were prosecuting the same design from another quarter. In 1769, two small vessels sailed from Loretto, in California, to explore the coasts of the country to the north of that peninsula. They advanced no further than the port of Monte-Rey, in latitude 36. But, in several successive expeditions, fitted out from the port of St. Blas in New Galicia, the Spaniards have advanced as far as the latitude 58. *Gazeta de Madrid*, March 19, and May 14, 1776. But as the journals of those voyages have not yet been published, I cannot compare their progress with that of the Russians, or show how near the navigators of the two nations have approached to each other. It is to be hoped, that the enlightened minister who has now the direction of American

affairs in Spain, will not withhold this information from the public.

NOTE 43.—Our knowledge of the vicinity of the two continents of Asia and America, which was very imperfect when I published the History of America in the year 1777, is now complete. Mr. Coxe's Account of the Russian Discoveries between Asia and America, printed in the year 1780, contains many curious and important facts with respect to the various attempts of the Russians to open a communication with the New World. The history of the great voyage of discovery, begun by Captain Cook in 1776, and completed by Captains Clerk and Gore, published in the year 1780, communicates all the information that the curiosity of mankind could desire with regard to this subject.

At my request, my friend Mr. Playfair, Professor of Mathematics in the University of Edinburgh, has compared the narrative and charts of those illustrious navigators, with the more imperfect relations and maps of the Russians. The result of this comparison I communicate in his own words, with much greater confidence in his scientific accuracy than I could have ventured to place in any observations which I myself might have made upon the subject.

"The discoveries of Captain Cook, in his last voyage, have confirmed the conclusions which Dr. Robertson had drawn, and have connected together the facts from which they were deduced. They have now rendered it certain that Behring and Tschirikow touched on the coast of America in 1741. The former discovered land in latitude 58 deg. 28 min., and about 236 deg. east from Ferro. He has given such a description of the bay in which he anchored, and the high mountain to the westward of it, which he calls St. Elias, that though the account of his voyage is much abridged in the English translation, Captain Cook recognised the place as he sailed along the western coast of America in the year 1778. The isle of St. Hermogenes, near the mouth of Cook's River, Schumagin's Isles on the coast of Alashka, and Foggy Isle, retain, in Captain Cook's chart, the names which they had received from the Russian navigator. Cook's Voy. vol. ii. p. 347.

"Tschirikow came upon the same coast, about 2 deg. 30 min. further south than Behring, near the Mount Edcumbe of Captain Cook.

"With regard to Krenitzin, we learn from Coxe's Account of the Russian Discoveries, that he sailed from the mouth of the Kamtchatka River with two ships in the year 1768. With his own ship he reached the Island of Oonolashka, in which there had been a Russian settlement since the year 1762, where he wintered, probably in the same harbour or bay where Captain Cook afterwards anchored. The other ship wintered at Alashka, which was supposed to be an island, though it be in fact a part of the American continent. Krenitzin accordingly returned without knowing that either of his ships had been on the coast of America; and this is the more surprising, because Captain Cook has informed us that Alashka is understood to be a great continent, both by the Russians and the natives at Oonolashka.

"According to Krenitzin, the ship which had wintered at Alashka had hardly sailed 32 deg. to the eastward of the harbour of St. Peter and St. Paul, in Kamtchatka; but, according to the more accurate chart of Captain Cook, it had sailed no less than 37 deg. 17 min. to the eastward of that harbour. There is nearly the same mistake of 5 degrees in the longitude which Krenitzin assigns to Oonolashka. It is remarkable enough, that in the chart of those

seas, put into the hand of Captain Cook by the Russians on that island, there was an error of the same kind, and very nearly of the same extent.

"But what is of most consequence to be remarked on the subject is, that the discoveries of Captain Cook have fully verified Dr. Robertson's conjecture, that 'it is probable that future navigators in those seas, by steering further to the north than Behring and Tschirikow or Krenitzin had done, may find that the continent of America approaches still nearer to that of Asia.' Book iv. p. 809. It has accordingly been found that these two continents, which, in the parallel of 55 deg. or that of the southern extremity of Alashka, are about four hundred leagues asunder, approach continually to one another as they stretch together toward the north, until, within less than a degree from the polar circle, they are terminated by two capes, only thirteen leagues distant. The east cape of Asia is in lat. 66 deg. 6 min., and in long. 190 deg. 22 min. east from Greenwich; the western extremity of America, or Prince of Wales's Cape, is in lat. 65 deg. 46 min. and in long. 191 deg. 45 min. Nearly in the middle of the narrow strait (Behring's Strait) which separates these capes, are the two islands of St. Diomedé, from which both continents may be seen. Captain King informs us, that as he was sailing through this strait, July 5, 1779, the fog having cleared away, he enjoyed the pleasure of seeing from the ship the continents of Asia and America at the same moment, together with the islands of St. Diomedé lying between them. Cook's Voy. vol. iii. p. 244.

"Beyond this point the strait opens towards the Arctic sea, and the coasts of Asia and America diverge so fast from one another, that in the parallel of 69 deg. they are more than one hundred leagues asunder. Ib. p. 277. To the south of the strait there are a number of islands, Clerk's, King's, Anderson's, &c. which, as well as those of St. Diomedé, may have facilitated the migrations of the natives from the one continent to the other. Captain Cook, however, on the authority of the Russians at Oonolashka, and for other good reasons, has diminished the number of islands which had been inserted in former charts of the northern Archipelago. He has also placed Alashka, or the promontory which stretches from the continent of America S. W. towards Kamtchatka, at the distance of five degrees of longitude further from the coast of Asia than it was reckoned by the Russian navigators.

"The geography of the Old and New World is therefore equally indebted to the discoveries made in this memorable voyage; and as many errors have been corrected, and many deficiencies supplied by means of these discoveries, so the accuracy of some former observations has been established. The basis of the map of the Russian empire, as far as regarded Kamtchatka, and the country of the Tschutski, was the position of four places, Yakutsh, Ochotz, Bolcheresk, and Petropawłowski, which had been determined by the astronomer Krassilnicow in the year 1744. Nov. Comment. Petrop. vol. iii. p. 465, &c. But the accuracy of his observations was contested by M. Engel, and M. Robert de Vaugondy; Coxe, Append. i. No. 2, p. 267, 272; and the former of these geographers ventured to take away no less than 28 degrees from the longitude, which, on the faith of Krassilnicow's observations, was assigned to the eastern boundary of the Russian empire. With how little reason this was done, will appear from considering that our British navigators, having determined the position of Petropawłowski

by a great number of very accurate observations, found the longitude of that port 158 deg. 43 min. E. from Greenwich, and its latitude 53 deg. 1 min.; agreeing, the first to less than seven minutes, and the second to less than half a minute, with the calculations of the Russian astronomer; a coincidence which, in the situation of so remote a place, does not leave an uncertainty of more than four English miles, and which, for the credit of science, deserves to be particularly remarked. The chief error in the Russian maps has been in not extending the boundaries of that empire sufficiently towards the east. For as there was nothing to connect the land of the Tschutzki and the north-east point of Asia with those places whereof the position had been carefully ascertained, except the imperfect accounts of Behring's and Sind's voyages, considerable errors could not fail to be introduced, and that point was laid down as not more than 23 deg. 2 min. east of the meridian of Petropawłowski. Coxe, Append. i. No. 2. By the observations of Captain King, the difference of longitude between Petropawłowski and the East Cape is 31 deg. 9 min.; that is 8 deg. 7 min. greater than it was supposed to be by the Russian geographers." It appears from Cook's and King's Voy. iii. p. 272, that the continents of Asia and America are usually joined together by ice during winter. Mr. Samwell confirms this account of his superior officer. "At this place, viz. near the lat. of 66 deg. N. the two coasts are only thirteen leagues asunder, and about midway between them lie two islands, the distance from which to either shore is short of twenty miles. At this place the natives of Asia could find no difficulty in passing over to the opposite coast, which is in sight of their own. That in a course of years such an event would happen, either through design or accident, cannot admit of a doubt. The canoes which we saw among the Tschutzki were capable of performing a much longer voyage; and, however rude they may have been at some distant period, we can scarcely suppose them unequal to a passage of six or seven leagues. People might have been carried over by accident on floating pieces of ice. They might also have travelled across on sledges or on foot; for we have reason to believe that the strait is entirely frozen over in the winter; so that during that season the continents, with respect to the communication between them, may be considered as one land." Letter from Mr. Samwell, Scots Magazine for 1788, p. 604. It is probable that this interesting portion of geographical knowledge will, in the course of a few years, receive further improvement. Soon after the publication of Captain Cook's last voyage, the great and enlightened sovereign of Russia, attentive to every thing that may contribute to extend the bounds of science, or to render it more accurate, formed the plan of a new voyage of discovery, in order to explore those parts of the ocean lying between Asia and America which Captain Cook did not visit, to examine more accurately the islands which stretch from one continent almost to the other, to survey the north-east coast of the Russian empire, from the mouth of the Kovyma, or Kolyma, to the North Cape, and to settle, by astronomical observations, the position of each place worth notice. The conduct of this important enterprise is committed to Captain Billings, an English officer in the Russian service, of whose abilities for that station it will be deemed the best evidence, that he accompanied Captain Cook in his last voyage. To render the expedition more extensively useful, an eminent naturalist is appointed to attend Captain

Billings. Six years will be requisite for accomplishing the purposes of the voyage. Coxe, Supplement to Russian Discoveries, p. 27, &c.

NOTE 44.—Few travellers have had such opportunity of observing the natives of America, in its various districts, as Don Antonio Ulloa. In a work lately published by him, he thus describes the characteristic features of the race: "A very small forehead, covered with hair towards its extremities, as far as the middle of the eye-brows; little eyes; a thin nose, small and bending towards the upper lip; the countenance broad; the ears large; the hair very black, lank, and coarse; the limbs well turned, the feet small, the body of just proportion; and altogether smooth and free from hair, until old age, when they acquire some beard, but never on the cheeks." *Noticias Americanas*, &c. p. 307. M. lo Chevalier de Pinto, who resided several years in a part of America which Ulloa never visited, gives a sketch of the general aspect of the Indians there. "They are all of copper colour, with some diversity of shade, not in proportion to their distance from the equator, but according to the degree of elevation of the territory which they inhabit. Those who live in a high country are fairer than those in the marshy low lands on the coast. Their face is round, further removed, perhaps, than that of any people from an oval shape. Their forehead is small, the extremity of their ears far from the face, their lips thick, their nose flat, their eyes black, or of a chestnut colour, small, but capable of discerning objects at a great distance. Their hair is always thick and sleek, and without any tendency to curl. They have no hair on any part of their body but the head. At the first aspect a southern American appears to be mild and innocent, but on a more attentive view, one discovers in his countenance something wild, distrustful, and sullen." *MS. penes me*. The two portraits, drawn by hands very different from those of common travellers, have a near resemblance.

NOTE 45.—Amazing accounts are given of the persevering speed of the Americans. Adair relates the adventures of a Chikkasah warrior, who ran through woods and over mountains, three hundred computed miles, in a day and a half and two nights. *Hist. of Amer. Ind.* 396.

NOTE 46.—M. Godin le Jeune, who resided fifteen years among the Indians of Peru and Quito, and twenty years in the French colony of Cayenne, in which there is a constant intercourse with the Galibis and other tribes on the Orinoco, observes, that the vigour of constitution among the Americans is exactly in proportion to their habits of labour. The Indians, in warm climates, such as those on the coasts of the South Sea, on the river of Amazons, and the river Orinoco, are not to be compared for strength with those in cold countries; and yet, says he, boats daily set out from Para, a Portuguese settlement on the river of Amazons, to ascend that river against the rapidity of the stream, and with the same crew they proceed to San Pablo, which is eight hundred leagues distant. No crew of white people, or even of negroes, would be found equal to a task of such persevering fatigue, as the Portuguese have experienced, and yet the Indians, being accustomed to this labour from their infancy, perform it. *MS. penes me*.

NOTE 47.—Don Antonio Ulloa, who visited a great part of Peru and Chili, the kingdom of New Grenada, and several of the provinces bordering on the Mexican gulf, while employed in the same service with the French mathematicians during the

space of ten years, and who afterwards had an opportunity of viewing the North Americans, asserts, "that if we have seen one American, we may be said to have seen them all, their colour and make are so nearly the same." *Notic. Americanas*, p. 308. A more early observer, Pedro de Cieca de Leon, one of the conquerors of Peru, who had likewise traversed many provinces of America, affirms that the people, men and women, although there is such a multitude of tribes or nations as to be almost innumerable, and such diversity of climates, appear nevertheless like the children of one father and mother. *Chronica del Peru*, parte i. c. 19. There is, no doubt, a certain combination of features, and peculiarity of aspect, which forms what may be called a European or Asiatic countenance. There must likewise be one that may be denominated American, common to the whole race. This may be supposed to strike the traveller at first sight, while not only the various shades which distinguish people of different regions, but the peculiar features which discriminate individuals, escape the notice of a transient observer. But when persons who had resided so long among the Americans concur in bearing testimony to the similarity of their appearance in every climate, we may conclude that it is more remarkable than that of any other race. See likewise Garcia, *Origen de los Indios*, p. 54, 242. Torquemada, *Monarch. Indiana*, ii. 571.

NOTE 48.—M. le Chevalier de Pinto observes, that in the interior parts of Brazil he had been informed that some persons resembling the white people of Darien have been found; but that the breed did not continue, and their children became like other Americans. This race, however, is very imperfectly known, *MS penes me*.

NOTE 49.—The testimonies of different travellers concerning the Patagonians, have been collected and stated with a considerable degree of accuracy by the author of *Recherches Philosophiques*, &c. tom. i. 281, &c. iii. 181, &c. Since the publication of his work several navigators have visited the Magellanic regions, and like their predecessors, differ very widely in their accounts of its inhabitants. By Commodore Byron and his crew, who sailed through the Straits in 1764, the common size of the Patagonians was estimated to be eight feet, and many of them much taller. *Phil. Transact.* vol. lvii. p. 78. By Captains Wallis and Carteret, who actually measured them in 1766, they were found to be from six feet to six feet five and seven inches in height. *Phil. Transact.* vol. lx. p. 22. These, however, seem to have been the very people whose size had been rated so high in the year 1764; for several of them had beads and red baize of the same kind with what had been put on board Captain Wallis's ship, and he naturally concluded that they had got these from Mr. Byron. Hawkesw. i. In 1767 they were again measured by M. Bougainville, whose account differs little from that of Captain Wallis. *Voy.* 129. To this I shall add a testimony of great weight. In the year 1762 Don Bernardo Ibeguez de Echavarri accompanied the Marquis de Valdelirios to Buenos Ayres, and resided there several years. He is a very intelligent author, and his reputation for veracity unimpeached among his countrymen. In speaking of the country towards the southern extremity of America, "By what Indians," says he, "is it possessed? Not certainly by the fabulous Patagonians, who are supposed to occupy this district. I have from many eye-witnesses, who have lived among those Indians, and traded much with them, a true and accurate description of their persons. They are

of the same stature with Spaniards. I never saw one who rose in height two *varas* and two or three inches," i. e. about 80 or 81.332 inches English, if Echavarri makes his computation according to the *vara* of Madrid. This agrees nearly with the measurement of Captain Wallis. *Reyno Jesuitico*, 238. Mr. Falkner, who resided as a missionary forty years in the southern parts of America, says, that "the Patagonians, or Puelches, are a large-bodied people; but I never heard of that gigantic race which others have mentioned, though I have seen persons of all the different tribes of southern Indians." *Introd.* p. 26. M. Dobrizhoffer, a Jesuit, who resided eighteen years in Paraguay, and who had seen great numbers of the various tribes which inhabit the countries situated upon the straits of Magellan, confirms, in every point, the testimony of his brother-missionary Falkner. Dobrizhoffer enters into some detail with respect to the opinions of several authors, concerning the stature of the Patagonians. Having mentioned the reports of some early travellers with regard to the extraordinary size of some bones found on that coast which were supposed to be human, and having endeavoured to shew that these bones belonged to some large marine or land animal, he concludes, "de hisce ossibus crede quicquid libuerit, dummodo, me suasore, Patagones pro gigantibus desinas habere." *Historia de Abissinibus*, vol. ii. p. 19, &c.

NOTE 50.—Antonio Sanchez Rideiro, a learned and ingenious physician, published a dissertation in the year 1765, in which he endeavours to prove, that this disease was not introduced from America, but took its rise in Europe, and was brought on by an epidemical and malignant disorder. Did I choose to enter into a disquisition on this subject, which I should not have mentioned, if it had not been intimately connected with this part of my inquiries, it would not be difficult to point out some mistakes with respect to the facts upon which he founds, as well as some errors in the consequences which he draws from them. The rapid communication of this disease from Spain over Europe seems however to resemble the progress of an epidemic, rather than that of a disease transmitted by infection. The first mention of it is in the year 1493, and before the year 1497 it had made its appearance in most countries of Europe with such alarming symptoms as rendered it necessary for the civil magistrate to interpose, in order to check its career. Since the publication of this work, a second edition of Dr. Sanchez's Dissertation has been communicated to me. It contains several additional facts in confirmation of his opinion, which is supported with such plausible arguments, as render it a subject of inquiry well deserving the attention of learned physicians.

NOTE 51.—The people of Otaheite have no denomination for any number above two hundred, which is sufficient for their transactions. *Voyages by Hawkesworth*, ii. 228.

NOTE 52.—As the view which I have given of rude nations is extremely different from that exhibited by very respectable authors, it may be proper to produce some of the many authorities on which I found my description. The manners of the savage tribes in America have never been viewed by persons more capable of observing them with discernment than the philosophers employed by France and Spain in the year 1735, to determine the figure of the earth. M. Bouguer, D. Antonio d'Ulloa, and D. Jorge Juan, resided long among the natives of the least civilized provinces in Peru. M. de la Con-

damine had not only the same advantages with them for observation, but in his voyage down the Maragnon, he had an opportunity of inspecting the state of the various nations seated on its banks, in its vast course across the continent of South America. There is a wonderful resemblance in their representation of the character of the Americans. "They are all extremely indolent," says M. Bouguer, "they are stupid; they pass whole days sitting in the same place without moving, or speaking a single word. It is not easy to describe the degree of their indifference for wealth and all its advantages. One does not well know what motive to propose to them, when one would persuade them to perform any service. It is vain to offer them money; they answer that they are not hungry." *Voyage au Perou*, p. 102. "If one considers them as men, the narrowness of their understanding seems to be incompatible with the excellence of the soul. Their imbecility is so visible that one can hardly form an idea of them different from what one has of the brutes. Nothing disturbs the tranquillity of their souls, equally insensible to disasters and to prosperity. Though half-naked, they are as contented as a monarch in his most splendid array. Riches do not attract them in the smallest degree, and the authority or dignities to which they may aspire are so little the objects of their ambition, that an Indian will receive with the same indifference the office of a judge (*alcade*) or that of a hangman, if deprived of the former and appointed to the latter. Nothing can move or change them. Interest has no power over them, and they often refuse to perform a small service, though certain of a great recompence. Fear makes no impression upon them, and respect as little. Their disposition is so singular that there is no method of influencing them, no means of rousing them from that indifference, which is proof against all the endeavours of the wisest persons; no expedient which can induce them to abandon that gross ignorance, or lay aside that careless negligence, which disconcert the prudence and disappoint the care of such as are attentive to their welfare." *Voyage d'Ulloa*, tom. i. 335, 356. Of those singular qualities he produces many extraordinary instances, p. 336—347. "Insensibility," says M. de la Condamine, "is the basis of the American character. I leave others to determine whether this should be dignified with the name of apathy, or disgraced with that of stupidity. It arises, without doubt, from the small number of their ideas, which do not extend beyond their wants. Gluttons even to voracity, when they have wherewithal to satisfy their appetite. Temperate, when necessity obliges them, to such a degree, that they can endure wait without seeming to desire any thing. Pusillanimous and cowardly to excess, unless when they are rendered desperate by drunkenness. Averse to labour, indifferent to every motive of glory, honour, or gratitude; occupied entirely by the object that is present, and always determined by it alone, without any solicitude about futurity; incapable of foresight or of reflection; abandoning themselves, when under no restraint, to a puerile joy, which they express by frisking about, and immoderate fits of laughter; without object or design they pass their life without thinking, and grow old without advancing beyond childhood, of which they retain all the defects. If this description were applicable only to the Indians in some provinces of Peru, who are slaves in every respect but the name, one might believe that this degree of degeneracy was occasioned by the servile dependence to which they

are reduced; the example of the modern Greeks being proof how far servitude may degrade the human species. But the Indians in the missions of the Jesuits, and the savages who still enjoy unimpaird liberty, being as limited in their faculties, not to say as stupid, as the other, one cannot observe, without humiliation, that man, when abandoned to simple nature, and deprived of the advantages resulting from education and society, differs but little from the brute creation." *Voyage de la Riv. de Amaz.* 52, 53. M. de Chanvalon, an intelligent and philosophical observer, who visited Martinico in 1751, and resided there six years, gives the following description of the Caraihs:—"It is not the red colour of their complexion, it is not the singularity of their features, which constitutes the chief difference between them and us. It is their excessive simplicity; it is the limited degree of their faculties. Their reason is not more enlightened or more provident than the instinct of brutes. The reason of the most gross peasants, that of the negroes brought up in the parts of Africa most remote from intercourse with Europeans is such, that we discover appearances of intelligence, which, though imperfect, is capable of increase. But of this the understanding of the Caraihs seems to be hardly susceptible. If sound philosophy and religion did not afford us their light, if we were to decide according to the first impression which the view of that people makes upon the mind, we should be disposed to believe that they do not belong to the same species with us. Their stupid eyes are the true mirror of their souls; it appears to be without functions. Their indolence is extreme; they have never the least solicitude about the moment which is to succeed that which is present." *Voyage à la Martinique*, p. 44, 45, 51. M. de la Borde, Terte, and Rochefort, confirm this description. "The characteristics of the Californians," says P. Venegas, "as well as of all other Indians, are stupidity and insensibility; want of knowledge and reflection; inconstancy, impetuosity, and blindness of appetite; an excessive sloth, and abhorrence of all labour and fatigue; an excessive love of pleasure and amusement of every kind, however trifling or brutal; pusillanimity; and, in fine, a most wretched want of every thing which constitutes the real man, and renders him rational, inventive, tractable, and useful to himself and society. It is not easy for Europeans, who never were out of their own country, to conceive an adequate idea of those people; for even in the least frequented corners of the globe, there is not a nation so stupid, of such contracted ideas, and so weak both in body and mind, as the unhappy Californians. Their understanding comprehends little more than what they see; abstract ideas, and much less a chain of reasoning, being far beyond their power; so that they scarce ever improve their first ideas, and these are in general false, or at least inadequate. It is in vain to represent to them any future advantages which will result to them from doing or abstaining from this or that particular immediately present; the relation of means and ends being beyond the stretch of their faculties. Nor have they the least notion of pursuing such intentions as will procure themselves some future good, or guard them against future evils. Their will is proportioned to their faculties, and all their passions move in a very narrow sphere. Ambition they have none, and are more desirous of being accounted strong than valiant. The objects of ambition with us—honour, fame, reputation, titles, posts, and distinctions of superiority are unknown among them; so that this

powerful spring of action, the cause of so much seeming good and real evil in the world, has no power here. This disposition of mind, as it gives them up to an amazing languor and lassitude, their lives fleeting away in a perpetual inactivity and detestation of labour, so it likewise induces them to be attracted by the first object which their own fancy, or the persuasion of another, places before them; and at the same time renders them as prone to alter their resolutions with the same facility. They look with indifference upon any kindness done them; nor is even the bare remembrance of it to be expected from them. In a word, the unhappy mortals may be compared to children, in whom the development of reason is not completed. They may indeed be called a nation who never arrived at manhood." Hist. of Californ. Engl. Transl. i. 64, 67. Mr. Ellis gives a similar account of the want of foresight and inconsiderate disposition of the people adjacent to Hudson's bay. Voyage, p. 194, 195.

The incapacity of the Americans is so remarkable, that negroes from all the different provinces of Africa are observed to be more capable of improving by instruction. They acquire the knowledge of several particulars which the Americans cannot comprehend. Hence the negroes, though slaves, value themselves as a superior order of beings, and look down upon the Americans with contempt, as void of capacity and of rational discernment. Ulloa, Notic. Americ. 322, 323.

NOTE 53.—Dobrizhoffer, the last traveller I know who has resided among any tribe of the ruder Americans, has explained so fully the various reasons which have induced their women to suckle their children long, and never to undertake rearing such as were feeble or distorted, and even to destroy a considerable number of their offspring, as to throw great light on the observations I have made, p. 71, 72. Hist. de Abissinibus, vol. ii. p. 107, 221. So deeply were these ideas imprinted in the minds of the Americans, that the Peruvians, a civilized people, when compared with the barbarous tribes whose manners I am describing, retained them; and even their intercourse with the Spaniards has not been able to root them out. When twins are born in any family, it is still considered as an ominous event, and the parents have recourse to rigorous acts of mortification, in order to avert the calamities with which they are threatened. When a child is born with any deformity they will not, if they can possibly avoid it, bring it to be baptized, and it is with difficulty they can be brought to rear it. Arriaga Extirp. de la Idolat. del Peru, p. 32, 33.

NOTE 54.—The number of the fish in the rivers of South America is so extraordinary, as to merit particular notice. "In the Maragnon (says P. Acugna) fish are so plentiful, that without any art they may take them with the hands," p. 138. "In the Orinoco (says P. Gumilla), besides an infinite variety of other fish, tortoise or turtle abound in such numbers, that I cannot find words to express it. I doubt not but that such as read my account will accuse me of exaggeration; but I can affirm that it is as difficult to count them as to count the sands on the banks of that river. One may judge of their number by the amazing consumption of them; for all the nations contiguous to the river, and even many who are at a distance, flock thither at the season of breeding, and not only find sustenance during that time, but carry off great numbers both of the turtles and of their eggs," &c. Hist. de l'Orenoque, ii. c. 22, p. 59. M. de la Condamine confirms their accounts, p. 159

NOTE 55.—Piso describes two of these plants, the *Cururape* and the *Guaiana-Timbo*. It is remarkable, that, though they have this fatal effect upon fishes, they are so far from being noxious to the human species, that they are used in medicine with success. Piso, lib. iv. c. 88. Bancroft mentions another, the *Hiarree*, a small quantity of which is sufficient to inebriate all the fish to a considerable distance, so that in a few minutes they float motionless on the surface of the water, and are taken with ease. Nat. Hist. of Guiana, p. 109.

NOTE 56.—Remarkable instances occur of the calamities which rude nations suffer by famine. Alvar Nunez Cabeza de Vaca, one of the most gallant and virtuous of the Spanish adventurers, resided almost nine years among the savages of Florida. They were unacquainted with every species of agriculture. Their subsistence was poor and precarious. "They live chiefly (says he) upon roots of different plants, which they procure with great difficulty, wandering from place to place in search of them. Sometimes they kill game, sometimes they catch fish, but in such small quantities, that their hunger is so extreme as compels them to eat spiders, the eggs of ants, worms, lizards, serpents, a kind of unctuous earth, and I am persuaded, that if in this country there were any stones, they would swallow these. They preserve the bones of fishes and serpents, which they grind into powder, and eat. The only season when they do not suffer much from famine, is when a certain fruit, which he calls *Tunas*, is ripe. This is the same with the *Opuntia*, or prickly pear, of a reddish and yellow colour, with a sweet insipid taste. They are sometimes obliged to travel far from their usual place of residence, in order to find them." Naufragios, c. xviii. p. 20, 21, 22. In another place he observes, that they are frequently reduced to pass, two or three days without food, c. xxiv. p. 27.

NOTE 57.—M. Fermin has given an accurate description of the two species of manioc, with an account of its culture, to which he has added some experiments, in order to ascertain the poisonous qualities of the juice extracted from that species which he calls the bitter cassava. Among the Spaniards it is known by the name of *Yuca brava*. Descr. de Surin. tom. i. p. 66.

NOTE 58.—The plantain is found in Asia and Africa, as well as in America. Oviedo contends, that it is not an indigenous plant of the New World, but was introduced into the island of Hispaniola in the year 1516, by father Thomas de Berlanga, and that he transplanted it from the Canary Islands, whither the original slips had been brought from the East Indies. Oviedo, lib. viii. c. 1. But the opinion of Acosta and other naturalists, who reckon it an American plant, seems to be better founded. Acosta, Hist. Nat. lib. iv. 21. It was cultivated by rude tribes in America, who had little intercourse with the Spaniards, and who were destitute of that ingenuity which disposes men to borrow what is useful from foreign nations. Gumil. iii. 186. Wafer's Voyage, p. 87.

NOTE 59.—It is remarkable that Acosta, one of the most accurate and best informed writers concerning the West Indies, affirms that maize, though cultivated on the continent, was not known in the islands, the inhabitants of which had none but cassava bread. Hist. Nat. lib. iv. c. 16. But P. Martyr, in the first book of his first Decad, which was written in the year 1493, upon the return of Columbus from his first voyage, expressly mentions maize





of a plant which the islanders cultivated, and of which they made bread, p. 7. Gomara likewise asserts, that they were acquainted with the culture of maize. *Histor. Gener. cap. 28.* Oviedo describes maize without any intimation of its being a plant that was not natural to Hispaniola. *Lib. vii. c. 1.*

NOTE 60.—New Holland, a country which formerly was only known, has lately been visited by intelligent observers. It lies in a region of the globe where it must enjoy a very favourable climate, as it stretches from the 10th to the 38th degree of southern latitude. It is of great extent, and from its square form must be much more than equal to all Europe. The people who inhabit the various parts of it appear to be of one race. They are evidently ruder than most of the Americans, and have made still less progress in improvement and the arts of life. There is not the least appearance of cultivation in any part of this vast region. The inhabitants are extremely few, so that the country appears almost desolate. Their tribes are still more inconsiderable than those of America. They depend for subsistence almost entirely on fishing. They do not settle in one place, but roam about in quest of food. Both sexes go stark-naked. Their habitations, utensils, &c. are more simple and rude than those of the Americans. Voyages, by Hawkesworth, iii. 622, &c. This, perhaps, is the country where man has been discovered in the earliest stage of his progress, and it exhibits a miserable specimen of his condition and powers in that uncultivated state. If this country shall be more fully explored by future navigators, the comparison of the manners of its inhabitants with those of the Americans will prove an instructive article in the history of the human species.

NOTE 61.—P. Gabriel Marest, who travelled from his station among the Illinois to Machillimakinac, thus describes the face of the country:—"We have marched twelve days without meeting a single human creature. Sometimes we found ourselves in vast meadows, of which we could not see the boundaries, through which there flowed many brooks and rivers, but without any path to conduct us. Sometimes we were obliged to open a passage across thick forests, through bushes, and underwood filled with briars and thorns. Sometimes we had to pass through deep marshes, in which we sunk up to the middle. After being fatigued through the day, we had the earth for our bed, or a few leaves, exposed to the wind, the rain, and all the injuries of the air." *Lettre. Edifiantes, ii. 360.* Dr. Brickell, in an excursion from North Carolina towards the mountains, A. D. 1730; travelled fifteen days without meeting with a human creature. *Nat. Hist. of North Carolina, 389.* Diego de Ordas, in attempting to make a settlement in South America, A. D. 1532, marched fifty days through a country without one inhabitant. *Herrera, dec. 5, lib. i. c. 11.*

NOTE 62.—I strongly suspect that a community of goods, and an undivided store, are known only among the rudest tribes of hunters; and that as soon as any species of agriculture or regular industry is known, the idea of an exclusive right of property to the fruits of them is introduced. I am confirmed in this opinion by accounts which I have received concerning the state of property among the Indians in very different regions of America. "The idea of the natives of Brazil concerning property is, that if any person cultivate a field, he alone ought to enjoy the produce of it, and no other has a title to pretend to it. If an individual or family go a hunting or fishing, what is caught belongs to the individual or

to the family, and they communicate no part of it to any but to their cazique, or to such of their kindred as happen to be indisposed." If any person in the village come to their hut he may sit down freely, and eat without asking liberty. But this is the consequence of their general principle of hospitality; for I never observed any partition of the increase of their fields, or the produce of the chase, which I could consider as the result of any idea concerning a community of goods. On the contrary, they are so much attached to what they deem to be their property, that it would be extremely dangerous to encroach upon it. As far as I have seen or can learn there is not one tribe of Indians in South America, among whom that community of goods which has been so highly extolled, is known. The circumstance in the government of the Jesuits, most irksome to the Indians of Paraguay, was the community of goods which those fathers introduced. This was repugnant to the original ideas of the Indians. They were acquainted with the rights of private exclusive property, and they submitted with impatience to regulations which destroyed them." *M. le Cheval. de Pinto, MS. penes me.* "Actual possession" (says a missionary who resided several years among the Indians of the Five Nations), gives a right to the soil, but whenever a possessor sees fit to quit it, another has as good right to take it as he who left it. This law, or custom, respects not only the particular spot on which he erects his house, but also his planting ground. If a man has prepared a particular spot of ground, on which he designs in future to build or plant, no man has a right to incommode him, much less to the fruit of his labours, until it appears that he voluntarily gives up his views. But I never heard of any formal conveyance from one Indian to another in their natural state. The limits of every canton are circumscribed; that is, they are allowed to hunt as far as such a river on this hand, and such a mountain on the other. This area is occupied and improved by individuals and their families. Individuals, not the community, have the use and profit of their own labours, or success in hunting." *MS. of Mr. Gideon Hawley, penes me.*

NOTE 63.—This difference of temper between the Americans and negroes is so remarkable, that it is a proverbial saying in the French islands, "Regarder au sauvage de travers, c'est le battre; le battre, c'est le tuer; battre un negre, c'est le nourrir." *Tertre, ii. 490.*

NOTE 64.—The description of the political state of the people of Cinaloa perfectly resembles that of the inhabitants of North America. "They have neither laws nor kings (says a missionary who resided long among them) to punish any crime. Nor is there among them any species of authority, or political government, to restrain them in any part of their conduct. It is true, that they acknowledge certain caziques, who are heads of their families or villages, but their authority appears chiefly in war, and the expeditions against their enemies. This authority the caziques obtain not by hereditary right, but by their valour in war, or by the power and number of their families and relations. Sometimes they owe their pre-eminence to their eloquence in displaying their own exploits." *Ribas, Hist. de las Triunph, p. 11.* The state of the Chiquitos in South America is nearly the same. "They have no regular form of government, or civil life, but in matters of public concern they listen to the advice of their old men, and usually follow it. The dignity of cazique is not hereditary, but conferred according to

merit, as the reward of valour in war. The union among them is imperfect. Their society resembles a republic without any head, in which every man is master of himself, and upon the least disgust, separates from those with whom he seemed to be connected." *Relacion Historial de las Misiones de los Chiquitos*, por P. Juan Patr. Fernandez, p. 32, 33. Thus, under very different climates, when nations are in a similar state of society, their institutions and civil government assume the same form.

NOTE 65.—"I have known the Indians" (says a person well acquainted with their mode of life), "to go a thousand miles for the purpose of revenge, in pathless woods, over hills and mountains, through huge cane-swamps, exposed to the extremities of heat and cold, the vicissitude of seasons, to hunger and thirst. Such is their over-boiling revengeful temper, that they utterly condemn all those things as imaginary trifles, if they are so happy as to get the scalp of the murderer, or enemy, to satisfy the craving ghosts of their deceased relations." *Adair's Hist. of Amer. Indians*, p. 150.

NOTE 66.—In the account of the great war between the Algonquins and Iroquois, the achievements of Piskaret, a famous chief of the Algonquins, performed mostly by himself alone, or with one or two companions, make a capital figure. *De la Protherie*, i. 297, &c. *Colden's History of Five Nations*, 125, &c.

NOTE 67.—The life of an unfortunate leader is often in danger, and he is always degraded from the rank which he had acquired by his former exploits. *Adair*, p. 388.

NOTE 68.—As the ideas of the North Americans, with respect to the mode of carrying on war, are generally known, I have founded my observations chiefly upon the testimony of the authors who describe them. But the same maxims took place among other nations in the New World. A judicious missionary has given a view of the military operations of the people in Gran Chaco, in South America, perfectly similar to those of the Iroquois. "They are much addicted to war" (says he), "which they carry on frequently among themselves, but perpetually against the Spaniards. But they may rather be called thieves than soldiers, for they never make head against the Spaniards, unless when they can assault them by stealth, or have guarded against any mischance by spies, who may be called indefatigable. They will watch the settlements of the Spaniards for one, two, or three years, observing by night every thing that passes with the utmost solicitude, whether they may expect resistance or not, and until they are perfectly secure of the event, they will not venture upon an attack; so that when they do give the assault, they are certain of success, and free from all danger. These spies, in order that they may not be observed, will creep on all-four like cats in the night; but if they are discovered, make their escape with much dexterity. But although they never choose to face the Spaniards, if they be surrounded in any place whence they cannot escape, they will fight with desperate valour, and sell their lives very dear." *Lozano, Descript. del Gran Chaco*, p. 78.

NOTE 69.—Lery, who was an eye-witness of the proceedings of the *Toupinambos*, a Brazilian tribe, in a war against a powerful nation of their enemies, describes their courage and ferocity in very striking terms. *Ego cum Gallo altero, paulo curiosius, magno nostro periculo, (si enim ab hostibus capti aut lesi fuissetus, devorati fuissetus devoti), barbaros*

nostros in militiam euntes comitari volui. Hi, numero 4000 capita, cum hostibus ad litus decertarunt, tanta ferocitate, ut vel rabidos et furiosos quosque superarent. Cum primum hostes conspexere, in magnos atque editos ululatus pererrunt. Hæc gens adeo fera est et truculenta, ut tantisper dum virum vel tantillum restat, continuo dimicent, fugamque nunquam capebant. Quod a natura illis inditum esse reor. Testor interea me, qui non semel, tum peditum tum equitum copias ingentes, in aciem instructas hic conspexi, tanta nunquam voluptate videndis peditum legionibus armis fulgentibus, quanta tum pugnantis istis percussum fuisse. Lery, Hist. Navigat. in Brazil, ap. de Bry. iii. 207, 208, 209.

NOTE 70.—It was originally the practice of the Americans, as well as of other savage nations, to cut off the heads of the enemies which they slew, and to carry them away as trophies. But as they found these cumbersome in their retreat, which they always make very rapidly, and often through a vast extent of country, they became satisfied with tearing off their scalps. This custom, though most prevalent in North America, was not unknown among the southern tribes. *Lozano*, p. 79.

NOTE 71.—The terms of the war-song seem to be dictated by the same fierce spirit of revenge. "I go to war to revenge the death of my brothers; I shall kill; I shall exterminate; I shall burn my enemies; I shall bring away slaves; I shall devour their heart, dry their flesh, drink their blood; I shall tear off their scalps, and make cups of their skulls." *Bossu's Travels through Louisiana*, vol. i. p. 102. I am informed, by persons on whose testimony I can rely, that as the number of people in the Indian tribes has decreased so much, almost none of their prisoners are now put to death. It is considered as better policy to spare and to adopt them. Those dreadful scenes which I have described occur now so rarely, that missionaries and traders who have resided long among the Indians, never were witnesses to them.

NOTE 72.—All the travellers who have visited the most uncivilized of the American tribes agree in this. It is confirmed by two remarkable circumstances, which occurred in the conquest of different provinces. In the expedition of Narvaez into Florida in the year 1528, the Spaniards were reduced to such extreme distress by famine, that in order to preserve their own lives, they eat such of their companions as happened to die. This appeared so shocking to the natives, who were accustomed to devour none but prisoners, that it filled them with horror and indignation against the Spaniards. *Torquemada Monarch. Ind. ii. p. 584. Naufragios de Alv. Nunez Cabeza de Vaca*, c. xiv. p. 15. During the siege of Mexico, though the Mexicans devoured with greediness the Spaniards and Tascalans whom they took prisoners, the utmost rigour of the famine which they suffered could not induce them to touch the dead bodies of their own countrymen. *Bern. Diaz del Castillo, Conquist. de la N. España*, p. 156.

NOTE 73.—Many singular circumstances concerning the treatment of prisoners among the people of Brazil, are contained in the narrative of Stadius, a German officer in the service of the Portuguese, published in the year 1556. He was taken prisoner by the *Toupinambos*, and remained in captivity nine years. He was often present at those horrid festivals which he describes, and was destined himself to the same cruel fate with other prisoners. But he saved his life by his extraordinary efforts of courage

and address. De Bry, iii. p. 34, &c. M de Lery, who accompanied M. de Villagagnon in his expedition to Brazil, in the year 1556, and who resided some time in that country, agrees with Stadius in every circumstance of importance. He was frequently an eye-witness of the manner in which the Brazilians treated their prisoners. De Bry, iii. 210. Several striking particulars omitted by them are mentioned by a Portuguese author. Purch. Pilgr. iv. 1294, &c.

NOTE 74.—Though I have followed that opinion concerning the apathy of the Americans, which appeared to me most rational, and supported by the authority of the most respectable authors, other theories have been formed with regard to it by writers of great eminence. De Ant. Ulloa, in a late work, contends that the texture of the skin and bodily habits of the Americans is such, that they are less sensible of pain than the rest of mankind. He produces several proofs of this from the manner in which they endure the most cruel surgical operations, &c. Noticias Americanas, p. 313, 314. The same observation has been made by surgeons in Brazil. An Indian, they say, never complains under pain, and will bear the amputation of a leg or an arm without uttering a single groan. MS. *penes me*.

NOTE 75.—This is an idea natural to all rude nations. Among the Romans, in the early periods of their commonwealth, it was a maxim that a prisoner, "tum decessisse videtur cum captus est," Digest. lib. xlix. tit. 15, c. 18. And afterwards, when the progress of refinement rendered them more indulgent with respect to this article, they were obliged to employ two fictions of law to secure the property, and permit the return of a captive, the one by the Lex Cornelia, and the other by the Jus Postliminii. Heinec. Elem. Jur. Civ. sec. ord. Pand. ii. p. 294. Among the negroes the same ideas prevail. No ransom was ever accepted for a prisoner. As soon as one is taken in war, he is reputed to be dead; and he is so in effect to his country and his family. Voy. du Cheval. des Marchais, i. p. 369.

NOTE 76.—The people of Chili, the most gallant and high-spirited of all the Americans, are the only exception to this observation. They attack their enemies in the open field; their troops are ranged in regular order; their battalions advance to the charge, not only with courage, but with discipline. The North Americans, though many of them have substituted the European fire-arms in place of their own bows and arrows, still adhere to their ancient maxims of war, and carry it on according to their own peculiar system. But the Chileses nearly resemble the warlike nations of Europe and Asia in their military operations. Ovalle's Relation of Chili. Church. Col. iii. p. 71. Lozano's Hist. Parag. i. 144, 145.

NOTE 77.—Herrera gives a remarkable proof of this. In Yucatan the men are so solicitous about their dress, that they carry about with them mirrors, probably made of stone, like those of the Mexicans, Dec. iv. lib. iii. c. 8, in which they delight to view themselves; but the women never use them, Dec. iv. lib. x. c. 3. He takes notice that among the fierce tribe of the *Panches*, in the new kingdom of Granada, none but distinguished warriors were permitted either to pierce their lips and to wear green stones in them, or to adorn their heads with plumes of feathers, Dec. vii. lib. ix. c. 4. In some provinces of Peru, though that empire had made considerable progress in civilization, the state of women was little improved. All the toil of cultivation and domestic work was devolved upon them, and they were not

permitted to wear bracelets, or other ornaments, with which the men were fond of decking themselves. Zarate, Hist. de Peru, i. p. 15, 16.

NOTE 78.—I have ventured to call this mode of anointing and painting their bodies, the *dress* of the Americans. This is agreeable to their own idiom. As they never stir abroad if they are not completely anointed, they excuse themselves when in this situation by saying that they cannot appear because they are naked. Gumilla, Hist. de l'Orenoque, i. 191.

NOTE 79.—Some tribes in the province of Cinaloa, on the gulf of California, seem to be among the rudest people of America united in the social state. They neither cultivate nor sow; they have no houses in which they reside. Those in the inland country subsist by hunting; those on the sea-coast chiefly by fishing. Both depend upon the spontaneous productions of the earth, fruits, plants, and roots of various kinds. In the rainy season, as they have no habitations to afford them shelter, they gather bundles of reeds, or strong grass, and binding them together at one end, they open them at the other, and fitting them to their heads, they are covered as with a large cap, which like a pent-house, throws off the rain, and will keep them dry for several hours. During the warm season they form a shed with the branches of trees, which protects them from the sultry rays of the sun. When exposed to cold they make large fires, round which they sleep in the open air. Historia de los Triunphos de Nuestra Sante Fé entre Gentiles las mas Barbaras, &c. por P. And. Perez de Ribas, p. 7, &c.

NOTE 80.—These houses resemble barns. "We have measured some which were a hundred and fifty paces long, and twenty paces broad. Above a hundred persons resided in some of them," Wilson's account of Guiana. Purch. Pilgr. vol. iv. p. 1263. Ibid. 1291. "The Indian houses," says Mr. Barrere, "have a most wretched appearance, and are a striking image of the rudeness of early times. Their huts are commonly built on some rising ground, or on the banks of a river, huddled sometimes together, sometimes straggling, and always without any order. Their aspect is melancholy and disagreeable. One sees nothing but what is hideous and savage. The uncultivated fields have no gaiety. The silence which reigns there, unless when interrupted by the disagreeable notes of birds, or cries of wild beasts, is extremely dismal." Relat. de la France-Equin. p. 146.

NOTE 81.—Some tribes in South America can send their arrows to a great distance, and with considerable force, without the aid of the bow. They make use of a hollow reed, about nine feet long, and an inch thick, which is called a *Sarbacane*. In it they lodge a small arrow, with some unspun cotton wound about its great end; this confines the air, so that they can blow it with astonishing rapidity, and a sure aim, to the distance of above a hundred paces. These small arrows are always poisoned. Fermin. Descr. de Surin. i. 55. Bancroft's Hist. of Guiana, p. 281, &c. The Sarbacane is much used in some parts of the East Indies.

NOTE 82.—I might produce many instances of this, but shall satisfy myself with one, taken from the Esquimaux. "Their greatest ingenuity" (says Mr. Ellis), "is shewn in the structure of their bows. made commonly of three pieces of wood, each making part of the same arch, very nicely and exactly joined together. They are commonly of fir or larch; and as this wants strength and elasticity, they supply both by bracing the back of the bow with a kind of

thread or line, made of the sinews of their deer, and the bow-string of the same materials. To make them draw more stiffly, they dip them into water, which causes both the back of the bow and the string to contract, and consequently gives it the greater force; and as they practice from their youth, they shoot with very great dexterity." *Voyage to Hudson's Bay*, p. 138.

NOTE 83.—Necessity is the great prompter and guide to mankind in their inventions. There is, however, such inequality in some parts of their progress, and some nations get so far the start of others in circumstances nearly similar, that we must ascribe this to some events in their story, or to some peculiarity in their situation, with which we are unacquainted. The people in the island of Otaheite lately discovered in the South Sea, far excel most of the Americans in the knowledge and practice of the arts of ingenuity, and yet they had not invented any method of boiling water; and having no vessel that would bear the fire, they had no more idea that water could be made hot than that it could be made solid. *Voyages by Hawkesworth*, i. 466, 484.

NOTE 84.—One of these boats, which could carry nine men, weighed only sixty pounds. *Gosnal. Relat. des Voy. a la Virgin Rec. de Voy. au Nord*, tom. v. p. 403.

NOTE 85.—A remarkable proof of this is produced by Ulloa. In weaving hammocks, coverlets, and other coarse cloths, which they are accustomed to manufacture, their industry has discovered no more expeditious method than to take up thread after thread, and after counting and sorting them each time, to pass the woof between them, so that in finishing a small piece of those stuffs, they frequently spend more than two years. *Voyage*, i. 336. Bancroft gives the same description of the Indians of Guiana, p. 255. According to Adair, the ingenuity and dispatch of the North American Indians are not greater, p. 422. From one of the engravings of the Mexican paintings in Purchas, vol. iii. p. 1106, I think it probable that the people of Mexico were unacquainted with any better or more expeditious mode of weaving. A loom was an invention beyond the ingenuity of the most improved Americans. In all their works they advance so slowly, that one of their artists is two months at a tobacco-pipe with his knife before he finishes it. Adair, p. 423.

NOTE 86.—The article of religion in P. Lafitau's *Mœurs des Sauvages*, extends to 347 tedious pages in quarto.

NOTE 87.—I have referred the reader to several of the authors who describe the most uncivilized nations in America. Their testimony is uniform. That of P. Ribas concerning the people of Cinaloa, coincides with the rest. "I was extremely attentive, (says he), during the years I resided among them, to ascertain whether they were to be considered as idolaters; and it may be affirmed with the most perfect exactness, that though among some of them there may be traces of idolatry, yet others have not the least knowledge of God, or even of any false deity, nor pay any formal adoration to the Supreme Being who exercises dominion over the world; nor have they any conception of the providence of a Creator or Governor, from whom they expect in the next life the reward of their good or the punishment of their evil deeds. Neither do they publicly join in any act of divine worship." Ribas *Triumphos*, &c. p. 16.

NOTE 88.—The people of Brazil were so much affrighted by thunder, which is frequent and awful

in their country, as well as in other parts of the torrid zone, that it was not only the object of religious reverence, but the most expressive name in their language for the Deity was *Toupan*, the same by which they distinguished thunder. Piso de Medec, Brazil, p. 8. Nieuhoff, *Church*, Coll. ii. p. 132.

NOTE 89.—By the account which M. Dumont, an eye-witness, gives of the funeral of the great chief of the Natchez, it appears that the feelings of the persons who suffered on that occasion were very different. Some solicited the honour with eagerness; others laboured to avoid their doom, and several saved their lives by flying to the woods. As the Indian Brahmins give an intoxicating draught to the women who are to be burnt together with the bodies of their husbands, which renders them insensible of their approaching fate, the Natchez obliged their victims to swallow several large pills of tobacco, which produce a similar effect. *Mém. de Louis*, i. 227.

NOTE 90.—On some occasions, particularly in dances instituted for the recovery of persons who are indisposed, they are extremely licentious and indecent. *De la Potherie Hist. &c. ii. p. 42. Charlev. N. Fr. iii. p. 319.* But the nature of their dances is commonly such as I have described.

NOTE 91.—The *Othomacoas*, a tribe seated on the banks of the Orinoco, employ for the same purpose a composition which they call *Yupa*. It is formed of the seeds of an unknown plant reduced to powder, and certain shells burnt and pulverized. The effects of this when drawn up into the nostrils are so violent, that they resemble madness rather than intoxication. *Gumilla*, i. 286.

NOTE 92.—Though this observation holds true among the greater part of the southern tribes, there are some in which the intemperance of the women is as excessive as that of the men. Bancroft's *Nat. Hist. of Guiana*, p. 275.

NOTE 93.—Even in the most intelligent writers concerning the manners of the Americans, one meets with inconsistent and inexplicable circumstances. The Jesuit Charlevoix, who, in consequence of the controversy between his order and that of the Franciscans, with respect to the talents and abilities of the North Americans, is disposed to represent their intellectual as well as moral qualities in the most favourable light, asserts, that they are engaged in continual negotiations with their neighbours, and conduct these with the most refined address. At the same time he adds, "that it behoves their envoys or plenipotentiaries to exert their abilities and eloquence, for if the terms which they offer are not accepted, they had need to stand on their guard. It frequently happens that a blow with a hatchet is the only return given to their propositions. The envoy is not out of danger, even if he is so fortunate as to avoid the stroke; he may expect to be pursued, and if taken, to be burnt." *Hist. N. Fr. iii. 251.* What occurs, p. 862, concerning the manner in which the Tlascalans treated the ambassadors from Zempoalla, corresponds with the fact related by Charlevoix. Men capable of such acts of violence, seem to be unacquainted with the first principles upon which the intercourse between nations is founded; and instead of the perpetual negotiations which Charlevoix mentions, it seems almost impossible that there should be any correspondence whatever among them.

NOTE 94.—It is a remark of Tacitus concerning the Germans, "Gaudet munerebus, sed nec data imputant, nec acceptis obligantur." *C. 21.* An author who had a good opportunity of observing the

principle which leads savages neither to express gratitude for favours which they had received, nor to expect any return for such as they bestowed, thus explains their ideas: "If (say they) you give me this, it is because you have no need of it yourself; and as for me, I never part with that which I think necessary to me." *Memoire sur les Galibis*; His. des Plantes de la Guiane Française par M. Aublet. tom. ii. p. 110.

NOTE 95.—And. Bernaldes, the contemporary and friend of Columbus, has preserved some circumstances concerning the bravery of the Caribbees, which are not mentioned by Don Ferdinand Columbus, or the other historians of that period, whose works have been published. A Caribbean canoe, with four men, two women, and a boy, fell in unexpectedly with the fleet of Columbus in his second voyage, as it was steering through their islands. At first they were struck almost stupid with astonishment at such a strange spectacle, and hardly moved from the spot for above an hour. A Spanish bark, with twenty-five men, advanced towards them, and the fleet gradually surrounded them, so as to cut off their communication with the shore. "When they saw that it was impossible to escape (says the historian), they seized their arms with undaunted resolution, and began the attack. I use the expression *with undaunted resolution*, for they were few, and beheld a vast number ready to assault them. They wounded several of the Spaniards although they had targets, as well as other defensive armour; and even after their canoe was overset, it was with no little difficulty and danger that part of them were taken, as they continued to defend themselves, and to use their bows with great dexterity while swimming in the sea." Hist. de D. Fern. y Ysab. M.S. c. 119.

NOTE 96.—A probable conjecture may be formed with respect to the cause of the distinction in character between the Caribbees and the inhabitants of the larger islands. The former appear manifestly to be a separate race. Their language is totally different from that of their neighbours in the large islands. They themselves have a tradition, that their ancestors came originally from some part of the continent, and having conquered and exterminated the ancient inhabitants, took possession of their lands, and of their women. Rochefort, 384. Tertre, 360. Hence they call themselves *Bana ree*, which signifies a man come from beyond sea. Labat, vi. 131. Accordingly, the Caribbees still use two distinct languages, one peculiar to the men, and the other to the women. Tertre, 361. The language of the men has nothing common with that spoken in the large islands. The dialect of the women considerably resembles it. Labat, 129. This strongly confirms the tradition which I have mentioned. The Caribbees themselves imagine that they were a colony from the *Galabis*, a powerful nation of Guiana, in South America. Tertre, 361. Rochefort, 348. But as their fierce manners approach nearer to those of the people in the northern continent than to those of the natives of South America; and as their language has likewise some affinity to that spoken in Florida, their origin should be deduced rather from the former than from the latter. Labat, 128, &c. Herrera, dec. i. lib. ix. c. 4. In their wars they still observe their ancient practice of destroying all the males, and preserving the women either for servitude or for breeding.

NOTE 97.—Our knowledge of the events which happened in the conquest of New Spain, is derived from sources of information more original and authentic than that of any transaction in the history of

America. The letters of Cortes to the Emperor Charles V. are an historical monument, not only first in order of time, but of the greatest authenticity and value. As Cortes early assumed a command independent of Velasquez, it became necessary to convey such an account of his operations to Madrid as might procure him the approbation of his sovereign.

The first of his dispatches had never been made public. It was sent from Vera Cruz, July 16, 1519. As I imagined that it might not reach the emperor until he arrived in Germany, for which he set out early in the year 1520, in order to receive the imperial crown, I made diligent search for a copy of this despatch, both in Spain and in Germany, but without success. This, however, is of less consequence, as it could not contain any thing very material, being written so soon after Cortes arrived in New Spain. But in searching for the letter from Cortes, a copy of one from the colony of Vera Cruz to the emperor has been discovered in the imperial library at Vienna. Of this I have given some account in its proper place. The second despatch, dated October 30, 1520, was published at Seville, A. D. 1522, and the third and fourth soon after they were received. A Latin translation of them appeared in Germany, A. D. 1532. Ramusio soon after made them more generally known, by inserting them in his valuable collection. They contain a regular and minute history of the expedition, with many curious particulars concerning the policy and manners of the Mexicans. The work does honour to Cortes: the style is simple and perspicuous; but as it was manifestly his interest to represent his own actions in the fairest light, his victories are probably exaggerated, his losses diminished, and his acts of rigour and violence softened.

The next in order is the *Cronica de la Nueva Espagna*, by Francisco Lopez de Gomara, published A. D. 1554. Gomara's historical merit is considerable. His mode of narration is clear, flowing, always agreeable, and sometimes elegant. But he is frequently inaccurate and credulous; and as he was the domestic chaplain of Cortes after his return from New Spain, and probably composed his work at his desire, it is manifest that he labours to magnify the merit of his hero, and to conceal or extenuate such transactions as were unfavourable to his character. Of this Herrera accuses him in one instance, dec. ii. lib. iii. c. 2, and it is not once only that this is conspicuous. He writes, however, with so much freedom concerning several measures of the Spanish court, that the copies both of his *Historia de las Indias*, and of his *Cronica*, were called in by a decree of the council of the Indies, and they were long considered as prohibited books in Spain; it is only of late that licence to print them has been granted. Pinelo Biblioth. 582.

The Chronicle of Gomara induced Bernal Diaz del Castillo to compose his *Historia Verdadera de la Conquista de la Nueva Espagna*. He had been an adventurer in each of the expeditions to New Spain, and was the companion of Cortes in all his battles and perils. When he found that neither he himself, nor many of his fellow-soldiers, were once mentioned by Gomara, but that the fame of all their exploits was ascribed to Cortes, the gallant veteran laid hold of his pen with indignation, and composed his true history. It contains a prolix, minute, confused narrative of all Cortes's operations, in such rude vulgar style as might be expected from an illiterate soldier. But as he relates transactions of which he was wit-

ness, and in which he performed a considerable part, his account bears all the marks of authenticity, and is accompanied with such a pleasant *naïveté*, with such interesting details, with such amusing vanity, and yet so pardonable in an old soldier who had been (as he boasts) in a hundred and nineteen battles, as renders his book one of the most singular that is to be found in any language.

Pet. Martyr ab Angleria, in a treatise *De Insulis nuper inventis*, added to his *Decades de Rebus Oceanicis et Novo Orbe*, gives some account of Cortes's expedition. But he proceeds no further than to relate what happened after his first landing. This work, which is brief and slight, seems to contain the information transmitted by Cortes in his first despatches, embellished with several particulars communicated to the author by the officers who brought the letters from Cortes.

But the book to which the greater part of modern historians have had recourse for information concerning the conquest of New Spain, is *Historia de la Conquista de Mexico*, por D. Antonio de Solís, first published A. D. 1684. I know no author in any language whose literary fame has risen so far beyond his real merit. De Solís is reckoned by his countrymen one of the purest writers in the Castilian tongue; and if a foreigner may venture to give his opinion concerning a matter of which Spaniards alone are qualified to judge, he is entitled to that praise. But though his language is correct, his taste in composition is far from being just. His periods are so much laboured as to be often stiff, and sometimes tumid; the figures which he employs by way of ornament are frequently trite or improper, and his observations superficial. These blemishes, however, might easily be overlooked, if he were not defective with respect to all the great qualities of an historian. Destitute of that patient industry in research which conducts to the knowledge of truth; a stranger to that impartiality which weighs evidence with cool attention; and ever eager to establish his favourite system of exalting the character of Cortes into that of a perfect hero, exempt from error, and adorned with every virtue; he is less solicitous to discover what was true than to relate what might appear splendid. When he attempts any critical discussion his reasonings are fallacious, and founded upon an imperfect view of facts. Though he sometimes quotes the *despatches* of Cortes, he seems not to have consulted them; and though he sets out with some censure on Gomara, he frequently prefers his authority, the most doubtful of any, to that of the other contemporary historians.

But of all the Spanish writers, Herrera furnishes the fullest and most accurate information concerning the conquest of Mexico, as well as every other transaction of America. The industry and attention with which he consulted not only the books, but the original papers and public records, which tended to throw any light upon the subject of his inquiries, were so great, and he usually judges of the evidence before him with so much impartiality and candour, that his *decads* may be ranked among the most judicious and useful historical collections. If, by attempting to relate the various occurrences in the New World in a strict chronological order, the arrangement of events in his work had not been rendered so perplexed, disconnected, and obscure, that it is an unpleasant task to collect from different parts of his book, and piece together the detached shreds of a story, he might justly have been ranked among the most eminent historians of his country. He gives an

account of the materials from which he composed his work, *Decad. 6, lib. iii, c. 19.*

NOTE 98.—Cortes purposed to have gone in the train of Ovando, when he set out for his government in the year 1502, but was detained by an accident. As he was attempting in a dark night to scramble up to the window of a lady's bed chamber, with whom he carried on an intrigue, an old wall, on the top of which he had mounted, gave way, and he was so much bruised by the fall as to be unfit for the voyage. Gomara, *Cronica de la Nueva España*, cap. 1.

NOTE 99.—Cortes had two thousand pesos in the hands of Andrew Duero, and he borrowed four thousand. These sums are about equal in value to fifteen hundred pounds sterling; but as the price of every thing was extremely high in America, they made but a scanty stock when applied towards the equipment of a military expedition. Herrera, *dec. 2, lib. iii, c. 2.* B. Diaz, *c. 20.*

NOTE 100.—The names of those gallant officers, which will often occur in the subsequent story, were Juan Velasquez de Leon, Alonso Hernandez Portocarrero, Francisco de Montejo, Christoval de Olid, Juan de Escalante, Francisco de Morla, Pedro de Alvarado, Francisco de Salceda, Juan de Escobar, Gines de Nortes. Cortes himself commanded the capitana, or admiral. Francisco de Orozco, an officer formed in the wars of Italy, had the command of the artillery. The experienced Alaminos acted as chief pilot.

NOTE 101.—In those different conflicts the Spaniards lost only two men, but had a considerable number wounded. Though there be no occasion for recourse to any supernatural cause to account either for the greatness of their victories or the smallness of their loss, the Spanish historians fail not to ascribe both to the patronage of St. Jago, the tutelar saint of their country, who, as they relate, fought at the head of their countrymen, and by his prowess gave a turn to the fate of the battle. Gomara is the first who mentions this apparition of St. James. It is amusing to observe the embarrassment of B. Diaz del Castillo, occasioned by the struggle between his superstition and his veracity. The former disposed him to believe this miracle, the latter restrained him from attesting it. "I acknowledge," says he, "that all our exploits and victories are owing to our Lord Jesus Christ, and that in this battle there was such a number of Indians to every one of us, that if each had thrown a handful of earth they might have buried us, if by the great mercy of God we had not been protected. It may be that the person whom Gomara mentions as having appeared on a mottled grey horse, was the glorious apostle Signor San Jago or Signor San Pedro, and that I, as being a sinner, was not worthy to see him. This I know, that I saw Francisco de Morla on such a horse, but as an unworthy transgressor, did not deserve to see any of the holy apostles. It may have been the will of God that it was so as Gomara relates, but until I read his chronicle I never heard among any of the conquerors that such a thing had happened." Cap. 34.

NOTE 102.—Several Spanish historians relate this occurrence in such terms as if they wished it should be believed that the Indians, loaded with the presents, had carried them from the capital in the same short space of time that the couriers performed that journey. This is incredible, and Gomara mentions a circumstance which shows that nothing extraordinary happened on this occasion. This rich present had been prepared for Grijalva, when he touched at the same place some months before, and was now

ready to be delivered as soon as Montezuma sent orders for that purpose. Gomara Cron. c. xxvii. p. 28.

According to B. Diaz del Castillo the value of the silver plate, representing the moon, was alone above twenty thousand pesos, about five thousand pounds sterling.

NOTE 103.—This private traffic was directly contrary to the instructions of Velasquez, who enjoined, that whatever was acquired by trade should be thrown into the common stock. But it appears that the soldiers had each a private assortment of toys, and other goods proper for the Indian trade, and Cortes gained their favour by encouraging this under-hand barter. B. Diaz, c. 41.

NOTE 104.—Gomara has published a catalogue of the various articles of which this present consisted. Cron. c. 49. P. Martyr ab Angleria, who saw them after they were brought to Spain, and who seems to have examined them with great attention, gives a description to each, which is curious, as it conveys some idea of the progress which the Mexicans had made in several arts of elegance. De Insulis nuper inventis Liber, p. 354, &c.

NOTE 105.—There is no circumstance in the history of the conquest of America which is more questionable than the account of the numerous armies brought into the field against the Spaniards. As the war with the republic of Tlascala, though of short duration, was one of the most considerable which the Spaniards waged in America, the account given of the Tlascalcan armies merits some attention. The only authentic information concerning this is derived from three authors. Cortes, in his second despatch to the emperor, dated at Segura de la Frontera, October 30, 1520, thus estimates the number of their troops; in the first battle 6000; in the second battle 100,000; in the third battle 150,000. Relat. ap. Ramus. iii. 228. Bernal Diaz del Castillo, who was an eye-witness, and engaged in all the actions of this war, thus reckons their numbers: in the first battle 3000, p. 43; in the second battle 6000, *ibid*; in the third battle 50,000, p. 45. Gomara, who was Cortes's chaplain after his return to Spain, and published his *Cronica* in 1554, follows the computation of Cortes, except in the second battle, where he reckons the Tlascalans at 80,000, p. 49. It was manifestly the interest of Cortes to magnify his own dangers and exploits. For it was only by the merit of extraordinary services that he could hope to atone for his irregular conduct in assuming an independent command. B. Diaz, though abundantly disposed to place his own prowess, and that of his fellow-conquerors in the most advantageous point of light, had not the same temptation to exaggerate; and it is probable that his account of the numbers approaches nearer to the truth. The assembling of an army of 150,000 men requires many previous arrangements, and such provisions for their subsistence as seems to be beyond the foresight of Americans. The degree of cultivation in Tlascala does not seem to have been so great as to have furnished such a vast army with provisions. Though this province was so much better cultivated than other regions of New Spain, that it was called the *country of bread*, yet the Spaniards in their march suffered such want that they were obliged to subsist upon *Tunas*, a species of fruit which grows wild in the fields. Herrera, dec. ii. lib. vi. c. 5, p. 182.

NOTE 106.—These unhappy victims are said to be persons of distinction. It seems improbable that so great a number as fifty should be employed as

spies. So many prisoners had been taken and dismissed, and the Tlascalans had sent so many messages to the Spanish quarters, that there appears to be no reason for hazarding the lives of so many considerable people, in order to procure information about the position and state of their camp. The barbarous manner in which Cortes treated a people unacquainted with the laws of war established among polished nations, appears so shocking to the later Spanish writers, that they diminish the number of those whom he punished so cruelly. Herrera says, that he cut off the hands of seven, and the thumbs of some more. Dec. ii. lib. ii. c. 8. De Solis relates, that the hands of fourteen or fifteen were cut off, and the thumbs of all the rest. Lib. ii. c. 20. But Cortes himself, Relat. p. 228, and after him Gomara, c. 48, affirm, that the hands of all the fifty were cut off.

NOTE 107.—The horses were objects of the greatest astonishment to all the people of New Spain. At first they imagined the horse and his rider, like the centaurs of the ancients, to be some monstrous animal of a terrible form; and supposing that their food was the same as that of men, brought flesh and bread to nourish them. Even after they discovered their mistake, they believed the horses devoured men in battle, and when they neighed, thought that they were demanding their prey. It was not the interest of the Spaniards to deceive them. Herrera, dec. ii. lib. vi. c. 11.

NOTE 108.—According to Bart. de las Casas, there was no reason for this massacre, and it was an act of wanton cruelty, perpetrated merely to strike terror into the people of New Spain. Relac. de la Destruyc. p. 17, &c. But the zeal of Las Casas often leads him to exaggerate. In opposition to him, Bern. Diaz, c. 83, asserts, that the first missionaries sent into New Spain by the emperor made a judicial inquiry into this transaction; and having examined the priests and elders of Cholula, found that there was a real conspiracy to cut off the Spaniards, and that the account given by Cortes was exactly true. As it was the object of Cortes at that time, and manifestly his interest, to gain the good-will of Montezuma, it is improbable that he should have taken a step which tended so visibly to alienate him from the Spaniards, if he had not believed it to be necessary for his own preservation. At the same time the Spaniards who served in America had such contempt for the natives, and thought them so little entitled to the common rights of men, that Cortes might hold the Cholulans to be guilty upon slight and imperfect evidence. The severity of the punishment was certainly excessive and atrocious.

NOTE 109.—This description is taken almost literally from Bernal Diaz del Castillo, who was so unacquainted with the art of composition, as to be incapable of embellishing his narrative. He relates in a simple and rude style what passed in his own mind and that of his fellow-soldiers on that occasion: "and let it not be thought strange," says he, "that I should write in this manner of what then happened, for it ought to be considered, that it is one thing to relate, another to have beheld, things that were never before seen, or heard, or spoken of among men." Cap. 86, p. 64, b.

NOTE 110.—B. Diaz del Castillo gives us some idea of the fatigue and hardships they underwent in performing this and other parts of duty. During the nine months that they remained in Mexico, every man, without any distinction between officers and soldiers, slept on his arms in his quilted jacket and gorget. They lay on mats, or straw spread on the

floor, and each was obliged to hold himself as alert as if he had been on guard. "This," adds he, "became so habitual to me, that even now in my advanced age, I always sleep in my clothes, and never in my bed. When I visit my *Encomienda*, I reckon it suitable to my rank to have a bed carried along with my other baggage, but I never go into it; but, according to custom, I lie in my clothes, and walk frequently during the night in the open air, to view the stars, as I was wont when in service." Cap. 108.

NOTE 111.—Cortes himself, in his second despatch to the emperor, does not explain the motives which induced him either to condemn Quälpopoca to the flames, or to put Montezuma in irons. Ramus. iii. 236. B. Diaz is silent with respect to his reasons for the former; and the only cause he assigns for the latter was, that he might meet with no interruption in executing the sentence pronounced against Quälpopoca, c. xev. p. 75. But as Montezuma was his prisoner, and absolutely in his power, he had no reason to dread him, and the insult offered to that monarch could have no effect but to irritate him unnecessarily. Gomara supposes that Cortes had no other object than to occupy Montezuma with his own distress and sufferings, that he might give less attention to what befell Quälpopoca. Cron. c. 89. Herrera adopts the same opinion, dec. 2, lib. viii. c. 9. But it seems an odd expedient, in order to make a person bear one injury, to load him with another that is greater. De Solis imagines, that Cortes had nothing else in view than to intimidate Montezuma, so that he might make no attempt to rescue the victims from their fate; but the spirit of that monarch was so submissive, and he had so tamely given up the prisoners to the disposal of Cortes, that he had no cause to apprehend any opposition from him. If the explanation which I have attempted to give of Cortes's proceedings on this occasion be not admitted, it appears to me that they must be reckoned among the wanton and barbarous acts of oppression which occur too often in the history of the conquest of America.

NOTE 112.—De Solis asserts, lib. iv. c. 3, that the proposition of doing homage to the king of Spain came from Montezuma himself, and was made in order to induce the Spaniards to depart out of his dominions. He describes his conduct on this occasion, as if it had been founded upon a scheme of profound policy, and executed with such refined address as to deceive Cortes himself. But there is no hint or circumstance in the contemporary historians, Cortes, Diaz, or Gomara, to justify this theory. Montezuma, on other occasions, discovered no such extent of art and abilities. The anguish which he felt in performing this humbling ceremony is natural, if we suppose it to have been involuntary. But, according to the theory of De Solis, which supposes that Montezuma was executing what he himself had proposed, to have assumed an appearance of sorrow would have been preposterous, and inconsistent with his own design of deceiving the Spaniards.

NOTE 113.—In several of the provinces the Spaniards, with all their industry and influence, could collect no gold. In others they procured only a few trinkets of small value. Montezuma accused Cortes, that the present which he offered to the King of Castile, after doing homage, consisted of all the treasure amassed by his father; and told him that he had already distributed the rest of his gold and jewels among the Spaniards. B. Diaz, c. 104. Gomara relates, that all the silver collected amounted to 500 marks. Cron. c. 93. This agrees with the account given by Cortes, that the royal fifth of silver was 100

marks. Relat. 239, b. So that the sum total of silver was only 4000 ounces, at the rate of eight ounces a mark, which demonstrates the proportion of silver to gold to have been exceedingly small.

NOTE 114.—De Solis, lib. iv. c. 1, calls in question the truth of this transaction, from no better reason than that it was inconsistent with that prudence which distinguishes the character of Cortes. But he ought to have recollected the impetuosity of his zeal, at Tlascala, which was no less imprudent. He asserts, that the evidence for it rests upon the testimony of B. Diaz del Castillo, of Gomara, and of Herrera. They all concur, indeed, in mentioning this inconsiderate step which Cortes took; and they had good reason to do so, for Cortes himself relates this exploit in his second despatch to the emperor, and seems to glory in it. Cort. Relat. Ramus. iii. 140, d. This is one instance, among many, of De Solis's having consulted with little attention the letters of Cortes to Charles V., from which the most authentic information with respect to his operations must be derived.

NOTE 115.—Herrera and De Solis suppose that Velasquez was encouraged to equip this armament against Cortes by the accounts which he received from Spain concerning the reception of the agent sent by the colony of Vera Cruz, and the warmth with which Fonseca, bishop of Burgos, had espoused his interest, and condemned the proceedings of Cortes. Herrera, dec. 2, lib. ix. c. 18. De Solis, lib. iv. c. 5. But the chronological order of events refutes this supposition. Portocarrero and Montejo sailed from Vera Cruz July 26, 1519. Herrera, dec. 2, lib. v. b. 4. They landed at St. Lucar in October, according to Herrera, *ibid.* But P. Martyr, who attended the court at that time, and communicated every occurrence of moment to his correspondents day by day, mentions the arrival of these agents for the first time in December, and speaks of it as a recent event. Epist. 650. All the historians agree, that the agents of Cortes had their first audience of the emperor at Tordesillas, when he went to that town to visit his mother in his way to St. Jago de Compostella. Herrera, dec. 2, lib. v. c. 4. De Solis, lib. iv. c. 5. But the emperor set out from Valladolid for Tordesillas on the 11th of March, 1520; and P. Martyr mentions his having seen at that time the presents made to Charles, Epist. 665. The armament under Narvaez sailed from Cuba in April 1520. It is manifest then that Velasquez could not receive any account of what passed in this interview at Tordesillas, previous to his hostile preparations against Cortes. His real motives seem to be those which I have mentioned. The patent appointing him *Adelantado* of New Spain, with such extensive powers, bears date November 13, 1519. Herrera, dec. 2, lib. iii. c. 11. He might receive it about the beginning of January. Gomara takes notice, that as soon as this patent was delivered to him, he began to equip a fleet and levy forces. Cron. c. 96.

NOTE 116.—De Solis contends, that as Narvaez had no interpreters, he could hold no intercourse with the people of the provinces, nor converse with them in any way but by signs, and that it was equally impossible for him to carry on any communication with Montezuma. Lib. iv. c. 7. But it is upon the authority of Cortes himself that I relate all the particulars of Narvaez's correspondence, both with Montezuma and with his subjects in the maritime provinces. Relat. Ramus. iii. 244, a. c. Cortes affirms, that there was a mode of intercourse between Narvaez and the Mexicans, but does not explain how it

was carried on. Bernal Diaz supplies this defect, and informs us that the three deserters who joined Narvaez acted as interpreters, having acquired a competent knowledge of the language, c. 110. With his usual minuteness, he mentions their names and characters, and relates, in chapter 122, how they were punished for their perfidy. The Spaniards had now resided above a year among the Mexicans; and it is not surprising that several among them should have made some proficiency in speaking their language. This seems to have been the case. Herrera, dec. 2, lib. x. c. 1. Both B. Diaz, who was present, and Herrera, the most accurate and best informed of all the Spanish writers, agree with Cortes in his account of the secret correspondence carried on with Montezuma. Dec. 2, lib. x. c. 18, 19. De Solis seems to consider it as a discredit to Cortes, his hero, that Montezuma should have been ready to engage in a correspondence with Narvaez. He supposes that monarch to have contracted such a wonderful affection for the Spaniards that he was not solicitous to be delivered from them. After the indignity with which he had been treated, such an affection is incredible; and even De Solis is obliged to acknowledge, that it must be looked upon as one of the miracles which God had wrought to facilitate the conquest, lib. ib. c. 7. The truth is, Montezuma, however much overawed by the dread of the Spaniards, was extremely impatient to recover his liberty.

NOTE 117.—These words I have borrowed from the anonymous account of the European settlements in America, published by Dodsley, in two volumes 8vo.; a work of so much merit, that I should think there is hardly any writer in the age who ought to be ashamed of himself to be the author of it.

NOTE 118.—The contemporary historians differ considerably with respect to the loss of the Spaniards on this occasion. Cortes, in his second despatch to the emperor, makes the number only 150. Relat. ap. Ramus. iii. p. 249, a. But it was manifestly his interest, at that juncture, to conceal from the court of Spain the full extent of the loss which he had sustained. De Solis, always studious to diminish every misfortune that befell his countrymen, rates their loss at about two hundred men. Lib. iv. c. 19. B. Diaz affirms that they lost 870 men, and that only 440 escaped from Mexico; c. 128, p. 108, b. Palafox, bishop of Los Angeles, who seems to have inquired into the early transactions of his countrymen in New Spain with great attention, confirms the account of B. Diaz with respect to the extent of their loss. *Virtudes del Indio*, p. 22. Gomara states their loss at 450 men. Cron. c. 109. Some months afterwards, when Cortes had received several reinforcements, he mustered his troops, and found them to be only 590. Relat. ap. Ramus. iii. p. 255, e. Now, as Narvaez brought 880 men into New Spain, and about 400 of Cortes' soldiers were then alive, it is evident that his loss, in the retreat from Mexico, must have been much more considerable than what he mentions. B. Diaz, solicitous to magnify the dangers and sufferings to which he and his fellow-conquerors were exposed, may have exaggerated their loss; but in my opinion it cannot well be estimated at less than 600 men.

NOTE 119.—Some remains of this great work are still visible, and the spot where the brigantines were built and launched is still pointed out to strangers. Torquemada viewed them. *Monarqu. Indiana*, vol. i. p. 531.

NOTE 120.—The station of Alvarado on the causeway of Tacuba was the nearest to the city.

Cortes observes, that there they could distinctly observe what passed when their countrymen were sacrificed. Relat. ap. Ramus. iii. p. 273, e. B. Diaz, who belonged to Alvarado's division, relates what he beheld with his own eyes: c. 152, p. 148, b. 159, a. Like a man whose courage was so clear as to be above suspicion, he describes with his usual simplicity the impression which this spectacle made upon him. "Before," says he, "I saw the breasts of my companions opened, their hearts yet fluttering, offered to an accursed idol, and their flesh devoured by their exulting enemies, I was accustomed to enter a battle not only without fear, but with high spirit. But from that time I never advanced to fight the Mexicans without a secret horror and anxiety; my heart trembled at the thoughts of the death which I had seen them suffer." He takes care to add, that as soon as the combat began, his terror went off; and indeed his adventurous bravery on every occasion is full of evidence of this. B. Diaz, c. 156, p. 157, a.

NOTE 121.—One circumstance in this siege merits particular notice. The account which the Spanish writers give of the numerous armies employed in the attack or defence of Mexico seems to be incredible. According to Cortes himself, he had at one time 150,000 auxiliary Indians in his service. Relat. Ramus. iii. 275, e. Gomara asserts, that they were above 200,000. Cron. c. 136. Herrera, an author of higher authority, says they were about 200,000. Dec. 3, lib. i. c. 19. None of the contemporary writers ascertain explicitly the number of persons in Mexico during the siege. But Cortes on several occasions mentions the number of Mexicans who were slain, or who perished for want of food; and if we may rely on those circumstances, it is probable that above two hundred thousand must have been shut up in the town. But the quantity of provisions necessary for the subsistence of such vast multitudes assembled in one place during three months is so great, and it requires so much foresight and arrangement to collect these, and lay them up in magazines so as to be certain of a regular supply, that one can hardly believe that this could be accomplished in a country where agriculture was so imperfect as in the Mexican empire, where there were no tame animals, and by a people naturally so improvident, and so incapable of executing a complicated plan, as the most improved Americans. The Spaniards, with all their care and attention, fared very poorly, and were often reduced to extreme distress for want of provisions. B. Diaz, p. 142. Cortes Relat. 271, d. Cortes on one occasion mentions slightly the subsistence of his army; and after acknowledging that they were often in great want, adds, that they received supplies from the people of the country, of fish, and of some fruit, which he calls the cherries of the country. Ibid. B. Diaz says, that they had cakes of maize, and *serasas de la tierra*; and when the season of these was over, another fruit, which he calls *Tunas*; but their most comfortable subsistence was a root which the Indians use as food, to which he gives the name of *Quilites*, p. 142. The Indian auxiliaries had one means of subsistence more than the Spaniards. They fed upon the bodies of the Mexicans whom they killed in battle. Cort. Relat. 176, c. B. Diaz confirms his relation, and adds, that when the Indians returned from Mexico to their own country, they carried with them large quantities of the flesh of the Mexicans salted or dried, as a most acceptable present to their friends, that they might have the pleasure of feeding upon the bodies of their enemies

in their festivals, p. 157. De Solis, who seems to consider it as an imputation of discredit to his countrymen, that they should act in concert with auxiliaries who fed upon human flesh, is solicitous to prove that the Spaniards endeavoured to prevent their associates from eating the bodies of the Mexicans, lib. v. c. 24. But he has no authority for this from the original historians. Neither Cortes himself, nor B. Diaz, seem to have had any such scruple; and on many occasions they mention the Indian repasts, which were become familiar to them, without any mark of abhorrence. Even with this additional stock of food for the Indians, it was hardly possible to procure subsistence for armies amounting to such numbers as we find in the Spanish writers. Perhaps the best solution of the difficulty is, to adopt the opinion of B. Diaz del Castillo, the most artless of all the *Historiadores primitivos*. "When Gomara," says he, "on some occasions relates, that there were so many thousand Indians our auxiliaries, and in others, that there were so many thousand houses in this or that town, no regard is to be paid to his enumeration, as he has no authority for it, the numbers not being in reality the fifth of what he relates. If we add together the different numbers which he mentions, that country would contain more millions than there are in Castile." C. 129. But though some considerable deduction should certainly be made from the Spanish accounts of the Mexican forces, they must have been very numerous; for nothing but an immense superiority in number could have enabled them to withstand a body of nine hundred Spaniards, conducted by a leader of such abilities as Cortes.

NOTE 122.—In relating the oppressive and cruel proceedings of the conquerors of New Spain, I have not followed B. de las Casas as my guide. His account of them, *Relat. de la Destruyc.* p. 18, &c., is manifestly exaggerated. It is from the testimony of Cortes himself, and of Gomara, who wrote under his eye, that I have taken my account of the punishment of the Panucans, and they relate it without any disapprobation. B. Diaz, contrary to his usual custom, mentions it only in general terms, c. 162. Herrera, solicitous to extenuate this barbarous action of his countrymen, though he mentions sixty-three caziques and four hundred men of note, as being condemned to the flames, asserts that thirty only were burnt, and the rest pardoned. Dec. 3, lib. v. c. 7. But this is contrary to the testimony of the original historians, particularly of Gomara, whom it appears he had consulted, as he adopts several of his expressions in this passage. The punishment of Guatimozin is related by the most authentic of the Spanish writers. Torquemada has extracted from a history of Tezeuco, composed in the Mexican tongue, an account of this transaction, more favourable to Guatimozin than that of the Spanish authors. *Mon. Indiana*, i. 575. According to the Mexican account, Cortes had scarcely a shadow of evidence to justify such a wanton act of cruelty. B. Diaz affirms, that Guatimozin and his fellow sufferers asserted their innocence with their last breath, and that many of the Spanish soldiers condemned this action of Cortes as equally unnecessary and unjust, p. 200, b. 201, a.

NOTE 123.—The motive for undertaking this expedition was to punish Christoval de Olid, one of his officers, who had revolted against him, and aimed at establishing an independent jurisdiction. Cortes regarded this insurrection as of such dangerous example, and dreaded so much the abilities and popularity of its author, that in person he led the body of troops destined to suppress it. He marched, accord-

ing to Gomara, three thousand miles, through a country abounding with thick forests, rugged mountains, deep rivers, thinly inhabited, and cultivated only in a few places. What he suffered from famine, from the hostility of the natives, from the climate, and from hardships of every species, has nothing in history parallel to it, but what occurs in the adventures of the other discoverers and conquerors of the New World. Cortes was employed in this dreadful service above two years; and though it was not distinguished by any splendid event, he exhibited, during the course of it, greater personal courage, more fortitude of mind, more perseverance and patience, than in any other period or scene in his life. Herrera, dec. 3. lib. vi. vii. viii. ix. Gomara, *Cron.* c. 163—177. B. Diaz, 174—190. Cortes, *MS. penes me*. Were one to write a life of Cortes, the account of this expedition should occupy a splendid place in it. In a general history of America, as the expedition was productive of no great event, the mention of it is sufficient.

NOTE 124.—According to Herrera, the treasure which Cortes brought with him consisted of fifteen hundred marks of wrought plate, two hundred thousand pesos of fine gold, and ten thousand of inferior standard, many rich jewels, one in particular worth forty thousand pesos, and several trinkets and ornaments of value. Dec. iv. lib. iii. c. 8. lib. iv. c. 1. He afterwards engaged to give a portion with his daughter of a hundred thousand pesos. Gomara *Cron.* c. 237. The fortune which he left his sons was very considerable. But, as we have before related, the sum divided among the conquerors, on the first reduction of Mexico, was very small. There appears, then, to be some reason for suspecting that the accusations of Cortes's enemies were not altogether destitute of foundation. They charged him with having applied to his own use a disproportionate share of the Mexican spoils; with having concealed the royal treasures of Montezuma and Guatimozin; with defrauding the king of his fifth; and robbing his followers of what was due to them. Herrera, dec. 3, lib. viii. c. 15. dec. 4, lib. iii. c. 8. Some of the conquerors themselves entertained suspicions of the same kind with respect to this part of his conduct. B. Diaz, c. 157.

NOTE 125.—In tracing the progress of the Spanish arms in New Spain, we have followed Cortes himself as our most certain guide. His despatches to the emperor contain a minute account of his operations. But the unlettered conqueror of Peru was incapable of relating his own exploits. Our information with respect to them and other transactions in Peru is derived, however, from contemporary and respectable authors.

The most early account of Pizarro's transactions in Peru was published by Francisco de Xerez, his secretary. It is a simple unadorned narrative, carried down no further than the death of Atahualpa, in 1533; for the author returned to Spain in 1534, and soon after he landed, printed at Seville his short History of the Conquest of Peru, addressed to the emperor.

Don Pedro Sancho, an officer who served under Pizarro, drew up an account of his expedition, which was translated into Italian by Ramusio, and inserted in his valuable collection, but has never been published in its original language. Sancho returned to Spain at the same time with Xerez. Great credit is due to what both these authors relate concerning the progress and operations of Pizarro; but the residence of the Spaniards in Peru had been so short, at the

time when they left it, and their intercourse with the natives so slender, that their knowledge of the Peruvian manners and customs is very imperfect.

The next contemporary historian is Pedro Cieza de Leon, who published his *Cronica del Peru*, at Seville, in 1553. If he had finished all that he proposes in the general division of his work, it would have been the most complete history which had been published of any region in the New World. He was well qualified to execute it, having served seventeen years in America, and having visited in person most of the provinces concerning which he had occasion to write. But only the first part of his chronicle has been printed. It contains a description of Peru and several of the adjacent provinces, with an account of the institutions and customs of the natives, and is written with so little art and such an apparent regard for truth, that one must regret the loss of the other parts of his work.

This loss is amply supplied by Don Augustine Zarate, who published, in 1555, his *Historia del Descubrimiento y Conquesta de la Provincia del Peru*. Zarate was a man of rank and education, and employed in Peru as comptroller-general of the public revenue. His history, whether we attend to its matter or composition, is a book of considerable merit; as he had an opportunity to be well informed and seems to have been inquisitive with respect to the manners and transactions of the Peruvians, great credit is due to his testimony.

Don Diego Fernandez published his *Historia del Peru* in 1571. His sole object is to relate the dissensions and civil wars of the Spaniards in that empire. As he served in a public station in Peru, and was well acquainted both with the country and with the principal actors in those singular scenes which he describes, as he possessed sound understanding and great impartiality, his work may be ranked among those of the historians most distinguished for their industry in research, or their capacity in judging with respect to the events which they relate.

The last author who can be reckoned among the contemporary historians of the conquest of Peru is Garcilasso de la Vega, Inca. For though the first part of his work, entitled *Comentarios Reales del Origen de los Incas Reyes del Peru*, was not published sooner than the year 1609, seventy-six years after the death of Atahualpa the last emperor, yet as he was born in Peru, and was the son of an officer of distinction among the Spanish conquerors, by a *Coya*, or lady of the royal race, on account of which he always took the name of inca; as he was master of the language spoken by the incas, and acquainted with the traditions of his countrymen, his authority is rated very high, and often placed above that of all the other historians. His work, however, is little more than a commentary upon the Spanish writers of the Peruvian story, and composed of quotations taken from the authors whom I have mentioned. This is the idea which he himself gives of it, lib. i. c. 10. Nor is it in the account of facts only that he follows them servilely. Even in explaining the institutions and rites of his ancestors, his information seems not to be more perfect than theirs. His explanation of the Quipos is almost the same with that of Acosta. He produces no specimen of Peruvian poetry, but that wretched one which he borrows from Blas Valera, an early missionary, whose memoirs have never been published. Lib. ii. c. 15. As for composition, arrangement, or a capacity of distinguishing between what is fabulous, what is probable, and what is true, one searches for them in vain

in the commentaries of the inca. His work, however, notwithstanding its great defects, is not altogether destitute of use. Some traditions which he received from his countrymen are preserved in it. His knowledge of the Peruvian language has enabled him to correct some errors of the Spanish writers, and he has inserted in it some curious facts taken from authors whose works were never published, and are now lost.

NOTE 126.—One may form an idea both of the hardships which they endured, and of the unhealthy climate in the regions which they visited, from the extraordinary mortality that prevailed among them. Pizarro carried out 112 men, Almagro 70. In less than nine months 130 of these died. Few fell by the sword; most of them were cut off by diseases. Xerez, p. 180.

NOTE 127.—This island, says Herrera, is rendered so uncomfortable by the unwholesomeness of its climate, its impenetrable woods, its rugged mountains, and the multitude of insects and reptiles, that it is seldom any softer epithet than that of *infernal* is employed in describing it. The sun is almost never seen there, and throughout the year it hardly ever ceases to rain. Dec. 3, lib. x. c. 3. Dampier touched at this island in the year 1685; and his account of the climate is not more favourable. Vol. i. p. 172. He, during his cruise on the coast, visited most of the places where Pizarro landed, and his description of them throws light on the narrations of the early Spanish historians.

NOTE 128.—By this time horses had multiplied greatly in the Spanish settlements on the continent. When Cortes began his expedition in the year 1518, though his armament was more considerable than that of Pizarro, and composed of persons superior in rank to those who invaded Peru, he could procure no more than sixteen horses.

NOTE 129.—In the year 1740, D. Ant. Ulloa, and D. George Juan, travelled from Guayaquil to Motupe, by the same route which Pizarro took. From the description of their journey, one may form an idea of the difficulty of his march. The sandy plains between St. Michael de Pieura and Motupe extend 90 miles, without water, without a tree, a plant, or any green thing, on a dreary stretch of burning sand. Voyage, tom. i. p. 399, &c.

NOTE 130.—This extravagant and unseasonable discourse of Valverde has been censured by all historians, and with justice. But though he seems to have been an illiterate and bigoted monk, nowise resembling the good Olmedo, who accompanied Cortes, the absurdity of his address to Atahualpa must not be charged wholly upon him. His harangue is evidently a translation or paraphrase of that form concerted by a junto of Spanish divines and lawyers in the year 1509, for explaining the right of their king to the sovereignty of the New World, and for directing the officers employed in America how they should take possession of any new country. See Note 23. The sentiments contained in Valverde's harangue must not then be imputed to the bigoted imbecility of a particular man, but to that of the age. But Gomara and Benzoni relate one circumstance concerning Valverde, which, if authentic, renders him an object, not of contempt only, but of horror. They assert, that during the whole action Valverde continued to excite the soldiers to slaughter, calling to them to strike the enemy not with the edge, but with the points of their swords. Gom. Cron. c. 113. Benz. Histor. Nov. Orbis, lib. iii. c. 3. Such behaviour was very different from that of the Roman Catholic

clergy in other parts of America, where they uniformly exerted their influence to protect the Indians, and to moderate the ferocity of their countrymen.

NOTE 131.—Two different systems have been formed concerning the conduct of Atahualpa. The Spanish writers, in order to justify the violence of their countrymen, contend that all the inca's professions of friendship were feigned; and that his intention in agreeing to an interview with Pizarro at Caxamalca, was to cut off him and his followers at one blow; that for this purpose he advanced with such a numerous body of attendants, who had arms concealed under their garments, to execute this scheme. This is the account given by Xerez and Zarate, and adopted by Herrera. But if it had been the plan of the inca to destroy the Spaniards, one can hardly imagine that he would have permitted them to march unmolested through the desert of Motupe, or have neglected to defend the passes in the mountains, where they might have been attacked with so much advantage. If the Peruvians marched to Caxamalca with an intention to fall upon the Spaniards, it is inconceivable that of so great a body of men, prepared for action, not one should attempt to make resistance, but all tamely suffer themselves to be butchered by an enemy whom they were armed to attack. Atahualpa's mode of advancing to the interview has the aspect of a peaceable procession, not of a military enterprise. He himself and his followers were, in their habits of ceremony preceded, as on days of solemnity, by unarmed harbingers. Though rude nations are frequently cunning and false, yet, if a scheme of deception and treachery must be imputed either to a monarch that had no great reason to be alarmed at a visit from strangers who solicited admission into his presence as friends, or to an adventurer so daring and so little scrupulous as Pizarro, one cannot hesitate in determining where to fix the presumption of guilt. Even amidst the endeavours of the Spanish writers to palliate the proceedings of Pizarro, one plainly perceives that it was his intention as well as his interest to seize the inca, and that he had taken measures for that purpose, previous to any suspicion of that monarch's designs.

Garcilasso de la Vega, extremely solicitous to vindicate his countrymen, the Peruvians, from the crime of having concerted the destruction of Pizarro and his followers, and no less afraid to charge the Spaniards with improper conduct towards the inca, has framed another system. He relates, that a man of majestic form, with a long beard, and garments reaching to the ground, having appeared in a vision to Viracocha, the eighth inca, and declared that he was a child of the sun, that monarch built a temple in honour of this person, and erected an image of him, resembling as nearly as possible the singular form in which he had exhibited himself to his view. In this temple divine honours were paid to him by the name of Viracocha. P. i. lib. iv. c. 21, lib. v. c. 22. When the Spaniards first appeared in Peru, the length of their beards, and the dress they wore, struck every body so much with their likeness to the image of Viracocha, that they supposed them to be children of the sun, who had descended from heaven to earth. All concluded that the fatal period of the Peruvian empire was now approaching, and that the throne would be occupied by new possessors. Atahualpa himself, considering the Spaniards as messengers from heaven, was so far from entertaining any thoughts of resisting them, that he determined to yield implicit obedience to their commands. From these sentiments flowed his professions of love and

respect. To these were owing the cordial reception of Soto and Ferdinand Pizarro in his camp, and the submissive reverence with which he himself advanced to visit the Spanish general in his quarters; but from the gross ignorance of Philipillo, the interpreter, the declaration of the Spaniards, and his answer to it, were so well explained, that by their mutual inability to comprehend each other's intentions, the fatal encounter at Caxamalca, with all its dreadful consequences, was occasioned.

It is remarkable that no traces of this superstitious veneration of the Peruvians for the Spaniards are to be found either in Xerez, or Sancho, or Zarate, previous to the interview at Caxamalca; and yet the two former served under Pizarro at that time, and the latter visited Peru soon after the conquest. If either the inca himself, or his messengers, had addressed the Spaniards in the words which Garcilasso puts in their mouths, they must have been struck with such submissive declarations; and they would certainly have availed themselves of them to accomplish their own designs with greater facility. Garcilasso himself, though his narrative of the intercourse between the inca and Spaniards, preceding the rencounter at Caxamalca, is founded on the supposition of his believing them to be Viracochas, or divine beings. p. ii. lib. i. c. 17, &c., yet with his usual inattention and inaccuracy he admits, in another place, that the Peruvians did not recollect the resemblance between them and the god Viracocha, until the fatal disasters subsequent to the defeat at Caxamalca, and then only began to call them Viracochas, p. i. lib. v. c. 21. This is confirmed by Herrera, dec. 5, lib. ii. c. 12. In many different parts of America, if we may believe the Spanish writers, their countrymen were considered as divine beings who had descended from heaven. But in this instance as in many which occur in the intercourse between nations whose progress in refinement is very unequal, the ideas of those who used the expression were different from the ideas of those who heard it. For such is the idiom of the Indian languages, or such is the simplicity of those who speak them, that when they see any thing with which they were formerly unacquainted, and of which they do not know the origin, they say that it came down from heaven. Nugnez. Ram. iii. c. 327, c.

The account which I have given of the sentiments and proceedings of the Peruvians appears to be more natural and consistent than either of the two preceding, and is better supported by the facts related by the contemporary historians.

According to Xerez, p. 200, two thousand Peruvians were killed. Sancho makes the number of the slain six or seven thousand. Bam. iii. 274. D. By Garcilasso's account, five thousand were massacred, p. ii. lib. i. c. 25. The number which I have mentioned, being the medium between the extremes, may probably be nearest the truth.

NOTE 132.—Nothing can be a more striking proof of this than that three Spaniards travelled from Caxamalca to Cuzco. The distance between them is six hundred miles. In every place throughout this great extent of country, they were treated with all the honours which the Peruvians paid to their sovereigns, and even to their divinities. Under pretext of amassing what was wanting for the ransom of the inca, they demanded the plates of gold with which the walls of the temple of the Sun in Cuzco were adorned; and though the priests were unwilling to alienate those sacred ornaments, and the people refused to violate the shrine of their god, the three Spaniards,

with their own hands, robbed the temple of part of this valuable treasure; and such was the reverence of the natives for their persons, that though they beheld this act of sacrilege with astonishment, they did not attempt to prevent or disturb the commission of it. Zarate, lib. ii. c. 6. Sancho ap. Ramus. iii. 375, D.

NOTE 133.—According to Herrera, the spoil of Cuzco, after setting apart the king's fifth, was divided among 480 persons. Each received 4000 pesos. This amounts to 1,920,000 pesos. Dec. v. lib. vi. c. 3. But as the general and other officers were entitled to a share far greater than that of the private men, the sum total must have risen much beyond what I have mentioned. Gomara, c. 123, and Zarate, lib. ii. c. 8, satisfy themselves with asserting in general that the plunder of Cuzco was of greater value than the ransom of Atahualpa.

NOTE 134.—No expedition in the New World was conducted with more persevering courage than that of Alvarado, and in none were greater hardships endured. Many of the persons engaged in it were, like their leader, veterans who had served under Cortes, inured to all the rigour of American war. Such of my readers as have not an opportunity of perusing the striking description of their sufferings by Zarate or Herrera, may form some idea of the nature of their march from the sea-coast to Quito, by consulting the account which D. Ant. Ulloa gives of his own journey, in 1736, nearly in the same route; Voy. tom. i. p. 178, &c., or that of M. Bouguer, who proceeded from Puerto Viejo to Quito, by the same road which Alvarado took. He compares his own journey with that of the Spanish leader, and by the comparison gives a most striking idea of the boldness and patience of Alvarado, in forcing his way through so many obstacles. Voyage du Perou, p. 28, &c.

NOTE 135.—According to Herrera, there was entered on account of the king, in gold, 155,300 pesos, and 5400 marks (each eight ounces) of silver, besides several vessels and ornaments, some of gold and others of silver; on account of private persons, in gold, 499,000 pesos, and 54,000 marks of silver. Dec. 5, lib. vi. c. 13.

NOTE 136.—The Peruvians not only imitated the military arts of the Spaniards, but had recourse to devices of their own. As the cavalry were the chief objects of their terror, they endeavoured to render them incapable of acting by means of a long throw with a stone fastened to each end. This when thrown by a skilful hand twisted about the horse and its rider, and entangled them so as to obstruct their motions. Herrera mentions this as an invention of their own. Dec. 5, lib. vii. c. 4. But as I have observed, this weapon is common among several barbarous tribes towards the extremity of South America; and it is more probable that the Peruvians had observed the dexterity with which they used it in hunting, and on this occasion adopted it themselves. The Spaniards were considerably annoyed by it. Herrera, *ibid.* Another instance of the ingenuity of the Peruvians deserves mention. By turning a river out of its channel they overflowed a valley, in which a body of the enemy was posted, so suddenly, that it was with the utmost difficulty the Spaniards made their escape. Herrera, dec. 5, lib. viii. c. 5.

NOTE 137.—Herrera's account of Orellana's voyage is the most minute, and apparently the most accurate. It was probably taken from the journal of Orellana himself. But the dates are not distinctly marked. His navigation down the Coca, or Napo, began early in February, 1541; and he arrived at

the mouth of the river on the 26th of August, having spent near seven months in the voyage. M. de la Condamine, in the year 1742, sailed from Cuenca to Para, a settlement of the Portuguese at the mouth of the river, a navigation much longer than that of Orellana, in less than four months. Voyage, p. 179. But the two adventurers were very differently provided for the voyage. This hazardous undertaking, to which ambition prompted Orellana, and to which the love of science led M. de la Condamine, was undertaken in the year 1769, by Madam Godin des Odonaïs, from conjugal affection. The narrative of the hardships which she suffered, of the dangers to which she was exposed, and of the disasters which befel her, is one of the most singular and affecting stories in any language, exhibiting in her conduct a striking picture of the fortitude which distinguishes the one sex, mingled with the sensibility and tenderness peculiar to the other. Lettre de M. Godin à M. de la Condamine.

NOTE 138.—Herrera gives a striking picture of their indigence. Twelve gentlemen, who had been officers of distinction under Almagro, lodged in the same house, and having but one cloak among them, it was worn alternately by him who had occasion to appear in public, while the rest, from the want of a decent dress, were obliged to keep within doors. Their former friends and companions were so much afraid of giving offence to Pizarro, that they durst not entertain or even converse with them. One may conceive what was the condition, and what the indignation of men once accustomed to power and opulence, when they felt themselves poor and despised, without a roof under which to shelter their heads, while they beheld others, whose merits and services were not equal to theirs, living in splendour in sumptuous edifices. Dec. 6, lib. viii. c. 6.

NOTE 139.—Herrera, whose accuracy entitles him to great credit, asserts, that Gonzalo Pizarro possessed domains in the neighbourhood of Chuquesaca de la Plata, which yielded him an annual revenue greater than that of the archbishop of Toledo, the best endowed see in Europe. Dec. 7, lib. vi. c. 3.

NOTE 140.—All the Spanish writers describe his march, and the distresses of both parties, very minutely. Zarate observes, that hardly any parallel to it occurs in history, either with respect to the length of the retreat, or the ardour of the pursuit. Pizarro, according to his computation, followed the viceroys upwards of three thousand miles. Lib. v. c. 16, 26.

NOTE 141.—It amounted, according to Fernandez, the best informed historian of that period, to one million four hundred thousand pesos. Lib. ii. c. 79.

NOTE 142.—Carvajal, from the beginning, had been an advocate for an accommodation with Gasca. Finding Pizarro incapable of holding that bold course which he originally suggested, he recommended to him a timely submission to his sovereign as the safest measure. When the president's offers were first communicated to Carvajal, "By our Lady" (said he, in that strain of buffoonery which was familiar to him), "the priest issues gracious bulls. He gives them both good and cheap; let us not only accept them, but wear them as reliques about our necks." Fernandez, lib. ii. c. 63.

NOTE 143.—During the rebellion of Gonzalo Pizarro seven hundred men were killed in battle, and three hundred and eighty were hanged or beheaded. Herrera, dec. 8, lib. iv. c. 4. Above three hundred of these were cut off by Carvajal. Fernandez, lib. ii. c. 91. Zarate makes the number of

those put to a violent death five hundred. Lib. vii. c. 1.

NOTE 144.—In my inquiries concerning the manners and policy of the Mexicans, I have received much information from a large manuscript of Don Alonso de Corita, one of the judges in the court of audience of Mexico. In the year 1553 Philip II., in order to discover the mode of levying tribute from his Indian subjects, that would be most beneficial to the crown, and least oppressive to them, addressed a mandate to all the courts of audience in America, enjoining them to answer certain queries which he proposed to them, concerning the ancient form of government established among the various nations of Indians, and the mode in which they had been accustomed to pay taxes to their kings or chiefs. In obedience to this mandate Corita, who had resided nineteen years in America, fourteen of which he passed in New Spain, composed the work of which I have a copy. He acquaints his sovereign, that he had made it an object, during his residence in America, and in all its provinces which he had visited, to inquire diligently into the manners and customs of the natives: that he had conversed for this purpose with many aged and intelligent Indians, and consulted several of the Spanish ecclesiastics, who understood the Indian languages most perfectly, particularly some of those who landed in New Spain soon after the conquest. Corita appears to be a man of some learning, and to have carried on his inquiries with the diligence and accuracy to which he pretends. Greater credit is due to his testimony from one circumstance. His work was not composed with a view to publication, or in support of any particular theory, but contains simple though full answers to queries proposed to him officially. Though Herrera does not mention him among the authors whom he had followed as guides in his history, I should suppose, from several facts of which he takes notice, as well as from several expressions which he uses, that this memorial of Corita was not unknown to him.

NOTE 145.—The early Spanish writers were so hasty and inaccurate in estimating the numbers of people in the provinces and towns of America that it is impossible to ascertain that of Mexico itself with any degree of precision. Cortes describes the extent and populousness of Mexico in general terms, which imply that it was not inferior to the greatest cities in Europe. Gomara is more explicit, and affirms, that there were 60,000 houses or families in Mexico, Cron. c. 78. Herrera adopts his opinion, dec. 2, lib. vii. c. 13; and the generality of writers follow them implicitly without inquiry or scruple. According to this account the inhabitants of Mexico must have been about 300,000. Torquemada, with his usual propensity to the marvellous, asserts, that there were a hundred and twenty thousand houses or families in Mexico, and consequently about six hundred thousand inhabitants. Lib. iii. c. 23. But in a very judicious account of the Mexican empire, by one of Cortes's officers, the population is fixed at 60,000 people. Ramusio, iii. 309, a. Even by this account, which probably is much nearer the truth than any of the foregoing, Mexico was a great city.

NOTE 146.—It is to P. Torribio de Benavente that I am indebted for this curious observation. Palafox, bishop of Ciudad de la Puebla Los Angeles, confirms and illustrates it more fully. The Mexican (says he) is the only language in which a termination indicating respect, *niavas reverenciales y de cortesía*, may be affixed to every word. By adding the

final syllable *zin* or *azin* to any word, it becomes a proper expression of veneration in the mouth of an inferior. If, in speaking to an equal, the word father is to be used, it is *tait*, but an inferior says *tatzin*. One priest speaking to another, calls him *teopisque*; a person of inferior rank calls him *teopiscatin*. The name of the emperor who reigned when Cortes invaded Mexico, was *Montezuma*; but his vassals, from reverence, pronounced it *Montezumazin*. Torribio, MS. Palaf. Virtudes del Indio, p. 65. The Mexicans had not only reverential nouns, but reverential verbs. The manner in which these are formed from the verbs in common use is explained by D. Jos. Aug. Aldama y Guevara in his Mexican Grammar, No. 188.

NOTE 147.—From comparing several passages in Corita and Herrera, we may collect, with some degree of accuracy, the various modes in which the Mexicans contributed towards the support of government. Some persons of the first order seem to have been exempted from the payment of any tribute, and, as their only duty to the public, were bound to personal service in war, and to follow the banner of their sovereign with their vassals. 2. The immediate vassals of the crown were bound not only to personal military service, but paid a certain proportion of the produce of their lands in kind. 3. Those who held offices of honour or trust paid a certain share of what they received in consequence of holding these. 4. Each *Capulla*, or association, cultivated some part of the common field allotted to it, for the behoof of the crown, and deposited the produce in the royal granaries. 5. Some part of whatever was brought to the public markets, whether fruits of the earth or the various productions of their artists and manufacturers, was demanded for the public use, and the merchants who paid this were exempted from every other tax. 6. The *Mayegues*, or *adscripti glebæ*, were bound to cultivate certain districts in every province, which may be considered as *crown lands*, and brought the increase into public storehouses. Thus the sovereign received some part of whatever was useful or valuable in the country, whether it was the natural production of the soil, or acquired by the industry of the people. What each contributed towards the support of government seems to have been inconsiderable. Corita, in answer to one of the queries put to the audience of Mexico by Philip II., endeavours to estimate in money the value of what each citizen might be supposed to pay, and does not reckon it at more than three or four *reals*, about eighteen pence or two shillings a head.

NOTE 148.—Cortes, who seems to have been as much astonished with this as with any instance of Mexican ingenuity, gives a particular description of it. Along one of the causeways, says he, by which they enter the city, are conducted two conduits, composed of clay tempered with mortar, about two paces in breadth, and raised about six feet. In one of them is conveyed a stream of excellent water, as large as the body of a man, into the centre of the city, and it supplies all the inhabitants plentifully. The other is empty, that when it is necessary to clean or repair the former, the stream of water may be turned into it. As this conduit passes along two of the bridges, where there are no breaches in the causeway, through which the salt-water of the lake flows, it is conveyed over them in pipes as large as the body of an ox, then carried from the conduit to the remote quarters of the city in canoes, and sold to the inhabitants. Relat. ap. Ramus. 214, a.

NOTE 149.—In the armoury of the royal palace at

Madrid are shown suits of armour, which are called Montezuma's. They are composed of thin lacquered copper-plates. In the opinion of very intelligent judges, they are evidently eastern. The forms of the silver ornaments upon them, representing dragons, &c., may be considered as a confirmation of this. They are infinitely superior, in point of workmanship, to any effort of American art. The Spaniards probably received them from the Philippine islands. The only unquestionable specimen of Mexican art that I know of in Great Britain, is a cup of very fine gold, which is said to have belonged to Montezuma. It weighs 5 oz. 12 dwt. Three drawings of it were exhibited to the Society of Antiquaries, June 10, 1765. A man's head is represented on this cup. On one side the full face, on the other the profile, on the third the back parts of the head. The relief is said to have been produced by pinching the inside of the cup, so as to make the representation of a face on the outside. The features are gross, but represented with some degree of art, and certainly too rude for Spanish workmanship. This cup was purchased by Edward Earl of Orford, while he lay in the harbour of Cadiz with the fleet under his command, and is now in the possession of his grandson, Lord Archer. I am indebted for this information to my respectable and ingenious friend, Mr. Barrington. In the sixth volume of the *Archæologia*, p. 107, is published an account of some masks of Terra Cotta, brought from a burying-ground on the American continent, about seventy miles from the British settlement on the Mosquito shore. They are said to be likenesses of chiefs or other eminent persons. From the descriptions and engravings of them we have an additional proof of the imperfect state of arts among the Americans.

NOTE 150.—The learned reader will perceive how much I have been indebted, in this part of my work, to the guidance of the Bishop of Gloucester, who has traced the successive steps by which the human mind advanced in this line of its progress, with much erudition, and greater ingenuity. He is the first, as far as I know, who formed a rational and consistent theory concerning the various modes of writing practised by nations, according to the various degrees of their improvement. Div. Legation of Moses, iii. 69, &c. Some important observations have been added by M. le President de Brosset, the learned and intelligent author of the *Traité de la Formation Mécanique des Langues*, tom. i. 295, &c.

As the Mexican paintings are the most curious monument extant of the earliest mode of writing, it will not be improper to give some account of the means by which they were preserved from the general wreck of every work of art in America, and communicated to the public. For the most early and complete collection of these published by Purchas, we are indebted to the attention of that curious inquirer, Hakluyt. Don Antonio Mendoza, viceroy of New Spain, having deemed those paintings a proper present for Charles V., the ship in which they were sent to Spain was taken by a French cruiser, and they came into the possession of Thevet, the king's geographer, who, having travelled himself into the New World, and described one of its provinces, was a curious observer of whatever tended to illustrate the manners of the Americans. On his death they were purchased by Hakluyt, at that time chaplain of the English ambassador to the French court; and being left by him to Purchas, were published at the desire of the learned antiquary Sir Henry Spelman. Purchas, iii. 1065. They were

translated from English into French by Melchizedek Thevenot, and published in his collection of voyages, A. D. 1683.

The second specimen of Mexican picture-writing was published by Dr. Francis Gemelli Carreri, in two copper-plates. The first is a map, or representation of the progress of the ancient Mexicans on their first arrival in the country, and of the various stations in which they settled, before they founded the capital of their empire in the lake of Mexico. The second is a chronological wheel, or circle, representing the manner in which they computed and marked their cycle of fifty-two years. He received both from Don Carlos de Sigüenza y Góngora, a diligent collector of ancient Mexican documents. But as it seems now to be a received opinion (founded, as far as I know, on no good evidence) that Carreri was never out of Italy, and that his famous *Giro del Mundo* is an account of a fictitious voyage, I have not mentioned these paintings in the text. They have, however, manifestly the appearance of being Mexican productions, and are allowed to be so by Boturini, who was well qualified to determine whether they were genuine or supposititious. M. Clavigero likewise admits them to be genuine paintings of the ancient Mexicans. To me they always appeared to be so, though, from my desire to rest no part of my narrative upon questionable authority, I did not refer to them. The style of painting in the former is considerably more perfect than any other specimen of Mexican design; but as the original is said to have been much defaced by time, I suspect that it has been improved by some touches from the hand of an European artist. Carreri, Churchill, iv. p. 487. The chronological wheel is a just delineation of the Mexican mode of computing time, as described by Acosta, lib. vi. c. 2. It seems to resemble one which that learned Jesuit had seen; and if it be admitted as a genuine monument, it proves that the Mexicans had artificial or arbitrary characters, which represented several things besides numbers. Each month is there represented by a symbol expressive of some work or rite peculiar to it.

The third specimen of Mexican painting was discovered by another Italian. In 1736, Lorenzo Boturino Benaducci set out for New Spain, and was led by several incidents to study the language of the Mexicans, and to collect the remains of their historical monuments. He persisted nine years in his researches, with the enthusiasm of a projector, and the patience of an antiquary. In 1746, he published at Madrid, *Ida de una Nueva Historia General de la America Septentrional*, containing an account of the result of his inquiries; and he added to it a catalogue of his American Historical Museum, arranged under thirty-six different heads. His idea of a New History appears to me the work of a whimsical credulous man. But his catalogue of Mexican maps, paintings, tribute-rolls, calendars, &c., is much larger than one could have expected. Unfortunately a ship, in which he had sent a considerable part of them to Europe, was taken by an English privateer during the war between Great Britain and Spain, which commenced in the year 1739; and it is probable that they perished by falling into the hands of ignorant captors. Boturini himself incurred the displeasure of the Spanish court, and died in an hospital at Madrid. The history, of which the *Ida*, &c. was only a prospectus, was never published. The remainder of his Museum seems to have been dispersed. Some part of it came into the

possession of the present archbishop of Toledo, when he was primate of New Spain; and he published from it that curious tribute-roll which I have mentioned.

The only other collection of Mexican paintings, as far as I can learn, is in the imperial library at Vienna. By order of their imperial majesties, I have obtained such a specimen of these as I desired, in eight paintings made with so much fidelity, that I am informed the copies could hardly be distinguished from the originals. According to a note in this *Codex Mexicanus*, it appears to have been a present from Emmanuel king of Portugal to pope Clement VII., who died A. D. 1533. After passing through the hands of several illustrious proprietors, it fell into those of the Cardinal of Saxe-Eisenach, who presented it to the emperor Leopold. These paintings are manifestly Mexican, but they are in a style very different from any of the former. An engraving has been made of one of them, in order to gratify such of my readers as may deem this an object worthy of their attention. Were it an object of sufficient importance, it might perhaps be possible, by recourse to the plates of Purchas, and the archbishop of Toledo, as a key, to form plausible conjectures concerning the meaning of this picture. Many of the figures are evidently similar. A. A. are targets and darts, almost in the same form with those published by Purchas, p. 1070, 1071, &c. B. B. are figures of temples, nearly resembling those in Purchas, p. 1109, and 1113., and in Lorenzana, plate II. C. is a bale of mantles, or cotton cloths, the figure of which occurs in almost every plate of Purchas and Lorenzana. E. E. E. seem to be Mexican captains in their war dress, the fantastic ornaments of which resemble the figures in Purchas, p. 1110, 1111, 1113. I should suppose this picture to be a tribute-roll, as their mode of noting numbers occurs frequently. D. D. D., &c. According to Boturini, the mode of computation by the number of knots was known to the Mexicans as well as to the Peruvians, p. 85., and the manner in which the number of units is represented in the Mexican paintings in my possession seems to confirm this opinion. They plainly resemble a string of knots on a cord or slender rope.

Since I published the former edition, Mr. Waddilove, who is still pleased to continue his friendly attention to procure me information, has discovered, in the library of the Escorial, a volume in folio, consisting of forty sheets of a kind of pasteboard, each the size of a common sheet of writing paper, with great variety of uncouth and whimsical figures of Mexican painting, in very fresh colours, and with an explanation in Spanish to most of them. The first twenty two sheets are the signs of the months, days, &c. About the middle of each sheet are two or more large figures for the month, surrounded by the signs of the days. The last eighteen sheets are not so filled with figures. They seem to be signs of deities, and images of various objects. According to this Calendar in the Escorial, the Mexican year contained 286 days, divided into 22 months of 13 days. Each day is represented by a different sign, taken from some natural object, a serpent, a dog, a lizard, a reed, a house, &c. The signs of days in the Calendar of the Escorial are precisely the same with those mentioned by Boturini, *Idea*, &c. p. 45. But, if we may give credit to that author, the Mexican year contained 360 days, divided into 18 months of 20 days. The order of days in every month was computed, according to him, first by what he calls a

tridecennary progression of days from one to thirteen, in the same manner as in the Calendar of the Escorial, and then by a *septenary* progression of days from one to seven, making in all twenty. In this calendar not only the signs which distinguish each day, but the qualities supposed to be peculiar to each month, are marked. There are certain weaknesses which seem to accompany the human mind through every stage of its progress in observation and science. Slender as was the knowledge of the Mexicans in astronomy, it appears to have been already connected with judicial astrology. The fortune and character of persons born in each month are supposed to be decided by some superior influence predominant at the time of nativity. Hence it is foretold in the calendar, that all who are born in one month will be rich, in another warlike, in a third luxurious, &c. The pasteboard, or whatever substance it may be on which the calendar in the Escorial is painted, seems, by Mr. Waddilove's description of it, to resemble nearly that in the imperial library at Vienna. In several particulars the figures bear some likeness to those in the plate which I have published. The figures marked D, which induced me to conjecture that this painting might be a tribute-roll similar to those published by Purchas and the Archbishop of Toledo, Mr. Waddilove supposes to be signs of days; and I have such confidence in the accuracy of his observations, as to conclude his opinion to be well founded. It appears, from the characters in which the explanations of the figures are written, that this curious monument of Mexican art has been obtained soon after the conquest of the empire. It is singular that it should never have been mentioned by any Spanish author.

NOTE 151.—The first was called the Prince of the Deathful Lance; the second the Divider of Men; the third the Shedder of Blood; the fourth the Lord of the Dark-house. Acosta, lib. vi. c. 25.

NOTE 152.—The temple of Cholula, which was deemed more holy than any in New Spain, was likewise the most considerable. But it was nothing more than a mount of solid earth. According to Torquemada, it was above a quarter of a league in circuit at the base, and rose to the height of forty fathom. Mon. Ind. lib. iii. c. 19. Even M. Clavigero acknowledges that all the Mexican temples were solid structures, or earthen mounts, and of consequence cannot be considered as any evidence of their having made any considerable progress in the art of building. Clavig. ii. 207.

From inspecting various figures of temples in the paintings engraved by Purchas, there seems to be some reason for suspecting that all their temples were constructed in the same manner. See Vol. iii. p. 1109, 1110, 1113.

NOTE 153.—Not only in Tlascala and Tepeaca, but even in Mexico itself, the houses of the people were mere huts built with turf or mud, or the branches of trees. They were extremely low, and slight, and without any furniture but a few earthen vessels. Like the rudest Indians several families resided under the same roof, without having any separate apartments. Herrera, dec. ii. lib. vii. c. 13, lib. x. c. 22, dec. 3, lib. iv. c. 17. Torquem. lib. iii. chap. 23.

NOTE 154.—I am informed by a person who resided long in New Spain, and visited almost every province of it, that there is not, in all the extent of that vast empire, any monument or vestige of any building more ancient than the conquest, nor of any bridge or highway, except some remains of the cause-

way from Guadalupe to that gate of Mexico by which Cortes entered the city. MS. *penes me*. The author of another account in manuscript observes, "That at this day there does not remain even the smallest vestige of the existence of any ancient Indian building public or private, either in Mexico or in any province of New Spain. I have travelled, says he, through all the countries adjacent to them, viz. New Galicia, New Biscay, New Mexico, Sonora, Cinaloa, the new kingdom of Leon, and New Santander, without having observed any monument worth notice, except some ruins near an ancient village in the valley de Casas Grandes, in lat. N. 3 deg. 46 min., long. 258 deg. 24 min. from the island of Tenerife, or 460 leagues N. N. W. from Mexico." He describes these ruins minutely, and they appear to be the remains of a paltry building of turf and stone, plastered over with white earth or lime. A missionary informed that gentleman that he had discovered the ruins of another edifice similar to the former, about an hundred leagues towards N. W. on the banks of the river St. Pedro. MS. *penes me*.

These testimonies derive great credit from one circumstance, that they were not given in support of any particular system or theory, but as simple answers to queries which I had proposed. It is probable, however, that when these gentlemen assert that no ruins or monuments of any ancient work whatever are now to be discovered in the Mexican empire, they meant that there were no such ruins or monuments as conveyed any idea of grandeur or magnificence in the works of its ancient inhabitants. For it appears from the testimony of several Spanish authors, that in Otumba, Tlascal, Cholula, &c., some vestiges of ancient buildings are still visible. Villa Segnor Theatro Amer. p. 143, 308, 353. D. Fran. Ant. Lorenzana, formerly Archbishop of Mexico, and now of Toledo, in his introduction to that edition of the Cartas de Relacion of Cortes, which he published at Mexico, mentions some ruins which are still visible in several of the towns through which Cortes passed in his way to the capital, p. 4, &c. But neither of these authors gives any description of them, and they seem to be so very inconsiderable, as to shew only that some buildings had once been there. The large mount of earth at Cholula, which the Spaniards dignified with the name of temple, still remains, but without any steps by which to ascend, or any facing of stone. It appears now like a natural mount, covered with grass and shrubs, and possibly it was never any thing more. Torquem. lib. iii. c. 19. I have received a minute description of the remains of a temple near Cuernavaca, on the road from Mexico to Acapulco. It is composed of large stones, fitted to each other as nicely as those in the buildings of the Peruvians, which are hereafter mentioned. At the foundation it forms a square of twenty-five yards; but as it rises in height it diminishes in extent, not gradually, but by being contracted suddenly at regular distances, so that it must have resembled the figure B in the plate. It terminated, it is said, in a spire.

NOTE 155.—The exaggeration of the Spanish historians, with respect to the number of human victims sacrificed in Mexico, appears to be very great. According to Gomara, there was no year in which twenty thousand human victims were not offered to the Mexican divinities, and in some years they amounted to fifty thousand. Cron. c. 229. The skulls of those unhappy persons were ranged in order in a building erected for that purpose, and two of

Cortes's officers, who had counted them, informed Gomara that their number was a hundred and thirty-six thousand. Ibid. c. 82. Herrera's account is still more incredible, that the number of victims was so great that five thousand have been sacrificed in one day, nay, on some occasions, no less than twenty thousand. Dec. iii. lib. ii. c. 16. Torquemada goes beyond both in extravagance; for he asserts that twenty thousand children, exclusive of other victims, were slaughtered annually. Mon. Ind. lib. vii. c. 21. The most respectable authority in favour of such high numbers is that of Zumurruga, the first bishop of Mexico, who, in a letter to the chapter-general of his order, A. D. 1631, asserts that the Mexicans sacrificed annually twenty thousand victims. Davilo. Teatro Eccles. 126. In opposition to all these accounts, B. de las Casas observes, that if there had been such an annual waste of the human species, the country could never have arrived at that degree of populousness for which it was remarkable when the Spaniards first landed there. This reasoning is just. If the number of victims in all the provinces of New Spain had been so great, not only must population have been prevented from increasing, but the human race must have been exterminated in a short time. For besides the waste of the species by such numerous sacrifices, it is observable that wherever the fate of captives taken in war is either certain death or perpetual slavery, as men can gain nothing by submitting speedily to an enemy, they always resist to the uttermost, and war becomes bloody and destructive to the last degree. Las Casas positively asserts, that the Mexicans never sacrificed more than fifty or a hundred persons in a year. See his dispute with Sepulveda, subjoined to his Brevissima Relacion, p. 105. Cortes does not specify what number of victims was sacrificed annually; but B. Diaz del Castillo relates that an inquiry having been made with respect to this by the Franciscan monks who were sent into New Spain immediately after the conquest, it was found that about two thousand five hundred were sacrificed every year in Mexico. C. 207.

NOTE 156.—It is hardly necessary to observe that the Peruvian chronology is not only obscure, but repugnant to conclusions deduced from the most accurate and extensive observations, concerning the time that elapses during each reign, in any given succession of princes. The medium has been found not to exceed twenty years. According to Acosta and Garcilasso de la Vega, Huana Capac, who died about the year 1527, was the twelfth inca. According to this rule of computing, the duration of the Peruvian monarchy ought not to have been reckoned above two hundred and forty years; but they affirm that it had subsisted four hundred years. Acosta, lib. vi. c. 19. Vega, lib. i. c. 9. By this account each reign is extended at a medium to thirty-three years instead of twenty, the number ascertained by Sir Isaac Newton's observations; but so imperfect were the Peruvian traditions, that though the total is boldly marked, the number of years in each reign is unknown.

NOTE 157.—Many of the early Spanish writers assert that the Peruvians offered human sacrifices. Xerez, p. 190. Zarate, lib. i. c. 11. Acosta, lib. v. c. 19. But Garcilasso de la Vega contends, that though this barbarous practice prevailed among their uncivilized ancestors, it was totally abolished by the incas, and that no human victim was ever offered in any temple of the sun. This assertion, and the plausible reasons with which he confirms it, are sufficient to refute the Spanish writers, whose accounts seem

to be founded entirely upon report, not upon what they themselves had observed. Vega, lib. ii. c. 4. In one of their festivals the Peruvians offered cakes of bread moistened with blood drawn from the arms, the eyebrows, and noses of their children. Id. lib. vii. c. 6. This rite may have been derived from their ancient practice, in their uncivilized state, of sacrificing human victims.

NOTE 158.—The Spaniards have adopted both those customs of the ancient Peruvians. They have preserved some of the aqueducts or canals, made in the days of the incas, and have made new ones, by which they water every field that they cultivate. Ulloa, Voyage, tom. i. 422, 477. They likewise continue to use *guano*, or the dung of sea-fowls, as manure. Ulloa gives a description of the almost incredible quantity of it in the small islands near the coast. Ibid. 481.

NOTE 159.—The temple of Cayambo, the palace of the inca at Callo in the plain of Lacatunga, and that of Atun-Cannar, are described by Ulloa, tom. i. 286, &c., who inspected them with great care. M. de Condamine published a curious memoir concerning the ruins of Atun-Cannar. Mem. de l'Academie de Berlin, A. D. 1746, p. 435. Acosta describes the ruins of Cuzco, which he had examined. Lib. vi. c. 14. Garcilasso, in his usual style, gives pompous and confused descriptions of several temples and other public edifices. Lib. iii. c. 1, c. 21, lib. vi. c. 4. Don ——— Zapata, in a large treatise concerning Peru, which has not hitherto been published, communicates some information with respect to several monuments of the ancient Peruvians which have not been mentioned by other authors. MS. *penes me*, Articulo xx. Ulloa describes some of the ancient Peruvian fortifications, which were likewise works of great extent and solidity. Tom. i. 391. Three circumstances struck all those observers; the vast size of the stones which the Peruvians employed in some of their buildings. Acosta measured one which was thirty feet long, eighteen broad, and six in thickness; and yet he adds, that in the fortress at Cuzco, there were stones considerably larger. It is difficult to conceive how the Peruvians could move these and raise them to the height of even twelve feet. The second circumstance is the imperfection of the Peruvian art, when applied to working in timber. By the patience and perseverance natural to Americans, stones may be formed into any shape, merely by rubbing one against another, or by the use of hatchets or other instruments made of stone; but with such rude tools little progress can be made in carpentry. The Peruvians could not mortise two beams together, or give any degree of union or stability to any work composed of timber. As they could not form a centre, they were totally unacquainted with the use of arches in building; nor can the Spanish authors conceive how they were able to frame a roof for those ample structures which they raised.

The third circumstance is a striking proof, which all the monuments of the Peruvians furnish, of their want of ingenuity and invention, accompanied with patience no less astonishing. None of the stones employed in those works were formed into any particular or uniform shape, which could render them fit for being compacted together in building. The Indians took them as they fell from the mountains, or were raised out of the quarries. Some were square, some triangular, some convex, some concave. Their art and industry were employed in joining them together, by forming such hollows in the one

as perfectly corresponded to the projections or risings in the other. This tedious operation, which might have been so easily abridged, by adapting the surface of the stones to each other, either by rubbing or by their hatchets of copper, would be deemed incredible, if it were not put beyond doubt by inspecting the remains of those buildings. It gives them a very singular appearance to an European eye. There is no regular layer or stratum of building, and no one stone resembles another in dimensions or form. At the same time, by the persevering but ill-directed industry of the Indians, they are all joined with that minute nicety which I have mentioned. Ulloa made this observation concerning the form of the stones in the fortress of Atun-Cannar. Voy. i. p. 387. Pineto gives a similar description of the fortress of Cuzco, the most perfect of all the Peruvian works. Zapata, MS. *penes me*. According to M. de Condamine, there were regular strata of building in some parts of Atun-Cannar, which he remarks as singular, and as a proof of some progress in improvement.

NOTE 160.—The appearance of those bridges, which bend with their own weight, wave with the wind, and are considerably agitated by the motion of every person who passes along them, is very frightful at first. But the Spaniards have found them to be the easiest mode of passing the torrents in Peru, over which it would be difficult to throw more solid structures either of stone or timber. They form those hanging bridges so strong and broad that loaded mules pass along them. All the trade of Cuzco is carried on by means of such a bridge over the river Apurimac. Ulloa, tom. i. 358. A more simple contrivance was employed in passing smaller streams: a basket, in which the traveller was placed, being suspended from a strong rope stretched across the stream, it was pushed or drawn from the one side to the other. Ibid.

NOTE 161.—My information with respect to those events is taken from *Noticia breve de la expedicion militar de Sinora y Cinloa*, su exito feliz, y vantajoso estado, en que por consecuencia de ello, se han puesto ambas provincias, published at Mexico, June 17th, 1771, in order to satisfy the curiosity of the merchants, who had furnished the viceroy with money for defraying the expense of the armament. The copies of this *Noticia* are very rare in Madrid; but I have obtained one, which has enabled me to communicate these curious facts to the public. According to this account there was found in the mine Yecorato in Cinaloa a grain of gold of twenty-two carats, which weighed sixteen marks four ounces four ochavas; this was sent to Spain as a present fit for the king, and is now deposited in the royal cabinet at Madrid.

NOTE 162.—The uncertainty of geographers with respect to this point is remarkable, for Cortes seems to have surveyed its coasts with great accuracy. The Archbishop of Toledo has published, from the original in the possession of the Marquis del Valle, the descendant of Cortes, a map drawn in 1541, by the pilot Domingo Castillo, in which California is laid down as a peninsula, stretching out nearly in the same direction which is now given to it in the best maps; and the point where Rio Colorado enters the gulf is marked with precision. Hist. de Nueva Espagna, 327.

NOTE 163.—I am indebted for this fact to L'Abbe Raynal, tom. iii. 103; and upon consulting an intelligent person, long settled on the Mosquito shore, and who has been engaged in the logwood trade, I find that ingenious author has been well informed.

The logwood cut near the town of St. Francis of Campeachy is of much better quality than that on the other side of Yucatan: and the English trade in the bay of Honduras is almost at an end.

NOTE 164.—P. Torribio de Benevente, or Motolinea, has enumerated ten causes of the rapid depopulation of Mexico, to which he gives the name of the Ten Plagues. Many of these are not peculiar to that province. 1. The introduction of the small-pox. This disease was first brought into New Spain in the year 1520, by a negro slave who attended Narvaez in his expedition against Cortes. Torribio affirms, that one half of the people in the provinces visited with this distemper died. To this mortality, occasioned by the small-pox, Torquemada adds the destructive effects of two contagious distempers which raged in the year 1545 and 1576. In the former 800,000, in the latter above two millions perished, according to an exact account taken by order of the viceroys. Mon. Ind. i. 642. The small-pox was not introduced into Peru for several years after the invasion of the Spaniards; but there, too, that distemper proved very fatal to the natives. Garcia Origen, p. 88. 2. The numbers who were killed or died of famine in their war with the Spaniards, particularly during the siege of Mexico. 3. The great famine that followed after the reduction of Mexico, as all the people engaged, either on one side or other, had neglected the cultivation of their lands. Something similar to this happened in all the other countries conquered by the Spaniards. 4. The grievous tasks imposed by the Spaniards upon the people belonging to their Repartimientos. 5. The oppressive burden of taxes which they were unable to pay, and from which they could hope for no exemption. 6. The numbers employed in collecting the gold carried down by the torrents from the mountains, who were forced from their own habitations, without any provision made for their subsistence, and subjected to all the rigour of cold in those elevated regions. 7. The immense labour of rebuilding Mexico, which Cortes urged on with such precipitate ardour as destroyed an incredible number of people. 8. The number of people condemned to servitude, under various pretexts, and employed in working the silver mines. These, marked by each proprietor with a hot iron, like his cattle, were driven in herds to the mountains. The nature of the labour to which they were subjected there, the noxious vapours of the mines, the coldness of the climate, and scarcity of food, were so fatal, that Torribio affirms the country round several of those mines, particularly near Guaxago, was covered with dead bodies, the air corrupted with their stench, and so many vultures and other voracious birds hovered about for their prey, that the sun was darkened with their flight. 10. The Spaniards, in the different expeditions which they undertook and by the civil wars which they carried on, destroyed many of the natives whom they compelled to serve them as *Tamemes*, or carriers of burdens. This last mode of oppression was particularly ruinous to the Peruvians. From the number of Indians who perished in Gonzalo Pizarro's expedition into the countries to the east of the Andes, one may form some idea of what they suffered in similar services, and how fast they were wasted by them. Torribio, MS. Corita, in his Breve y Summaria Relacion, illustrates and confirms several of Torribio's observations, to which he refers. MS. *penes me*.

NOTE 165.—Even Montesquieu has adopted this idea, lib. viii. c. 18. But the passion of that great man for system sometimes rendered him inattentive

to research; and from his capacity to refine, he was apt, in some instances, to overlook obvious and just causes.

NOTE 166.—A strong proof of this occurs in the testament of Isabella, where she discovers the most tender concern for the humane and mild usage of the Indians. Those laudable sentiments of the queen have been adopted into the public law of Spain, and serve as the introduction to the regulations contained under the title of *Of the good treatment of the Indians*. Recopil. lib. vi. tit. x.

NOTE 167.—In the seventh Title of the first book of the *Recopilacion*, which contains the laws concerning the powers and functions of archbishops and bishops, almost a third part of them relates to what is incumbent upon them as guardians of the Indians, and points out the various methods in which it is their duty to interpose, in order to defend them from oppression, either with respect to their persons or property. Not only do the laws commit to them this honourable and humane office, but the ecclesiastics of America actually exercise it.

Innumerable proofs of this might be produced from Spanish authors. But I rather refer to Gage, as he was not disposed to ascribe any merit to the popish clergy to which they were not fully entitled. Survey, p. 142, 192, &c. Henry Hawks, an English merchant, who resided five years in New Spain previous to the year 1572, gives the same favourable account of the popish clergy. Hakluyt, iii. 466. By a law of Charles V. not only bishops but other ecclesiastics, are empowered to inform and admonish the civil magistrates, if any Indian is deprived of his just liberty and rights; Recopilac. lib. vi. tit. vi. ley. 14; and thus were constituted legal protectors of the Indians. Some of the Spanish ecclesiastics refuse to grant absolution to such of their countrymen as possessed *Encomiendas*, and considered the Indians as slaves, or employed them in working their mines. Gonz. Davil. Teatro Eccles. i. 157.

NOTE 168.—According to Gage, Chiapa dos Indos contains 4000 families; and he mentions it only as one of the largest Indian towns in America, p. 104.

NOTE 169.—It is very difficult to obtain an accurate account of the state of population in those kingdoms of Europe where the police is most perfect, and where science has made the greatest progress. In Spanish America, where knowledge is still in its infancy, and few men have leisure to engage in researches merely speculative, little attention has been paid to this curious inquiry. But in the year 1741, Philip V. enjoined the viceroys and governors of the several provinces in America to make an actual survey of the people under their jurisdiction, and to transmit a report concerning their number and occupations. In consequence of this order the Conde de Fuen-Clara, viceroy of New Spain, appointed D. Jos. Antonio de Villa Segnor y Sanchez to execute that commission in New Spain. From the reports of the magistrates in the several districts, as well as from his own observations and long acquaintance with most of the provinces, Villa Segnor published the result of his inquiries in his *Teatro Americano*. His report, however, is imperfect. Of the nine dioceses, into which the Mexican empire has been divided, he has published an account of five only, viz., the archbishopric of Mexico, the bishoprics of Puebla de los Angeles, Mechoacan, Oaxaca, and Nova Galicia. The bishoprics of Yucatan, Verapaz, Chiapa, and Guatemala, are entirely omitted, though the two latter comprehend countries in which the Indian

race is more numerous than in any part of New Spain. In his survey of the extensive diocese of Nova Galicia, the situation of the different Indian villages is described, but he specifies the number of people only in a small part of it. The Indians of that extensive province, in which the Spanish dominion is imperfectly established, are not registered with the same accuracy as in other parts of New Spain. According to Villa Segnor, the actual state of population in the five dioceses abovementioned is, of Spaniards, negroes, mulattoes, and mestizos, in the dioceses of

	Families.
Mexico : : : : :	105,202
Los Angeles : : : : :	30,600
Mechoacan : : : : :	30,840
Oaxaca : : : : :	7,296
Nova Galicia : : : : :	16,770

190,708

At the rate of five to a family, the total number is 953,540.

Indian families in the diocese of Mexico	119,511
Los Angeles : : : : :	88,240
Mechoacan : : : : :	36,196
Gaxaca : : : : :	44,222
Nova Galicia : : : : :	6,222

294,391

At the rate of five to a family, the total number is 1,471,955. We may rely with greater certainty on this computation of the number of Indians, as it is taken from the *Matricula*, or register, according to which the tribute paid by them is collected. As four dioceses of nine are totally omitted, and in that of Nova Galicia the numbers are imperfectly recorded, we may conclude that the number of Indians in the Mexican empire exceeds two millions.

The account of the number of Spaniards, &c. seems not to be equally complete. Of many places, Villa Segnor observes in general terms, that several Spaniards, negroes, and people of mixed race, reside there, without specifying their number. If, therefore, we make allowance for these, and for all who reside in the four dioceses omitted, the number of Spaniards, and those of a mixed race, may probably amount to a million and a half. In some places Villa Segnor distinguishes between Spaniards and the inferior races of negroes, mulattoes, and mestizos, and marks their number separately. But he generally blends them together. But from the proportion observable in those places, where the number of each is marked, as well as from the account of the state of population in New Spain by other authors, it is manifest that the number of negroes and persons of a mixed race far exceeds that of Spaniards. Perhaps the latter ought not to be reckoned above 500,000 to a million of the former.

Defective as this account may be, I have not been able to procure such intelligence concerning the number of people in Peru, as might enable me to form any conjecture equally satisfying with respect to the degree of its population. I have been informed that in the year 1761 the protector of the Indians in the viceroyalty of Peru computed that 612,780 paid tribute to the king. As all females, and persons under age, are exempted from this tax in Peru, the total number of Indians ought by that account to be 2,449,120. MS. *penes me*.

I shall mention another mode, by which one may compute, or at least form a guess concerning the state of population in New Spain and Peru. Ac-

cording to an account which I have reason to consider as accurate, the number of copies of the bull of Cruzada, exported to Peru on each new publication, is 1,171,953; to New Spain, 2,649,326. I am informed that but few Indians purchase bulls, and that they are sold chiefly to the Spanish inhabitants, and those of mixed race; so that the number of Spaniards and people of a mixed race will amount by this mode of computation to at least three millions.

The number of inhabitants in many of the towns in Spanish America may give us some idea of the extent of population, and correct the inaccurate but popular notion entertained in Great Britain concerning the weak and desolate state of their colonies. The city of Mexico contains at least 150,000 people. It is remarkable that Torquemada, who wrote his *Monarquia Indiana* about the year 1612, reckons the inhabitants of Mexico at that time to be only 7000 Spaniards and 8000 Indians. Lib. iii. c. 26. Puebla de los Angeles contains above 60,000 Spaniards, and people of a mixed race. Villa Segnor, p. 247. Guadalupe contains above 30,000, exclusive of Indians. Id. ii. 206. Lima contains 54,000. De Cosme Bueno Descr. de Peru, 1764. Cartagena contains 25,000. Potosi contains 25,000. Bueno 1767. Popayan contains above 20,000. Ulloa, i. 287. Towns of a second class are still more numerous. The cities in the most thriving settlements of other European nations in America cannot be compared with these.

Such are the detached accounts of the number of people in several towns, which I found scattered in authors whom I thought worthy of credit. But I have obtained an enumeration of the inhabitants of the towns in the province of Quito, on the accuracy of which I can rely; and I communicate it to the public, both to gratify curiosity, and to rectify the mistaken notion which I have mentioned. St. Francisco de Quito contains between 50 and 60,000 people of all the different races. Besides the city, there are in the *Corregimien*'s twenty-nine *curas* or parishes established in the principal villages, each of which has smaller hamlets depending upon it. The inhabitants of these are mostly Indians and mestizos. St. Juan de Pasto has between 6 and 8,000 inhabitants, besides 27 dependent villages. St. Miguel de Ibarra, 7000 citizens, and ten villages. The district of Havalá, between 18 and 20,000 people. The district of Tacuna, between 10 and 12,000. The district of Ambato, between 8 and 10,000, besides 16 depending villages. The city of Riobamba, between 16 and 20,000 inhabitants, and nine depending villages. The district of Chimbo, between 6 and 8000. The city of Guayaquil, from 16 to 20,000 inhabitants, and 14 depending villages. The district of Atuali, between 5 and 6000 inhabitants, and 4 depending villages. The city of Cuenza, between 25 and 30,000 inhabitants, and 9 populous depending villages. The town of Laxa, from 8 to 10,000 inhabitants, and 14 depending villages. This degree of population, though slender if we consider the vast extent of the country, is far beyond what is commonly supposed. I have omitted to mention, in its proper place, that Quito is the only province in Spanish America that can be denominated a manufacturing country; hats, cotton stuffs, and coarse woolen cloths, are made there in such quantities as to be sufficient not only for the consumption of the province, but to furnish a considerable article for exportation into other parts of Spanish America. I know not whether the uncommon industry of this province should be considered as the cause or the

effect of its populousness. But among the ostentatious inhabitants of the New World the passion for every thing that comes from Europe is so violent that I am informed the manufactures of Quito are so much undervalued as to be on the decline.

NOTE 170.—These are established at the following places:—St. Domingo, in the island of Hispaniola; Mexico, in New Spain; Lima, in Peru; Panama, in Tierra Firme; Santiago, in Guatimala; Guadalajara, in New Galicia; Santa Fe, in the new kingdom of Granada; La Plata, in the country of Los Charcas; St. Francisco de Quito, St. Jago de Chili, Buenos Ayres. To each of these are subjected several large provinces, and some so far removed from the cities where the courts are fixed, that they can derive little benefit from their jurisdiction. The Spanish writers commonly reckon up twelve courts of audience, but they include that of Manila, in the Philippine islands.

NOTE 171.—On account of the distance of Peru and Chili from Spain, and the difficulty of carrying commodities of such bulk as wine and oil across the isthmus of Panama, the Spaniards in those provinces have been permitted to plant vines and olives; but they are strictly prohibited from exporting wine or oil to any of the provinces on the Pacific ocean, which are in such a situation as to receive them from Spain. Recop. lib. i. tit. xvii. l. 15.—18.

NOTE 172.—This computation was made by Benzoni, A. D. 1550, fifty-eight years after the discovery of America. Hist. Novi Orbis, lib. iii. c. 21. But as Benzoni wrote with the spirit of a malecontent, disposed to detract from the Spaniards in every particular, it is probable that his calculation is considerably too low.

NOTE 173.—My information with respect to the division and transmission of property in the Spanish colonies is imperfect. The Spanish authors do not explain this fully, and have not perhaps attended sufficiently to the effects of their own institutions and laws. Solorzano de Jure Ind. (vol. ii. lib. ii. l. 16), explains in some measure the introduction of the tenure of *Mayorazgo*, and mentions some of its effects. Villa Segnor takes notice of a single consequence of it. He observes, that in some of the best situations in the city of Mexico a good deal of ground is unoccupied, or covered only with the ruins of the houses once erected upon it; and adds, that as this ground is held by right of *Mayorazgo*, and cannot be alienated, that desolation and those ruins become perpetual. Teatr. Amer. vol. i. p. 34.

NOTE 174.—There is no law that excludes Creoles from offices either civil or ecclesiastic. On the contrary, there are many *Cedulas*, which recommend the conferring places of trust indiscriminately on the natives of Spain and America. Betancourt y Figueroa Derecho, &c. p. 5, 6. But, notwithstanding such repeated recommendations, preference in almost every line is conferred on native Spaniards. A remarkable proof of this is produced by the author last quoted. From the discovery of America to the year 1637, three hundred and sixty-nine bishops, or archbishops, have been appointed to the different dioceses in that country, and of all that number only twelve were Creoles, p. 40. This predilection for Europeans seems still to continue. By a royal mandate, issued in 1776, the chapter of the cathedral of Mexico is directed to nominate European ecclesiastics of known merit and abilities, that the king may appoint them to supply vacant benefices. MS. *penes me*.

NOTE 175.—Moderate as this tribute may appear, such is the extreme poverty of the Indians in many

provinces of America, that the exacting of it is intolerably oppressive. Pegua Itiner. par Paroches de Indios, p. 192.

NOTE 176.—In New Spain, on account of the extraordinary merit and services of the first conquerors, as well as the small revenue arising from the country previous to the discovery of the mines of Sacatecas, the *encomiendas* were granted for three, and sometimes for four lives. Recop. lib. vi. tit. ii. c. 14, &c.

NOTE 177.—D. Ant. Ulloa contends that working in mines is not noxious, and as a proof of this, informs us that many mestizos and Indians, who do not belong to any repartimento, voluntarily hire themselves as miners; and several of the Indians, when the legal term of their service expires, continue to work in the mines of choice. *Entretien*, p. 265. But his opinion concerning the wholesomeness of this occupation is contrary to the experience of all ages; and wherever men are allured by high wages, they will engage in any species of labour, however fatiguing or pernicious it may be. D. Hern. Carillo Altamirano relates a curious fact incompatible with this opinion. Wherever mines are wrought, says he, the number of Indians decreases; but in the province of Campeachy, where there are no mines, the number of Indians has increased more than a third since the conquest of America, though neither the soil nor climate be so favourable as in Peru or Mexico. Colbert Collect. In another memorial presented to Philip III. in the year 1609, Captain Juan Gonzales de Azevedo asserts, that in every district of Peru where the Indians are compelled to labour in the mines, their numbers were reduced to the half, and in some places to the third, of what it was under the viceroyalty of Don. Fran. Toledo in 1581. Colb. Collect.

NOTE 178.—As labour of this kind cannot be prescribed with legal accuracy, the tasks seem to be in a great measure arbitrary, and like the services exacted by feudal superiors in *vineæ, prato, aut messe*, from their vassals, are extremely burdensome, and often wantonly oppressive. Pegna Itiner. par Parochos de Indios.

NOTE 179.—The turn of service known in Peru by the name of *Mita* is called *Tanda* in New Spain. There it continues no longer than a week at a time. No person is called to serve at a greater distance from his habitation than 24 miles. This arrangement is less oppressive to the Indians than that established in Peru. Memorial of Hern. Carillo Altamirano. Colbert Collect.

NOTE 180.—The strongest proof of this may be deduced from the laws themselves. By the multitude and variety of regulations to prevent abuses, we may form an idea of the number of abuses that prevail. Though the laws have wisely provided that no Indian shall be obliged to serve in any mine at a greater distance from his place of residence than thirty miles; we are informed in a memorial of D. Hernan Carillo Altamirano presented to the king, that the Indians of Peru are often compelled to serve in mines at the distance of a hundred, a hundred and fifty, and even two hundred leagues from their habitation. Colbert Collect. Many mines are situated in parts of the country so barren and so distant from the ordinary habitations of the Indians, that the necessity of procuring labourers to work there has obliged the Spanish monarchs to dispense with their own regulations in several instances, and to permit the viceroys to compel the people of more remote provinces to resort to those mines. Escalona Gazophyl. Perub. lib. i. c. 16. But in justice to them it

should be observed that they have been studious to alleviate this oppression as much as possible, by enjoining viceroys to employ every method in order to induce the Indians to settle in some part of the country adjacent to the mines. *Id. ibid.*

NOTE 181.—Torquemada, after a long enumeration which has the appearance of accuracy, concludes the number of monasteries in New Spain to be four hundred. *Mon. Ind. lib. xix. c. 32.* The number of monasteries in the city of Mexico alone was, in the year 1745, fifty-five. *Villa Segnor Teat. Amer. i. 34.* Ulloa reckons up forty convents in Lima: and mentioning those for nuns, he says that a small town might be peopled out of them, the number of persons shut up there is so great. *Voy. i. 429.* Philip III., in a letter to the viceroy of Peru, A. D. 1620, observes, that the number of convents in Lima was so great that they covered more ground than all the rest of the city. *Solorz. lib. iii. c. 23, n. 57. Lib. iii. c. 16. Torquem. lib. xv. c. 3.* The first monastery in New Spain was founded A. D. 1525, four years only after the conquest. *Torg. lib. xv. c. 16.*

According to Gil Gonzalez Davila, the complete establishment of the American church in all the Spanish settlements was, in the year 1649, 1 patriarch, 6 archbishops, 32 bishops, 346 prebends, 2 abbots, 5 royal chaplains, 840 convents. *Teatro Ecclesiastico de las Ind. Occident. vol. i. Pref.* When the order of Jesuits was expelled from all the Spanish dominions, the colleges, *professed* houses, and residences, which it possessed in the province of New Spain were thirty, in Quito sixteen, in the new kingdom of Granada thirteen, in Peru seventeen, in Chili eighteen, in Paraguay eighteen; in all, a hundred and twelve. *Collection General de Providencias hasta aqui tomadas sobre estranamento, &c. de la Compagnia, part i. p. 19.* The number of Jesuits, priests, and novices in all these amounted to 2245. *MS. penes me.*

In the year 1644 the city of Mexico presented a petition to the king, praying that no new monastery might be founded, and that the revenues of those already established might be circumscribed, otherwise the religious houses would soon acquire the property of the whole country. The petitioners request, likewise, that the bishops might be laid under restrictions in conferring holy orders, as there were at that time in New Spain above six thousand clergymen without any living. *Id. p. 16.* These abuses must have been enormous indeed, when the superstition of American Spaniards was shocked, and induced to remonstrate against them.

NOTE 182.—This description of the manners of the Spanish clergy I should not have ventured to give upon the testimony of Protestant authors alone, as they may be suspected of prejudice or exaggeration. Gage, in particular, who had a better opportunity than any Protestant to view the interior state of Spanish America, describes the corruption of the church which he had forsaken with so much of the acrimony of a new convert, that I should have distrusted his evidence, though it communicates some very curious and striking facts. But Benzoni mentions the profrugacy of ecclesiastics in America at a very early period after their settlement there. *Hist. lib. ii. c. 19, 20.* M. Frezier, an intelligent observer, and zealous for his own religion, paints the dissolute manners of the Spanish ecclesiastics in Peru, particularly the regulars, in stronger colours than I have employed. *Voy. p. 51, 215, &c.* M. Gentil confirms this account. *Voy. i. 34.* Correal concurs with both,

and adds many respectable circumstances. *Voy. i. 61, 155, 161.* I have good reason to believe that the manners of the regular clergy, particularly in Peru, are still extremely indecent. Acosta himself acknowledges that great corruption of manners had been the consequence of permitting monks to forsake the retirement and discipline of the cloister, and to mingle again with the world, by undertaking the charge of the Indian parishes. *De Procur. Ind. Salute, lib. iv. c. 13, &c.* He mentions particularly those vices of which I have taken notice, and considers the temptations to them as so formidable, that he leans to the opinion of those who hold that the regular clergy should not be employed as parish priests. *Lib. v. c. 20.* Even the advocates for the regulars admit, that many and great enormities abounded among the monks of different orders, when set free from the restraint of monastic discipline; and from the tone of their defence one may conclude that the charge brought against them was not destitute of truth. In the French colonies the state of the regular clergy is nearly the same as in the Spanish settlements, and the same consequences have followed. M. Biet, superior of the secular priests in Cayenne, inquires, with no less appearance of piety than of candour, into the causes of this corruption, and imputes it chiefly to the exemption of regulars from the jurisdiction and censures of their dioceses; to the temptations to which they are exposed; and to their engaging in commerce. *Voy. p. 320.* It is remarkable that all the authors who censure the licentiousness of the Spanish regulars with the greatest severity, concur in vindicating the conduct of the Jesuits. Formed under a discipline more perfect than that of the other monastic orders, or animated by that concern for the honour of the society which takes such full possession of every member of the order, the Jesuits, both in Mexico and Peru, it is allowed, maintained a most irreproachable decency of manners. *Frezier, 223. Gentil, i. 34.* The same praise is likewise due to the bishops and most of the dignified clergy. *Frez. Ibid.*

A volume of the Gazette de Mexico for the years 1728, 1729, 1730, having been communicated to me, I find there a striking confirmation of what I have advanced concerning the spirit of low illiberal superstition prevalent in Spanish America. From the newspapers of any nation one may learn what are the objects which chiefly engross its attention, and which appear to it most interesting. The Gazette of Mexico is filled almost entirely with accounts of religious functions, with descriptions of processions, consecrations of churches, beatifications of saints, festivals, autos de fe, &c. Civil or commercial affairs, and even the transactions of Europe, occupy but a small corner in this magazine of monthly intelligence. From the titles of new books, which are regularly inserted in this gazette, it appears that two-thirds of them are treatises of scholastic theology, or of monkish devotion.

NOTE 183.—Solorzano, after mentioning the corrupt morals of some of the regular clergy, with that cautious reserve which became a Spanish layman in touching on a subject so delicate, gives his opinion very explicitly, and with much firmness, against committing parochial charges to monks. He produces the testimony of several respectable authors of his country, both divines and lawyers, in confirmation of his opinion. *De Jur. Ind. lib. iii. c. 16.* A striking proof of the alarm excited by the attempt of the Prince d'Esquilaché to exclude the regulars from parochial cures, is contained in the

Colbert collection of papers. Several memorials were presented to the king by the procurators for the monastic orders, and replies were made to these in name of the secular clergy. An eager and even rancorous spirit is manifest on both sides, in the conduct of this dispute.

NOTE 184.—Not only the native Indians, but the *mestizos*, or children of a Spaniard and Indian, were originally excluded from the priesthood, and refused admission into any religious order. But by a law issued Sept. 28th, 1588, Philip II. required the prelates of America to ordain such *mestizos* born in lawful wedlock, as they should find to be properly qualified, and to permit them to take the vows in any monastery where they had gone through a regular novitiate. Recopil. lib. i. tit. vii. l. 7. Some regard seems to have been paid to this law in New Spain; but none in Peru. Upon a representation of this to Charles II. in the year 1697, he issued a new edict, enforcing the observation of it, and professing his desire to have all his subjects, Indians and *mestizos* as well as Spaniards, admitted to the enjoyment of the same privileges. Such, however, was the aversion of Spaniards in America to the Indians and their race, that this seems to have produced little effect; for in the year 1725 Philip V. was obliged to renew the injunction in a more peremptory tone. But so unsurmountable are the hatred and contempt of the Indians among the Peruvian Spaniards, that the present king has been constrained to enforce the former edicts anew, by a law published Sept. 11, 1774. Real Cedula, MS. *penes me*.

M. Clavigero has contradicted what I have related concerning the ecclesiastical state of the Indians, particularly their exclusion from the sacrament of the eucharist, and from holy orders, either as seculars or regulars, in such a manner as cannot fail to make a deep impression. He from his own knowledge asserts, "that in New Spain not only are Indians permitted to partake of the sacrament of the altar, but that Indian priests are so numerous that they may be counted by hundreds; and among these have been many hundreds of rectors, canons, and doctors, and, as report goes, even a very learned bishop. At present there are many priests, and not a few rectors, among whom there have been three or four our own pupils." Vol. ii. 348, &c. I owe it therefore as a duty to the public as well as to myself, to consider each of these points with care, and to explain the reasons which induced me to adopt the opinion which I have published.

I knew that in the christian church there is no distinction of persons, but that men of every nation, who embrace the religion of Jesus, are equally entitled to every christian privilege which they are qualified to receive. I knew likewise that an opinion prevailed, not only among most of the Spanish laity settled in America, but among "many ecclesiastics, (I use the words of Herrera, dec. ii. lib. ii. c. 15), that the Indians were not perfect or rational men, and were not possessed of such capacity as qualified them to partake of the sacrament of the altar, or of any other benefit of our religion." It was against this opinion that Las Casas contended with the laudable zeal which I have described in books III. and VI. But as the Bishop of Darien, Dr. Sepulveda, and other respectable ecclesiastics, vigorously supported the common opinion concerning the incapacity of the Indians, it became necessary, in order to determine the point, that the authority of the holy see should be interposed: and accordingly Paul III. issued a bull, A. D. 1537, in

which, after condemning the opinion of those who held that the Indians, as being on a level with brute beasts, should be reduced to servitude, he declares that they were really men, and as such were capable of embracing the christian religion, and participating of all its blessings. My account of this bull, notwithstanding the cavils of M. Clavigero, must appear just to every person who takes the trouble of perusing it; and my account is the same with that adopted by Torquemada, lib. xvi. c. 25, and by Garcia, Orig. p. 311. But even after this decision, so low did the Spaniards residing in America rate the capacity of the natives, that the first council of Lima (I call it by that name on the authority of the best Spanish authors) discountenanced the admission of Indians to the holy communion. Torquem. lib. xvi. c. 20. In New Spain the exclusion of Indians from the sacrament was still more explicit. *Ibid*. After two centuries have elapsed, and notwithstanding all the improvement that the Indians may be supposed to have derived from their intercourse with the Spaniards during that period, we are informed by D. Ant. Ulloa, that in Peru, where, as will appear in the sequel of this note, they are supposed to be better instructed than in New Spain, their ignorance is so prodigious that very few are permitted to communicate, as being altogether destitute of the requisite capacity. Voy. i. 341, &c. Solorz. Polit. Ind. i. 203.

With respect to the exclusion of Indians from the priesthood, either as seculars or regulars, we may observe, that while it continued to be the common opinion that the natives of America, on account of their incapacity, should not be permitted to partake of the holy sacrament, we cannot suppose that they would be clothed with that sacred character which entitled them to consecrate and to dispense it. When Torquemada composed his *Monarquia Indiana*, it was almost a century after the conquest of New Spain; and yet in his time it was still the general practice to exclude Indians from holy orders. Of this we have the most satisfying evidence. Torquemada having celebrated the virtues and graces of the Indians at great length, and with all the complacency of a missionary, he starts as an objection to what he had asserted, "If the Indians really possess all the excellent qualities which you have described, why are they not permitted to assume the religious habit? Why are they not ordained priests and bishops, as the Jewish and Gentile converts were in the primitive church, especially as they might be employed with such superior advantage to other persons in the instruction of their countrymen?" Lib. xvii. c. 13.

In answer to this objection, which establishes, in the most unequivocal manner, what was the general practice at that period, Torquemada observes, that although by their natural dispositions the Indians are well fitted for a subordinate situation, they are destitute of all the qualities requisite in any station of dignity and authority; and that they are in general so addicted to drunkenness, that upon the slightest temptation one cannot promise on their behaving with the decency suitable to the clerical character. The propriety of excluding them from it on these accounts was, he observed, so well justified by experience, that when a foreigner of great erudition, who came from Spain, condemned the practice of the Mexican church, he was convinced of his mistake in a public disputation with the learned and most religious father D. Juan de Gaona, and his retractation is still extant. Torquemada indeed acknowledges, as M. Clavigero observes, with a degree of

exultation, that in his time some Indians had been admitted into monasteries; but with the art of a disputant he forgets to mention that Torquemada specifies only two examples of this, and takes notice that in both instances those Indians have been admitted by mistake. Relying upon the authority of Torquemada with regard to New Spain, and of Ulloa with regard to Peru, and considering the humiliating depression of the Indians in all the Spanish settlements, I concluded that they were not admitted into the ecclesiastical order, which is held in the highest veneration all over the New World.

But when M. Clavigero, upon his own knowledge, asserted facts so repugnant to the conclusion I had formed, I began to distrust it, and to wish for further information. In order to obtain this I applied to a Spanish nobleman, high in office, and eminent for his abilities, who, on different occasions, has permitted me to have the honour and benefit of corresponding with him. I have been favoured with the following answer: "What you have written concerning the admission of Indians into holy orders, or into monasteries, in Book VIII., especially as it is explained and limited in Note lxxxviii. of the quarto edition, is in general accurate, and conformable to the authorities which you quote. And although the congregation of the council resolved and declared, Feb. 13, A. D. 1682, that the circumstance of being an Indian, a mulatto, or mestizo, did not disqualify any person from being admitted into holy orders, if he was possessed of what is required by the canons to entitle him to that privilege; this only proves such ordinations to be legal and valid (of which Solorzano and the Spanish lawyers and historians quoted by him, Pol. Ind. lib. ii. c. 29, were persuaded), but it neither proves the propriety of admitting Indians into holy orders, nor what was then the common practice with respect to this; but on the contrary it shows that there was some doubt concerning the ordaining of Indians, and some repugnance to it.

"Since that time there have been some examples of admitting Indians into holy orders. We have now at Madrid an aged priest, a native of Tlascala. His name is D. Juan Cerilo de Castilla Aquihual Catehuttle, descended of a cazique converted to christianity soon after the conquest. He studied the ecclesiastical sciences in a seminary of Puebla de los Angeles. He was a candidate, nevertheless, for ten years, and it required much interest before Bishop Abren would consent to ordain him. This ecclesiastic is a man of unexceptionable character, modest, self-denied, and with a competent knowledge of what relates to his clerical functions. He came to Madrid above thirty-four years ago, with the sole view of soliciting admission for the Indians into the colleges and seminaries in New Spain, that if, after being well instructed and tried, they should find an inclination to enter into the ecclesiastical state, they might embrace it, and perform its functions with the greatest benefit to their countrymen, whom they could address in their native tongue. He has obtained various regulations favourable to his scheme, particularly that the first college which became vacant, in consequence of the exclusion of the Jesuits, should be set apart for this purpose. But neither these regulations, nor any similar ones inserted in the laws of the Indies, have produced any effect, on account of objections and representations from the greater part of persons of chief consideration employed in New Spain. Whether their opposition be well founded or not, is a problem difficult to resolve,

and towards the solution of which several distinctions and modifications are requisite.

"According to the accounts of this ecclesiastic, and the information of other persons who have resided in the Spanish dominions in America, you may rest assured that in the kingdom Tierra Firme no such thing is known as either an Indian secular priest or monk; and that in New Spain there are very few ecclesiastics of Indian race. In Peru, perhaps, the number may be greater, as in that country there are more Indians who possess the means of acquiring such a learned education as is necessary for persons who aspire to the clerical character."

NOTE 185.—Uztariz, an accurate and cautious calculator, seems to admit that the quantity of silver which does not pay duty may be stated thus high. According to Herrera there was not above a third of what was extracted from Potosi that paid the king's fifth. Dec. 8, lib. ii. c. 15. Solorzano asserts likewise that the quantity of silver which is fraudulently circulated, is far greater than that which is regularly stamped, after paying the fifth. De Ind. Jure, vol. ii. lib. v. p. 846.

NOTE 186.—When the mines of Potosi were discovered in the year 1545, the veins were so near the surface that the ore was easily extracted, and so rich that it was refined with little trouble and at a small expense, merely by the action of fire. The simple mode of refining by fusion alone continued until the year 1574, when the use of mercury in refining silver as well as gold was discovered. Those mines having been wrought without interruption for two centuries, the veins are now sunk so deep that the expense of extracting the ore is greatly increased. Besides this, the richness of the ore, contrary to what happens in most other mines, has become less as the vein continued to dip. The vein has likewise diminished to such a degree, that one is amazed that the Spaniards should persist in working it. Other rich mines have been successively discovered; but in general the value of the ores has decreased so much, while the expense of extracting them has augmented, that the court of Spain in the year 1736 reduced the duty payable to the king from a *fifth* to a *tenth*. All the quicksilver used in Peru is extracted from the famous mine of Guancabecala, discovered in the year 1563. The crown has reserved the property of this mine to itself; and the persons who purchase the quicksilver pay not only the price of it, but likewise a *fifth*, as a duty to the king. But in the year 1761 this duty on quicksilver was abolished, on account of the increase of expense in working mines. Ulloa, *Entretenimientos*, xii.—xv. Voy. i. p. 505, 523. In consequence of this abolition of the *fifth*, and some subsequent abatements of price, which became necessary on account of the increasing expense of working mines, quicksilver, which was formerly sold at eighty pesos the quintal, is now delivered by the king at the rate of sixty pesos. Campomanes, *Educ. Popul.* ii. 132, note. The duty on gold is reduced to a *twentieth*, or five per cent. Any of my readers who are desirous of being acquainted with the mode in which the Spaniards conduct the working of their mines, and the refinement of the ore, will find an accurate description of the ancient method by Acosta, lib. iv. c. 1—13, and of their more recent improvements in the metallurgic art, by Gamboa Comment. a las ordenanz. de Minas, chap. 22.

NOTE 187.—Many remarkable proofs occur of the advanced state of industry in Spain at the beginning of the sixteenth century. The number of cities in

Spain was considerable, and they were peopled far beyond the proportion that was common in other parts of Europe. The causes of this I have explained, Hist. of Charles V. p. 355. Wherever cities are populous, that species of industry which is peculiar to them increases; artificers and manufacturers abound. The effect of the American trade in giving activity to these is manifest, from a singular fact. In the year 1545, while Spain continued to depend on its own industry for the supply of its colonies, so much work was bespoke from the manufacturers, that it was supposed they could hardly finish it in less than six years. Campom. i. 406. Such a demand must have put much industry in motion, and have excited extraordinary efforts. Accordingly, we are informed, that in the beginning of Philip II.'s reign the city of Seville alone, where the trade with America centred, gave employment to no fewer than 16,000 looms in silk or woollen work, and that above 130,000 persons had occupation in carrying on these manufactures. Campom. ii. 472. But so rapid and pernicious was the operation of the causes which I shall enumerate, that before Philip III. ended his reign the looms in Seville were reduced to 400. Uztariz, c. 7.

Since the publication of the first edition I have the satisfaction to find my ideas concerning the early commercial intercourse between Spain and her colonies confirmed and illustrated by D. Bernardo Ward, of the Junta de Comercio at Madrid, in his *Proyecto Económico*, part ii. c. i. "Under the reign of Charles V. and Philip II." says he, "the manufacturers of Spain and of the Low Countries subject to her dominion were in a most flourishing state. Those of France and England were in their infancy. The republic of the United Provinces did not then exist. No European power but Spain had colonies of any value in the New World. Spain could supply her settlements there with the productions of her own soil, the fabrics wrought by the hands of her own artisans, and all she received in return for these belonged to herself alone. Then the exclusion of foreign manufactures was proper, because it might be rendered effectual. Then Spain might lay heavy duties upon goods exported to America, or imported from it, and might impose what restraints she deemed proper upon a commerce entirely in her own hands. But when time and successive revolutions had occasioned an alteration in all those circumstances, when the manufactures of Spain began to decline, and the demands of America were supplied by foreign fabrics, the original maxims and regulations of Spain should have been accommodated to the change in her situation. The policy that was wise at one period became absurd in the other."

NOTE 188.—No bale of goods is ever opened, no chest of treasure is examined. Both are received on the credit of the persons to whom they belong; and only one instance of fraud is recorded during the long period in which trade was carried on with this liberal confidence. All the coined silver that was brought from Peru to Porto-bello in the year 1654 was found to be adulterated, and to be mingled with a fifth part of base metal. The Spanish merchants, with sentiments suitable to their usual integrity, sustained the whole loss, and indemnified the foreigners by whom they were employed. The fraud was detected, and the treasurer of the revenue in Peru, the author of it, was publicly burnt. B. Ulloa *Relat. de Manuf. &c.* liv. ii. p. 102.

NOTE 189.—Many striking proofs occur of the scarcity of money in Spain. Of all the immense

sums which have been imported from America, the amount of which I shall afterwards have occasion to mention, Moncada asserts, that there did not remain in Spain, in 1619, above two hundred millions of *pesos*, one half in coined money, the other in plate and jewels, *Restaur. de España*, disc. iii. c. 1. Uztariz, who published his valuable work in 1724, contends, that in money, plate, and jewels, there did not remain an hundred million. *Theor. &c.* c. 3. Campomanes, on the authority of a remonstrance from the community of merchants in Toledo to Philip III. relates, as a certain proof how scarce cash had become, that persons who lent money received a third part of the sum which they advanced as interest and premium. *Educ. Popul.* i. 417.

NOTE 190.—The account of the mode in which the factors of the South-Sea Company conducted the trade in the fair of Porto-bello, which was opened to them by the Assiento, I have taken from Don Dion. Alcedo y Herrera, president of the court of audience in Quito, and governor of that province. Don Dionysio was a person of such respectable character for probity and discernment, that his testimony in any point would be of much weight; but greater credit is due to it in this case, as he was an eye-witness of the transactions which he relates, and was often employed in detecting and authenticating the frauds which he describes. It is probable, however, that his representation, being composed at the commencement of the war which broke out between Great Britain and Spain, in the year 1739, may, in some instances, discover a portion of the acrimonious spirit natural at that juncture. His detail of facts is curious; and even English authors confirm it in some degree, by admitting both that various frauds were practised in the transactions of the annual ship, and that the contraband trade from Jamaica and other British colonies was become enormously great. But for the credit of the English nation it may be observed that those fraudulent operations are not to be considered as deeds of the company, but as the dishonourable arts of their factors and agents. The company itself sustained a considerable loss by the Assiento trade. Many of its servants acquired immense fortunes. *Anderson Chronol. deduct.* ii. 388.

NOTE 191.—Several facts with respect to the institution, the progress, and the effects of this company are curious, and but little known to English readers. Though the province of Venezuela, or Caraccas, extends four hundred miles along the coast, and is one of the most fertile in America; it was so much neglected by the Spaniards, that during the twenty years prior to the establishment of the company, only five ships sailed from Spain to that province; and during sixteen years, from 1706 to 1722, not a single ship arrived from the Caraccas in Spain. *Noticias de Real Campania de Caraccas*, p. 28. During this period Spain must have been supplied almost entirely with a large quantity of cacao, which it consumes, by foreigners. Before the erection of the company, neither tobacco nor hides were imported from Caraccas into Spain. *Ibid.* p. 115. Since the commercial operations of the company begun in the year 1731, the importation of cacao into Spain has increased amazingly. During thirty years subsequent to 1701, the number of *fanegas* of cacao (each a hundred and ten pounds), imported from Caraccas was 643,215. During eighteen years subsequent to 1731, the number of *fanegas* imported was 869,247; and if we suppose the importation to be continued in the same proportion during the remainder of thirty years, it will amount to 1,448,746

fanegas, which is an increase of 805,531 *fanegas*. Id. p. 148. During eight years subsequent to 1756, there have been imported into Spain by the company 88,482 *arrobos* (each twenty-five pounds) of tobacco; and hides to the number of 177,354. Id. 161. Since the publication of the *Noticias de Campania* in 1765 its trade seems to be on the increase. During five years subsequent to 1769, it has imported 179,156 *fanegas* of cacao into Spain, 36,208 *arrobos* of tobacco, 75,496 hides, and 221,432 pesos in specie. Campomanes, ii. 162. The last article is a proof of the growing wealth of the colony. It receives cash from Mexico in return for the cacao, with which it applies that province, and this it remits to Spain, or pays out in purchasing European goods. But besides this the most explicit evidence is produced, that the quantity of cacao raised in the province is double to what it yielded in 1731; the number of its live stock is more than treble, and its inhabitants much augmented. The revenue of the bishop, which arises wholly from tithes, has increased from eight to twenty thousand pesos. *Noticias*, p. 69. In consequence of the augmentation of the quantity of cacao imported into Spain its price has decreased from eighty pesos for the *fanega* to forty. Id. 61. Since the publication of the first edition I have learned that Guyana, including all the extensive provinces situated on the banks of the Orinoco, the islands of Trinidad and Margarita, are added to the countries with which the company of Caraccas had liberty of trading by their former charters. Real Cedula, Nov. 19, 1776. But I have likewise been informed that the institution of this company has not been attended with all the beneficial effects which I have ascribed to it. In many of its operations the illiberal and oppressive spirit of monopoly is still conspicuous. But in order to explain this it would be necessary to enter into minute details which are not suited to the nature of this work.

NOTE 192.—This first experiment made by Spain of opening a free trade with any of her colonies, has produced effects so remarkable as to merit some further illustration. The towns to which this liberty has been granted are Cadiz and Seville, for the province of Andalusia; Alicante and Carthagena, for Valencia and Murcia; Barcelona, for Catalonia and Arragon; Santander, for Castile; Coruña, for Galicia; and Gijon, for Asturias. Append. ii. à la Educ. Popul. p. 41. These are either the ports of chief trade in their respective districts, or those most conveniently situated for the exportation of their respective productions. The following facts give a view of the increase of trade in the settlements to which the new regulations extend. Prior to the allowance of free trade, the duties collected in the custom-house at the Havannah were computed to be 104,208 pesos annually. During the five years preceding 1774, they rose at a medium to 308,000 pesos a year. In Yucatan the duties have risen from 8000 to 15,000. In Hispaniola from 2500 to 5600. In Porto Rico from 1200 to 7000. The total value of goods imported from Cuba into Spain was reckoned in 1774 to be 1,500,000 pesos. Educ. Popul. i. 450, &c.

NOTE 193.—The two treatises of Don Pedro Rodríguez Campomanes, *Fiscal del real consejo y Supremo* (an office in rank and power nearly similar to that of Attorney-General in England), and director of the royal academy of history, the one entitled, *Discurso sobre el Fomento de la Industria Popular*; the other, *Discurso sobre la Educacion Popular de los Artesanos y su Fomento*; the former published in

1774, and the latter in 1775, afford a striking proof of this. Almost every point of importance with respect to interior police, taxation, agriculture, manufactures, and trade, domestic as well as foreign, is examined in the course of these works; and there are not many authors, even in the nations most eminent for commercial knowledge, who have carried on their inquiries with a more thorough knowledge of those various subjects, and a more perfect freedom from vulgar and national prejudices, or who have united more happily the calm researches of philosophy with the ardent zeal of a public-spirited citizen. These books are in high estimation among the Spaniards; and it is a decisive evidence of the progress of their own ideas that they are capable of relishing an author whose sentiments are so liberal.

NOTE 194.—The galeon employed in that trade, instead of the six hundred tons to which it is limited by law, Recop. lib. xlv. 1, 15, is commonly from twelve hundred to two thousand tons burden. The ship from Acapulco, taken by Lord Anson, instead of the 500,000 pesos permitted by law, had on board 1,313,843 pesos, besides uncoined silver equal in value to 43,611 pesos more. Anson's Voy. 384.

NOTE 195.—The price paid for the bull varies according to the rank of different persons. Those in the lowest order, who are servants or slaves, pay two reals of plate, or one shilling; other Spaniards pay eight reals, and those in public office, or who hold encomiendas, sixteen reals. Solorz. de Jure Ind. vol. ii. lib. iii. c. 25. According to Chilton, an English merchant who resided long in the Spanish settlements, the bull of Cruzado bore a higher price in the year 1570, being then sold for four reals at the lowest. Hakluyt, iii. 461. The price seems to have varied at different periods. That exacted for the bulls issued in the last *Predicacion* will appear from the ensuing table, which will give some idea of the proportional numbers of the different classes of citizens in New Spain and Peru:—

There were issued for New Spain—

Bulls at 10 pesos each	:	:	:	:	4
at 2 pesos each	:	:	:	:	22,601
at 1 peso each	:	:	:	:	164,220
at 2 reals each	:	:	:	:	2,462,500
					2,649,325

For Peru—

at 16 pesos 4½ reals each	:	:	:	:	3
at 3 pesos 3 reals each	:	:	:	:	14,202
at 1 peso 5½ reals	:	:	:	:	78,822
at 4 reals	:	:	:	:	410,325
at 3 reals	:	:	:	:	668,601
					1,171,953

NOTE 196.—As Villa Segnor, to whom we are indebted for this information contained in his *Teatro Americano*, published in Mexico, A. D. 1746, was accountant-general in one of the most considerable departments of the royal revenue, and by that means had access to proper information, his testimony with respect to this point merits great credit. No such accurate detail of the Spanish revenues in any part of America has hitherto been published in the English language; and the particulars of it may appear curious and interesting to some of my readers:

					Pesos.
From the bull of Cruzado, published every					
two years, there arises an annual revenue					
in pesos	:	:	:	:	150,000

	Pesos.
Brought forward	150,000
From the duty on silver	700,000
From the duty on gold	60,000
From tax on cards	70,000
From tax on Pulque, a drink used by the Indians	161,000
From tax on stamped paper	41,000
From ditto on ice	15,522
From ditto on leather	2,500
From ditto on gunpowder	71,550
From ditto on salt	32,000
From ditto on copper of Mechochan	1,000
From ditto on alum	6,500
From ditto on Juego de los gallos	21,100
From the half of ecclesiastical annats	49,000
From royal ninth of bishoprics, &c.	68,800
From the tribute of Indians	650,000
From Alcala, or duty on sale of goods	721,875
From the Almajorifasco, custom-house	373,333
From the mint	357,500
	5,552,680

This sum amounts to 819,161*l.* sterling; and if we add to it the profit accruing from the sale of 5,000 quintals of quicksilver, imported from the mines of Almaden, in Spain, on the king's account, and what accrues from the *Averia*, and some other taxes which Villa Segnor does not estimate, the public revenue in New Spain may well be reckoned above a million pounds sterling money. Teat. Mex. vol. i. p. 38, &c. According to Villa Segnor the total produce of the Mexican mines amounts at a medium to eight millions of pesos in silver annually, and to 5912 marks of gold. Id. p. 44. Several branches of the revenue have been explained in the course of the history; some which there was no occasion of mentioning, require a particular illustration. The right to the *tithes* in the New World is vested in the crown of Spain by a bull of Alexander VI. Charles V. appointed them to be applied in the following manner: one fourth is allotted to the bishop of the diocese, another fourth to the dean and chapter, and other officers of the cathedral. The remaining half is divided into nine equal parts. Two of these, under the denomination of *los dos Novenos reales*, are paid to the crown, and constitute a branch of the royal revenue. The other seven parts are applied to the maintenance of the parochial clergy, the building and support of churches, and other pious uses. Recop. lib. i. tit. xvi. Ley, 23, &c. Avendano Thesaur. Indic. vol. i. p. 184.

The *Alcavala* is a duty levied by an excise on the sale of goods. In Spain it amounts to ten per cent. In America to four per cent. Solorzano, Polit. Indiana, lib. vi. c. 8. Avendano, vol. i. 186.

The *Almajorifasco*, or custom paid in America on goods imported and exported, may amount on an average to fifteen per cent. Recopil. lib. viii. tit. xiv. Ley, i. Avendano, vol. i. 188.

The *Averia*, or tax paid on account of convoys to guard the ships sailing to and from America, was first imposed when Sir Francis Drake filled the New World with terror by his expedition to the South Sea. It amounts to two per cent. on the value of goods. Avendano, vol. i. p. 189. Recopil. lib. ix. tit. ix. Ley, 43, 44.

I have not been able to procure any accurate detail of the several branches of revenue in Peru later than the year 1614. From a curious manuscript containing a state of that viceroyalty in all its

departments, presented to the Marquis of Montes-Claros by Fran. Lopez Caravantes, accountant-general in the tribunal of Lima, it appears that the public revenue, as nearly as I can compute the value of money in which Caravantes states his accounts, amounted in ducats at 4*s.* 11*d.* to 2,372,768 Expenses of government 1,242,992

Net free revenue	1,129,776
The total in sterling money	£583,303
Expenses of government	305,568
Net free revenue	277,735

But several articles appear to be omitted in this computation, such as the duty on stamped paper, leather, ecclesiastical annats, &c., so that the revenue of Peru may be well supposed equal to that of Mexico.

In computing the expense of government in New Spain, I may take that of Peru as a standard. There the annual establishment for defraying the charge of administration exceeds one half of the revenue collected, and there is no reason for supposing it to be less in New Spain.

I have obtained a calculation of the total amount of the public revenue of Spain from America and the Philippines, which, as the reader will perceive from the two last articles, is more recent than any of the former.

Alcavalas (excise) and Aduanas (customs), &c., in pesos fuertes	2,500,000
Duties on gold and silver	3,000,000
Bull of Cruzado	1,000,000
Tribute of the Indians	2,000,000
By sale of quicksilver	300,000
Paper exported on the king's account, and sold in the royal warehouses	300,000
Stamped paper, tobacco, and other small duties	1,000,000
Duty on coinage of, at the rate of one real de la Plata for each mark	300,000
From the trade of Acapulco, and the coasting trade from province to province	500,000
Assiento of negroes	200,000
From the trade of <i>Mathe</i> , or herb of Paraguay, formerly monopolized by the Jesuits	500,000
From other revenues formerly belonging to that order	400,000

Total 12,000,000

Total in sterling money	£2,700,000
Deduct half as the expense of administration, and there remains net free revenue	£1,350,000

NOTE 197.—An author long conversant in commercial speculation has computed, that from the mines of New Spain alone the king receives annually, as his fifth, the sum of two millions of our money. Harris, Collect. of Voy. ii. p. 164. According to this calculation the total produce of the

mines must be ten millions sterling; a sum so exorbitant, and so little corresponding with all accounts of the annual importation from America, that the information on which it is founded must evidently be erroneous. According to Compomanes the total product of the American mines may be computed at thirty millions of pesos, which, at 4s. 6d. a peso, amounts to 7,425,000*l.* sterling, the king's fifth of which (if that were regularly paid) would be 1,485,000*l.* But from this sum must be deducted what is lost by a fraudulent withholding of the fifth due to the crown, as well as the sum necessary for defraying the expense of administration. Educ. Popular. vol. ii. p. 131, note. Both these sums are considerable.

NOTE 198.—According to Bern. de Ulloa, all foreign goods exported from Spain to America pay

duties of various kinds, amounting in all to more than 25 per cent. As most of the goods with which Spain supplies her colonies are foreign, such a tax upon a trade so extensive must yield a considerable revenue. Retablis. de Manuf. & du Commerce d'Esp. p. 150. He computes the value of goods exported annually from Spain to America to be about two millions and a half sterling. P. 97.

NOTE 199.—The Marquis de Serralvo, according to Gage, by a monopoly of salt, and by embarking deeply in the Manilla trade, as well as in that to Spain, gained annually a million of ducats. In one year he remitted a million of ducats to Spain, in order to purchase from the Condé Olivares, and his creatures, a prolongation of his government, p. 61. He was successful in his suit, and continued in office from 1624 to 1635, double the usual time,

ADVERTISEMENT.

THE volumes published by Dr. Robertson contain, to use his own words, "The Account of the Discovery of the New World, and of the Progress of the Spanish Arms and Colonies there." This account is brought down to the year 1772. It was his intention to have given a complete history of the whole of America, but his death prevented the fulfilment of his project. The history of Portuguese America and the settlements made in the West India Islands, were totally untouched by him. Of the history of the United States some fragments were discovered after his death, and have uniformly been printed with his History of Spanish America.

The Proprietors have determined to carry into effect the comprehensive history of the New World, contemplated by Dr. Robertson; aware that it is more than ever required at a time when it is fast advancing in a career, which, in all probability, will surpass that of the Old. The work will be compiled from the ample and authentic sources open to them; and in following Dr. Robertson's steps, they will not walk in any hopes of rivalry, but merely collect and arrange, from the most esteemed historians of this country and America, such accounts as have received the public sanction.

The history of the United States of America will be first proceeded with, as well on account of their political importance as of their British origin. The fragments of Robertson bring the history of Virginia down to the year 1688, and the history of New England to 1652. This compilation will commence with a continuation of the latter, as being most necessary to a proper knowledge of the general history of the States; and a separate and succinct account will be given of each of them down to the war which established their grand federative union and independence: a method that will avoid much confusion, and in which they are guided by the principal historians. The history of Massachusetts is placed first, as being the most important State of New England.



THE HISTORY OF THE UNITED STATES

OF

NORTH AMERICA.

THE histories of Virginia and New England, left by Dr. Robertson, are in an imperfect form, and present only a very small portion of the history of the numerous countries now known as the United States. These fragments contain only a general view of a part of the States, and it may, perhaps, therefore be necessary, in order to give the rise and progress of all of them, to retrace, in some instances, the same period of which Dr. Robertson has given an outline.

MASSACHUSETTS.

Of the two companies incorporated by King James, an account of the proceedings and dissolution of one, and a history of the colony to the time of Cromwell, will be found in Robertson's narration, whose fragment concludes with stating that the colonists of this settlement declined complying with his desire, that they should remove to the island of Jamaica, which he had taken from the Spaniards.

In 1641, the settlements in New Hampshire had been incorporated with Massachusetts. And, in 1652, the inhabitants of the province of Maine were, at their own request, taken under her protection. This province had been granted to Sir Ferdinand Gorges, who, in 1639, first established a government over it. In 1640 a general court was held at Saco. Upon the death of the proprietor, in 1649, most of the officers whom he had appointed deserted it, and the people found it necessary to resort elsewhere for protection.

In 1656 several Quakers arrived in the colony. In this age of enthusiasts, these sectarians surpassed all others in enthusiasm. Their behaviour was rude, contemptuous, and disorderly. They reviled magistrates and ministers, and entering churches on the sabbath, disturbed the solemnities of public worship. For these offences they were first imprisoned, and then banished. A law was passed prohibiting Quakers from coming into the colony, imposing the penalty of banishment upon the first offence, and of death upon such as should return after banishment. Four, who were so infatuated as to return and obtrude themselves upon the notice of the government, suffered the death which they appeared to seek. This cruel and impolitic law was soon afterwards repealed.

Cromwell, who had governed England with greater ability and higher merit than most of her kings, died in 1658, and after an interval of two years Charles the Second, a prince destitute of honour and virtue, was recalled from exile, and placed upon the throne. He was reluctantly acknowledged by the colonies of New England. They had been the favourites of the parliament and the protector, and apprehended, with good reason, the loss of their civil and religious privileges.

A short time after, Whalley and Goffe, two of the judges who had sentenced Charles the First to be beheaded, having fled before the return of his successor, arrived in New England. Their first place of residence was Cambridge; but they often appeared publicly in Boston, particularly on Sundays and other days of religious solemnities. They had sustained high rank in Cromwell's army, were men of uncommon talents, and, by their dignified manners and grave deportment, commanded universal respect.

As soon as it was known that they were excepted from the general pardon, the governor suggested to the court of assistants the expediency of arresting them. A majority opposed it, and many members of the general court gave them assurances of protection. Considering themselves, however, unsafe at Cambridge, they removed to New Haven, where they were received with great respect by the clergy and magistrates.

After a short residence there, enjoying, in private, the society of their friends, the governor of Massachusetts received a mandate to arrest them. A warrant was immediately issued, authorizing two zealous royalists to search for, and seize them, wherever found, in New England. They hastened to the colony of New Haven, exhibited the warrant to the governor, who resided at Guilford, and requested him to furnish authority and assistants to pursue them. Desirous of favouring the exiles, he affected to deliberate until the next morning, and then utterly declined acting officially without the advice of his council.

In the mean time they were apprized of their danger, and retired to a new place of concealment. The pursuers, on arriving at New Haven, searched every suspected house, except the one where the judges were concealed: this they began to search, but were induced, by the address of the mistress of it, to desist: when the pursuers had departed, the judges, retiring into the woods, fixed their abode in a cave.

Having there heard that their friends were threatened with punishment for having afforded them protection, they came from their hiding place for the purpose of delivering themselves up; but their friends, actuated by feelings equally noble and generous, persuaded them to relinquish their intention. Soon after they removed to Milford, where they remained about two years.

Upon the arrival of other persons, instructed to apprehend them, they repaired privately to Hadley, in Massachusetts, where they resided fifteen or sixteen years, but few persons being acquainted with the place of their concealment. There is in that neighbourhood a tradition, that many years afterwards two graves were discovered in the minister's cellar; and in these, it was supposed, they had been

interred. At New Haven two graves are shown, said to be those of the two judges. It is not improbable that their remains were removed to this place from Hadley.

A singular incident which occurred at the latter place in 1675, shows that one of these illustrious exiles had not forgotten the avocations of his youth. The people, at the time of public worship, were alarmed by an attack from the Indians, and thrown into the utmost confusion. Suddenly a grave, elderly person appeared, differing in his mien and dress from all around him. He put himself at their head, rallied, encouraged, and led them against the enemy, who were repulsed and completely defeated. As suddenly the deliverer of Hadley disappeared. The people were lost in amazement, and many believed that an angel sent from heaven had led them to victory.

Their treatment of the king's judges, and in truth all their conduct, evinced the republican spirit of the colonists. By the royal government of England they could not therefore be regarded with favour. In 1663 it was enacted that no European commodity should be imported into the colonies, unless shipped directly from England, and in British vessels. By this regulation, in connection with others that had been previously made, all the trade of the colonies was secured to the mother country. They submitted reluctantly to these restrictions, and often made them the subject of complaint. But England, believing that they augmented her wealth and power, obstinately refused to repeal them.

In 1664 the king dispatched four commissioners to visit the several colonies of New England, to examine into their condition, to hear and decide complaints, and to make him a report of their proceedings and observations. This measure was dictated by no friendly motive, and was considered by the colonies as a violation of their charters.

The first session of the commissioners was at Plymouth, where but little business was transacted; the next in Rhode Island, where they heard complaints from the Indians, and all who were discontented, and made various determinations respecting titles to land, which were but little regarded. In Massachusetts the general court complied with such of their requisitions as they thought proper; but professing sincere loyalty to his majesty, declined acknowledging their authority, and protested against the exercise of it within their limits.

In consequence of this manly assertion of their chartered rights, an angry correspondence took place between them, at the close of which the commissioners petulantly told the general court, "that they would lose no more of their labours upon them," but would represent their conduct to his majesty.

From Boston the commissioners proceeded to New Hampshire, where they exercised several acts of government, and offered to release the inhabitants from the jurisdiction of Massachusetts. This offer was almost unanimously rejected. In Maine they excited more disturbance. They encouraged the people to declare themselves independent, and found many disposed to listen to their suggestions; but Massachusetts, by a prompt and vigorous exertion of power, constrained the disaffected to submit to her authority.

Connecticut appears to have been the favourite of the commissioners. She treated them with respect, and complied with their requisitions. In return they made such a representation of her merits to the king, as to draw from him a letter of thanks

"Although," says he, "your carriage doth of itself most justly deserve our praise and approbation, yet it seems to be set off with more lustre by the contrary behaviour of the colony of Massachusetts."

At the end of fifty years from the arrival of the emigrants at Plymouth, the New England colonies were supposed to contain one hundred and twenty towns, and as many thousand inhabitants. The acts of parliament not being rigidly enforced, their trade had become extensive and profitable. The habits of industry and economy, which had been formed in less happy times continued to prevail, and gave a competency to those who had nothing, and wealth to those who had a competency. The wilderness receded before adventurous and hardy labourers, and its savage inhabitants found their game dispersed, and their favourite haunts invaded.

This was the natural consequence of the sales of land which were at all times readily made to the whites. But this consequence the Indians did not foresee; and when they felt it in all its force, the strongest passions were awakened which can animate civilized or savage man, the love of country and of independence.

A leader only was wanting to concentrate and direct their exertions, and Philip, of Pokanoket, sachem of a tribe living within the boundaries of Plymouth and Rhode Island, assumed that honourable but dangerous station. His father was the friend, but he had ever been the enemy, of the whites; and this enmity arising from causes of national concern, had been embittered to vindictive hatred by their conduct towards his elder brother. This brother, being suspected of plotting against them, was seized by a detachment of soldiers and confined; and the indignity so wrought upon his proud spirit as to produce a fever that put an end to his life.

Philip inherited the authority and proud spirit of his brother. He exerted all the arts of intrigue and powers of persuasion of which he was master, to induce the Indians, in all parts of New England, to unite their efforts for the destruction of the whites. He succeeded in forming a confederacy, able to send into action between three and four thousand warriors.

The English were apprized of the plots of the Indians, and made preparations to meet their hostilities. They hoped, however, that the threatened storm would pass by as others had, and that peace would be preserved. But the insolence of Philip, and the number of his adherents increased daily; and in June 1675, some of them entered the town of Swanzy, in Plymouth, where, after slaughtering the cattle, and plundering the houses, they fired upon the inhabitants, killing and wounding several.

The troops of that colony marched immediately to Swanzy, and were soon joined by a detachment from Massachusetts. The Indians fled, and marked the course of their flight by burning the buildings, and fixing on poles by the way-side the hands, scalps, and heads of the whites whom they had killed. The troops pursued, but unable to overtake them, returned to Swanzy.

The whole country was alarmed, and the number of troops augmented. By this array of force, Philip was induced to quit his residence at Mount Hope, and take post near a swamp at Pocasset. At that place the English attacked him, but were repulsed. Sixteen were killed, and the Indians by this success were made bolder.

At this time most of the settlements were surrounded by thick forests, and the Indians lived intermixed with the whites. The former were acquainted,

of course, with the dwellings of the latter, with their roads, and places of resort; could watch their motions, and fall upon them in their defenceless and unguarded moments. Many were shot dead as they opened their doors in the morning; many while at work in their fields, and others while travelling to visit their neighbours, or to places of worship. At all times, at all places, in all employments, were their lives in jeopardy; and no one could tell but that in the next moment he should receive his death-shot from his barn, the thicket, or the way-side.

Whenever the enemy assembled in force, detachments were sent against them; if weaker than these, they would retreat; if stronger, assault and conquer them. Defenceless villages were suddenly attacked, the houses burned, and the men, women, and children killed, or carried into captivity. Their ruin was the work of a moment; and when accomplished, its authors vanished.

The colonies, losing individuals, families and villages, found their numbers sensibly diminished; their strength impaired; and began to apprehend even total extinction. Nothing but a vigorous effort could save them. The commissioners met, and determined to dispatch an army of a thousand men to attack the principal position of the enemy. Josiah Winslow, governor of Plymouth, was appointed commander in chief: and a solemn fast, to invoke the divine aid, was proclaimed throughout New England.

On the 18th of December, the different bodies of troops formed a junction at a place in the country of the Narragansets, about fifteen miles from the enemy. The weather was extremely cold, but the men, from necessity, passed the night uncovered in the fields. At dawn of day they began their march, wading through the deep snow, and at one o'clock arrived near the enemy's post, which was upon a rising ground, in the midst of a swamp. It was surrounded by palisades, and on the outside of these was a fence of brush a rod in width.

Here was fought the most desperate battle recorded in the early annals of the country. It continued three hours. The English obtained a decisive victory. One thousand Indian warriors were killed; three hundred more, and as many women and children were made prisoners. But dearly was the victory purchased. Six captains, and eighty men were killed, and one hundred and fifty wounded.

From this blow the confederated Indians never recovered; but they still remained sufficiently strong to harass the settlements by continual inroads. In retaliation the English sent several detachments into their territories, nearly all of which were successful. Captain Church, of Plymouth, and Captain Dennison, of Connecticut, were conspicuous for their bravery and good fortune.

In the midst of these reverses, Philip remained firm and unshaken. His warriors were cut off; his chief men, his wife and family were killed or taken prisoners; and at these successive misfortunes, he is represented to have wept with a bitterness which proved him to possess the noblest of human virtues and affections; but he disdained to listen to any offers of peace. He even shot one of his men, who proposed submission. At length after being hunted from swamp to swamp, he was himself shot by the brother of the Indian he had killed. After his death the remnant of his followers either submitted to the English, or united with distant tribes.

Never was peace more welcome, for never had war been more distressing. The whole population was in mourning for relatives slain. Nearly a thousand

houses had been burned, and goods and cattle of great value had been plundered or destroyed. The colonies had contracted a heavy debt, which, their resources having been so much diminished, they found an almost insupportable burden. But in their deepest distress they forbore to apply to the mother country for assistance; and this omission excited surprise and jealousy. "You act," said a privy councillor, "as though you were independent of our master's crown; and though poor, yet you are proud."

In 1680 New Hampshire, at the solicitation of John Mason, to whose ancestor a part of the territory had been granted, was constituted a separate colony. Massachusetts, apprehending the loss of Maine also, purchased of the heirs of Gorges their claim to the soil and jurisdiction, for twelve hundred and fifty pounds.

The disregard of the acts of trade had given great offence to the mother country, and the governors of New England were peremptorily required to enforce them. But being enacted by a parliament in which the colonies were not represented, they were regarded as violations of their rights, and continued to be evaded with impunity. Edward Randolph was therefore sent over, commissioned as inspector of the customs in New England. He was also the bearer of a letter from the king, requiring that agents should be sent to the court of London, fully empowered to act for the colonies.

It was well understood to be the intention of the king to procure from the agents a surrender of the charters, or to annul them by a suit in his courts, that he might himself place officers over the colonies who would be subservient to his views. The inhabitants of Massachusetts felt that to be deprived of their charter, which secured to them the right of self-government, would be the greatest of calamities; and their agents were instructed, in no emergency, to surrender it. This being known to the king, a prosecution was instituted against the corporation, and in 1684 a subservient court decreed that the charter should be cancelled.

All impediments to the exercise of the royal will being thus removed, King James established a temporary government over the colony, first appointing Joseph Dudley, and, in 1686, Sir Edmund Andros, governor. This latter appointment caused the most gloomy forebodings. Sir Edmund had been governor of New York, and it was known that his conduct there had been arbitrary and tyrannical.

Having secured a majority in the council, he assumed controul over the press, appointing Randolph licenser. He established new and oppressive regulations concerning taxes, public worship, marriages, and the settlement of estates. He, and by his permission, his subordinate officers, extorted enormous fees for their services. He declared that the charter being cancelled, the old titles to land were of no validity, and compelled the inhabitants, in order to avoid suits before judges dependent on his will, to take out new patents, for which large sums were demanded.

The hatred of the people was excited in proportion to their sufferings. In the beginning of 1689, a rumour reached Boston, that William Prince of Orange had invaded England, with the intention of dethroning the king. Animated by the hope of deliverance, the people rushed spontaneously to arms, took possession of the fort, seized Andros, Randolph, and other obnoxious persons, and placed them in confinement. A council of safety, consisting of their former magistrates, was then organized, to administer:

the government until authentic intelligence should be received from England.

In a few weeks a ship arrived, bringing the glad tidings that William and Mary were firmly seated on the throne. They were immediately proclaimed in all the colonies with unusual rejoicings. The people of Massachusetts applied for the restoration of their old, or the grant of a new charter. A definite answer was deferred, but the council was authorized to administer the government, according to the provisions of the old charter, until further directions should be given. Andros, Randolph, and others, were ordered home for trial.

In this unsettled state of the country, the French in Canada and Nova Scotia instigated the northern and eastern Indians to commence hostilities against the English settlements. Dover and Salmon Falls, in New Hampshire; Casco, in Maine; and Schenectady, in New York; were attacked by different parties of French and Indians, and the most shocking barbarities perpetrated on the inhabitants.

Regarding Canada as the principal source of their miseries, New England and New York formed the bold project of reducing it to subjection. By great exertion they raised an army, which, under the command of General Winthrop, was sent against Montreal, and equipped a fleet, which, commanded by Sir William Phipps, was destined to attack Quebec.

Both returned unsuccessful, disappointing the sanguine hopes of the people, and burdening them with a debt which they had not the means of discharging. To pay off her troops, Massachusetts put in circulation bills of credit, or paper money, an expedient which was afterwards often resorted to, and though it afforded relief at the moment, produced in its consequences extensive and complicated mischief.

In the mean time a new charter had been granted to Massachusetts, which added Plymouth, Maine, and Nova Scotia, to her territory. The only privilege it allowed to the people was the choice of representatives. These were to elect a council, and both bodies were to constitute the legislative power.

It reserved to the king the right of appointing the governor and lieutenant-governor. To the governor it gave the power of rejecting laws, of negating the choice of councillors, of appointing all military and judicial officers, of adjourning and even of dissolving the assembly at pleasure. Laws, although approved by him, might be abrogated by the king, within three years after their enactment.

The king, to render the new charter more acceptable, appointed Sir William Phipps, a native of the province, governor, and in 1692 he arrived at Boston. The new government went into operation without any opposition from the inhabitants; and almost the first act of Sir William Phipps and his council was the institution of a court to try the unfortunate victims of popular delusion, accused of witchcraft, at Salem.

The belief in this supposed crime had been so prevalent in England, that parliament had enacted a law punishing it with death. Under this law, multitudes had been tried and executed in that country, and two or three in Massachusetts, some of whom acknowledged they were guilty. Accounts of these trials and confessions, and particularly of some trials before Sir Matthew Hale, a judge revered in the colonies, had been published and distributed throughout the country. They were read in a time of great distress and gloom by a people naturally sedate, and accustomed to regard with awe the surprising and

unaccountable incidents and appearances which, in this new world, were often presented to their contemplation.

In February, 1692, a daughter and a niece of Mr. Paris, the minister of Salem, were afflicted with disorders affecting their bodies in the most singular manner. The physicians, unable to account for their contortions, pronounced them bewitched; and the children, hearing of this, declared that an Indian woman, who lived in the house, was the cause of their torments. Mr. Paris concurred with the physicians. Several private fasts were kept at his house, and the gloom was increased by a solemn fast throughout the colony.

The Indian woman confessed herself guilty. The children were visited, noticed, and pitied. This encouraged them to persevere, and other children, either from sympathy or the desire of similar attentions, exhibited similar contortions. A distracted old woman, and one who had been a long time confined to her bed, was added to the list of the accused; and, in the progress of the infatuation, women of mature age united with the children in their accusations.

The accused were multiplied in proportion to the accusers. Children accused their parents, and parents their children. A word from those who were supposed to be afflicted occasioned the arrest of the devoted victim; and so firmly convinced were the magistrates that the prince of darkness was in the midst of them, using human instruments to accomplish his purposes, that the slightest testimony was deemed sufficient to justify a commitment for trial.

The court, specially instituted for this purpose, held a session in June, and afterwards several others, by adjournment. Many were tried, and received sentence of death. A few pleaded guilty. Several were convicted upon testimony, which, at other times, would not have induced suspicion of an ordinary crime, and some upon testimony retracted after conviction. Nineteen were executed, and many yet remained to be tried.

At this stage of the proceedings the legislature established, by law, a permanent court, by which the other was superseded, and fixed a distant day for its first session, at Salem. In the mean time the accusations multiplied, and additional jails were required to hold the accused. The impostors, hardened by impunity and success, ascended from decrepid old women to respectable characters, and at length, in their ravings, named ministers of the gospel, and even the wife of the governor.

The community were thrown into consternation. Each felt alarm for himself, his family, and his friends. The shock roused them to reflection. They considered more closely the character of the accusers; the nature of the alleged crime; the testimony often contradictory and never explicit; and more than all these, the high standing of some who were implicated; and began to doubt whether they had not been too credulous and precipitate.

At the next term the grand jury found indictments against fifty; but on trial all were acquitted except three, and those the governor reprieved. He also directed that all who were in prison should be set at liberty. A belief, however, of the truth of the charges still lingered among the people, and prevented any prosecution of the impostors. That all were impostors, cannot be believed. Many must have acted under the influence of a disordered imagination, which the attendant circumstances were well calculated to produce.

Besides establishing courts of justice, the legisla-

ture, at its first session under the new charter, passed a law which indicates the same independent spirit that afterwards resisted the usurpations of the British parliament. It provided that no tax should be imposed upon any of his Majesty's subjects, or their estates, in the province, but by the act and consent of the governor, council, and representatives of the people, in general court assembled. It is almost superfluous to say that this law was disallowed by the king.

The war with the French and Indians, which began in 1690, was not yet terminated. For seven years were the frontier settlements harassed by the savages; and the English employed in expeditions against them. A history of these would consist only of repeated accounts of Indian cunning and barbarity, and of English enterprize and fortitude.

The peace of Ryswick was proclaimed in Boston, December 10, 1697. The war with the Indians did not immediately cease. The beginning of the next year, they shewed themselves at Kittery, where they killed an old man; and at the same time they carried away three persons from York. In July, they appeared upon the western frontier and took three or four prisoners at Hatfield: but the French no longer daring to afford them assistance, they spent the rest of the year in contriving a peace. Upon intimations given by the Indians to any of the forts or outposts that they were disposed to peace, the English were very ready to embrace the offer. The principal object was the recovery of the captives, which at the end of the war had generally been numerous. In October, Major Convers and Captain Alden were sent to Penobscot to settle preliminaries; one of which was to be the release of all prisoners, but no more could be obtained, on this head, than a promise to return all such as desired it; the Indians refused to compel any who inclined to remain with them. In the winter, John Phillips, Esq., of the council, with Major Convers, and Cyrian Southack, commander of the province galley, went with full powers to conclude a treaty. The Indians were not very nice in acknowledging their perfidy in such terms as the English prepared for them, and made such submissions and promises of future fidelity as were desired. The treaty was in the same terms with that in 1693. Several captives were restored, and others were promised in the spring; but many remained, males and females, who mingled with Indians, and contributed to promote a succession of savages to exercise cruelties upon the English frontiers, in future wars, and perhaps upon some of their own relations.

The leaving bounds to be settled between the English and French, upon the continent, by commissaries, and the ambiguous terms made use of in treaties (perhaps artfully introduced by the French) have ever been the causes of new disputes between the two crowns; and, in one instance at least, very soon brought on a new war. The peace of Ryswick was scarcely proclaimed in New England, when the inhabitants were made sensible of the designs of the French to make themselves sole proprietors of the fishery, and to restrain the English from the possession of any part of the country contained in the Massachusetts charter to the eastward of Kennebeck. It was understood by the English court, that by the treaty of Ryswick, all the country westward of St. Croix was to remain to the English, as being within the bounds of the province of Massachusetts-Bay. The French court, immediately after the treaty, asserted an exclusive right to the fishery

upon the sea-coasts and to all the inland country. A French man of war, bound from France to Port royal, met one of the fishing vessels off Cape Sables, sent for the skipper to come on board, and caused to be translated and read to him in English an order of the French king for seizing all English vessels found fishing on the coasts, and told him to give notice of this order to all other vessels. Villebon, governor of St. John's river, writes, soon after, to Mr. Stoughton, that he had orders, from the French king, his master, to take possession of, and defend the whole country as far as Kennebeck.

The Norridgewock Indians, this year also, built a church, at their chief settlement upon Kennebeck river, which was complained of by the Massachusetts government as a French encroachment; but we know not for what reason, except their having a French man for their priest can be thought one.

Representations were made to the ministry, and the right of the English to the eastern country, as far as St. Croix, was insisted upon. The Lords of trade wrote thus to the Earl of Bellamont. "As to the boundaries, we have always insisted and shall insist upon the English right as far as the river St. Croix; but in the mean while, in relation to the encroachments of the French and their building a church on Kennebeck river, that seems to us a very proper occasion for your Lordship's urging the general assembly of the Massachusetts-Bay to rebuild the fort at Pemaquid, which they ought to have done long ago, and thereby they might have prevented this and many other inconveniences."

The French persisted in their molestations of the English fishermen, and there seems to have been no great concern about it in the English ministry; other greater affairs, in difference between the two crowns, engaged the attention, and brought on a new war; and it was well they did, for it seems very probable that this dispute about the fishery would not have made a breach; but if peace had continued, the French would have excluded the English, and this valuable branch once lost, might never have been recovered.

King James, always under the influence of France, had relinquished his right to Acadia or Nova Scotia; and although his governor (Andros) for the short time the king remained afterwards upon the throne, retained the possession of Pemaquid, and challenged a right to St. Croix; and although the friendship between the two monarchs might prevent any severity upon the English fishermen, yet the French insisted upon their right both to the country and coasts. The war, upon the revolution, suspended the dispute about title. At the treaty of Ryswick, England was not disposed to urge any points which would retard the peace; and the French immediately after renewed the same claim they had made under King James.

Lord Bellamont arrived at Boston from New York, May 26, 1699. A nobleman at the head of the government was a new thing. All ranks of people exerted themselves to show him respect, and the appearance was so pompous, that his lordship thought it gave him good reason to expect a very honourable support from a province so well stocked with inhabitants, and in a state of so much affluence. He took every method to ingratiate himself with the people. He was condescending, affable, and courteous upon all occasions. He professed to be of the most moderate principles in religion and government; although a churchman, yet far from the high church, and he attended the weekly lecture at Bos-

ton with great reverence, and professed great regard and esteem for the preachers. He avoided all unnecessary contests with private persons, or with either branch of the legislature. His inclination led him to Mr. Dudley's enemies, but he did not neglect those who were friendly and attached to him. There was perfect harmony in the general court whilst he presided. There was something singular and unparliamentary in his form of proceeding in council; for he considered himself as at the head of the board in their legislative, as well as executive capacity. He concerned himself in all their debates, proposed all business, and frequently recommended to them to resolve into a committee upon bills or clauses in bills, and then, as the entries stand, he left the chair, and the committee (being ready to report) reassumed; nor did he think it proper they should act as a house of parliament in his absence; but when detained at home, by messages from time to time, directed their going into a committee and preparing business against such time as he should be able to attend. This was guiding them in all their debates and resolves, as far as his influence would extend, which was not a little way; and yet, afterwards, as a separate branch, he had his negative upon all their proceedings which were not according to his mind. This irregularity does not seem to be the mere effect of his lordship's authority and influence over the council. The constitution under the new charter was not settled. They came off by degrees from their practice under the old charter. The governor, created by the people, used then to vote with the assistants; and although he had no negative, yet he had a casting voice. Lord Bellamont finding this to have been the practice, and considering how much it increased his share in all acts of government, might be disposed to retain it. Experience taught, what was not at first conceived, the great difference between the privilege of proposing or originating and that of rejecting. In some succeeding administrations, it has given cause of exception and complaint when the governor has interested himself in the debates of the council, to influence their determinations and abridge them of that freedom, to which they are equally entitled with the other branches of the legislature. He was the first governor who imitated the lord lieutenant of Ireland in formal speeches, as the king's representative, to the two houses of parliament; copies of which were delivered to the speaker, and afterwards printed. Extracts from one or two, shew they were calculated *ad captandum*. The unfavourable sentiments of the inhabitants in general, of the reign of the Stuarts, were well known to him; no subject could be more engaging than a censure upon that family. He concludes his first speech, which is a very long one, in this manner: "I should be wanting to you and myself too, if I did not put you in mind of the indispensable duty and respect we owe the king, for being the glorious instrument of our deliverance from the odious fetters and chains of popery and tyranny, which has almost overwhelmed our consciences and subverted all our civil rights. There is something that is godlike in what the king hath done for us. The works of redemption and preservation come next to that of creation. I would not be misunderstood, so as to be thought to rob God of the glory of that stupendous act of his providence, in bringing to pass the late happy and wonderful revolution in England. His blessed work it was, without doubt, and he was pleased to make king William, immediately, the author and instrument

of it. Ever since the year 1602, England has had a succession of kings, who have been aliens in this respect, that they have not fought our battles nor been in our interests, but have been, in an unnatural manner, plotting and contriving to undermine and subvert our religion, laws, and liberties, till God was pleased, by his infinite power and mercy and goodness, to give us a true English king, in the person of his present majesty, who has, upon all occasions, hazarded his royal person in the fronts of our battles, and where there was most danger; he has restored to our nation the almost lost character of bravery and valour; and, what is most valuable of all, his majesty is entirely in the interest of his people. It is therefore our duty and interest to pray to God, in the most fervent manner, that he would bless our great king William with a long and prosperous reign over us, to which I am persuaded, you that are present and all good people will heartily say amen."

His last speech had expressions, strong enough, upon the same strain. "The parting with Canada to the French, and the eastern country called Acadia or Nova Scotia, with the noble fishery on that coast, were most execrable treacheries to England, and intended, without doubt, to serve the ends of popery. It is too well known what interest that king favoured who parted with Nova Scotia, and of what religion he died."

By avoiding offence to particular persons, and by a general conformity to the cast or prevailing disposition of the people, his lordship obtained a larger sum as a salary and gratuity, not only than any of his predecessors, but also than any who succeeded him, when the inhabitants were more numerous and more opulent, and money compared with the necessities of life had become less valuable; for he remained but fourteen months in the province, and the grants made by the general court amounted to 2500*l*. lawful money, or 1875*l*. sterling.

His time was much taken up in securing the pirates and their effects, which, as was supposed, was the great inducement with the king to send him to America. Before his arrival in Boston, several suspected persons had been seized. After thirty or forty years indulgence, there succeeded a general abhorrence of buccaneering; and the buccaneers, or freebooters, were hunted from one colony to another. A large sum of money was seized in the possession of one Smith, part of it foreign coins and the impressions unintelligible; and he was brought upon trial, but the evidence produced being insufficient to satisfy the jury, he was acquitted.

About the same time one Bradish was apprehended. He had been boatswain's mate of a ship fitted out by merchants and tradesmen of London to India, in the interloping trade. The crew turned pirates; and, having left the master ashore at Polonais, gave the command to Bradish. They came to America, and lodged large sums of money and goods with persons upon Long Island and other places within and near to the government of New York, and then dispersed; some to Connecticut, others to Massachusetts, where Bradish was taken and others of his crew, and sent to England. The vigilance used in pursuing and apprehending them, appears from the account Mr. Stoughton transmitted to the secretary of state. But Kidd was his lordship's chief object. His own reputation and that of several of his friends depended upon his seizure, that being the only effectual way of removing the jealousies and unjust surmises, not only against several of the

ministry, out even against the king himself. In order to suppress the piracies committed by English subjects in India, &c., it was thought proper to fit out a ship for that special purpose. Lord Rumney, Sommers and others, became adventurers, to the amount of six thousand pounds sterling, and a grant was made to them of all captures, saving one-tenth only reserved to the king. Lord Bellamont seems to have had the principal direction. Upon enquiry for a proper commander, Mr. Livingstone, a principal inhabitant of New York, being then in London, recommended Kidd, who had sailed out of New York, and having a family there, no question was made of his attachment to it, and there was no suspicion of his ever turning pirate himself. From London he went first to New York, where he broke through the instructions he had received, shipping his men upon new terms; and when he arrived in India, not only connived at and suffered to continue, a known pirate vessel, but committed divers alarming acts of piracy himself, to the endangering the amity subsisting between the East India Company and the princes in that part of the world. The least said by the enemies of the administration was, that from a greedy desire of gain, an ill-judged measure had been engaged in, which would be attended with very mischievous consequences, and the malice of some insinuated a criminal intention in the undertaking.

Where Kidd would seek an asylum was uncertain. Strangely infatuated, he came from Madagascar to Boston, and made a bold open appearance there, July 1, this year, and some of his crew with him. On the 3rd he was sent for by the governor and examined before the council. What account he could give of himself does not now appear, but he was not immediately committed, and only ordered to draw up a narrative of his proceedings; which neglecting to do in the time assigned him, on the 6th he was apprehended and committed to prison. Being a very resolute fellow, when the officer arrested him in his lodgings, he attempted to draw his sword, but a young gentleman, who accompanied the officer, laying hold of his arm, prevented him, and he submitted. Several of his men were secured at the same time, and advice having been sent to England, it was thought an affair of so much importance, that a man of war was sent to carry them there; where Kidd, Bradish, and divers others were condemned and executed. The party writers in England pretended, that after Kidd's arrival he had assurance from some anti-courtiers, who examined him in prison, that his life should be spared if he would accuse his employers, but that he was not bad enough to comply with such a proposal.

Lord Bellamont held two sessions of the general court this year; the first, the anniversary for the election of councillors, the latter the 31st of March following, occasioned by a general rumour through the colonies, that the Indians (from all quarters, not only those upon the frontiers, but those who were scattered through the towns in the several colonies) had united and agreed, at an appointed time, to fall upon the English in order to a total extirpation. The Indians were no less alarmed with a report that the king had withdrawn his protection from them, and ordered his subjects to unite in their destruction. These reports were supposed to have been raised by evil-minded persons among the English or Dutch; but it is more probable, the Indians of the six nations, to obtain the presents which accompanied all treaties between the English and

them, were the contrivers and managers of the whole affair. (1699.) Such was the consternation in the Massachusetts, that several acts passed the general court for levying soldiers; for punishing mutiny and desertion; or holding all the militia in readiness to march; and for enabling the governor to march them out of the province, which, by charter, he was restrained from without an act of assembly. As it happened, there was no occasion for carrying these laws into execution; the general terror subsiding soon after.

Soon after the session of the general court in May 1700, Lord Bellamont took his leave of the Massachusetts, and went to New York, where he died the 5th of March following. Mr. Stoughton took the chair again, with reluctance. His advanced age and declining state of health made him fond of ease and retirement.

As soon as the news of the governor's death reached England, Mr. Dudley renewed his solicitations with fresh vigour, for a post which he never lost sight of. By the interest of Lord Cutts, and the condescension of Lord Weymouth, whose son-in-law was a competitor, he was chosen member for Newtown in Southampton county, in King William's last parliament. This, with the place of lieutenant-governor of the Isle of Wight, was to be preferred to all he could expect in New England, if it had not been his native country; but he had a passion for laying his bones there, which equalled that of the ancient Athenians, and which he could not help mentioning to every New England man who paid him a visit; as many frequently would do, from Portsmouth, where they were often detained for convoy.

(1701.) When Sir Richard Onslow and Mr. Harley were competitors for the Speaker's place, his inclination led him to the latter, from whom he had received favours; but his favourite object, which he was then pursuing, obliged him to comply with the court and vote for the former. He made use of the dissenting interest in England to obtain his commission, and to recommend him to his countrymen upon his arrival. There was another difficulty still remaining, the king was not willing to appoint a governor, who he knew had been very obnoxious to the people. A petition was therefore procured from such persons belonging to the Massachusetts as were then in London, and from the principal New-England merchants, praying that Mr. Dudley might be appointed governor. He had also the address to reconcile himself to Mr. Mather the younger, and to obtain from him a letter favouring his cause, which he made known to the king, and which removed his objection; and although Lord Cornbury, a near relation of the Queen and the Princess Ann, being appointed for New York, expected Massachusetts also, yet Mr. Dudley prevailed; and his commission passed the seals. The king's death, a few months after, caused him the trouble of taking out a new commission from the queen, but he had the unusual favour shown him of remitting most if not all the fees.

Whilst these things were transacting in England, the lieutenant-governor, Mr. Stoughton, died, in May (1702), at his house in Dorchester. The administration for the first time devolved upon the council. Some manuscript minutes and letters, which we have seen, about the time and after the settlement of the charter, take it for granted, that upon the death or absence of the governor and lieutenant-governor, the senior counsellor would preside, and an instruction

from the crown has been given for that purpose; but the expression in the charter, if it will admit of this construction, does not favour it; we must not wonder, therefore, that twenty-seven counsellors did not readily give up their share in the administration to him that happened to be the eldest. It is a defect in the constitution, for although, for certain purposes, seven counsellors make a quorum, yet in all acts, as commanders in chief, it has been judged necessary that fifteen (or a majority of the whole number) should give their consent. This must be extremely inconvenient, especially in time of war, when despatch often, and secrecy sometimes, are of great importance.

Mr. Stoughton's father was esteemed by the people; he was commander in chief of the forces of the colony in the first war against the Pequot Indians, and after that many years a magistrate; and of a considerable estate for those times. This circumstance caused his own natural endowments, which were cultivated and improved by the best education the country afforded, to be more observed and valued. He was, in early life, a candidate for the ministry; but the people judged him proper to take his father's place as a magistrate; then employed him as their agent in England; and urged him a second time to engage in the same service. It is no blemish in his character that he had many opposers. Every man, who makes it more his aim to serve than to please the people, may expect it. From the observations he made in his agency, he was convinced it was to no purpose to oppose the demands of King Charles; and from the example of the corporations in England, he was for surrendering the charter rather than to suffer a judgment or decree against it. In such case a more favourable administration might be expected to succeed it, and in better times there would be a greater chance for re-assuming it. He consented to act as one of the council under Sir Edmund Andros, in hopes, by that means, to render the new form of government more easy. By this step he lost the favour of the people, and yet did not obtain the confidence of the governor, who would willingly have been rid of him, seldom consulted him, and by the influence he had over the majority of the council, generally carried the votes against his mind. He joined upon the revolution with the old magistrates, who made no scruple of receiving him, in re-assuming the government; but upon the election afterwards made by the people he did not obtain a vote. At the desire of the council and representatives he drew up a narrative of the proceedings of Sir Edmund and his accomplices, signed by him and several others of the council; in which they modestly take exception to many things in the administration, and exculpate themselves from any share in them. He was nine years lieutenant-governor, and six of them commander in chief; had experienced the two extremes of popular and absolute government; and not only himself approved of a mean between both, but was better qualified to recommend it, by a discreet administration, to the people of the province. He died a bachelor. Instead of children, he saw, before his death, a college reared at his expense, which took the name of Stoughton-hall. He had good reason to think it would transmit a grateful remembrance of his name to succeeding ages.

Sir Henry Ashurst and Constantine Phipps had continued agents for the province, in England, for ten years together. Divers attempts had been made by Mr. Mather's friends to send him again to Eng-

land in the service of the province; and after Mr. Stoughton's death the two houses came to a resolution to choose some person in the province, and send him to England as their agent; and a great interest was made that Mr. Mather might be the man; but it happened that Mr. Cooke, who had not forgot their former difference when joint agents, stood as well with the assembly at this time as he had ever done, and had influence enough to prevent Mr. Mather from succeeding. The choice fell upon Waitstill Winthrop, grandson to the first governor of the Massachusetts, and son to the first governor of Connecticut, and who, either out of respect to his family or for some other reason which does not now appear, was considered as president of the council, although there were many who, by priority of appointment, the rule generally observed, should have preceded him.

The French claim to the country east of the river Kennebeck, and to an exclusive fishery upon the sea coast, were the reasons publicly assigned for the choice of an agent at this time, and an address to the king had passed the council and assembly, and Mr. Winthrop's instructions were prepared. These proceedings of the French were really alarming. The professed reasons, however, were not the true reasons. Mr. Dudley's solicitations for the government were known, and although his interest in the province was increasing, yet a majority of the court had a very ill opinion of him. Mr. Winthrop was a good sort of man, and although he was of a genius rather inferior to either of his ancestors, yet he was popular, and the party against Mr. Dudley wished to have him governor. They flattered themselves that his being acceptable to the country would, together with his family and his estate, both which were of the first rate, be sufficient to recommend him, but they were mistaken. Winthrop was a plain honest man. Dudley had been many years well acquainted with the customs and manners of a court, and would have been more than a match for him. Just as he was about to embark, news came that Mr. Dudley was appointed governor, and Thomas Povey lieutenant-governor. The reason of Mr. Winthrop's appointment to the agency immediately appeared. The vote for his instructions was reconsidered, and his voyage laid aside. It was thought proper, however, that the address to the king should be forwarded. This was sent to Mr. Phipps. A second address accompanied it, occasioned by advice of a bill being brought into the House of Lords for dissolving charter governments. It is not probable that the Massachusetts charter was the special occasion of this bill. It differs so little from the commissions in the royal governments, as they are called, as not to be worth notice. About this time, or a little before, the spirit against the king had caused the re-assumption of many grants which he had made of private estates. If there was a special prejudice against colony charters, it is probable the charter to Pennsylvania was the most exceptionable. The proprietor was obnoxious, had absconded a few years before upon a suspicion of treasonable practices, and was still under a cloud. The Massachusetts instruct their agents as follows: "As to the bill said to be lying before the House of Lords, for the dissolving charter governments in the plantations, we intreat you to be very watchful in that matter, and use utmost diligence, by all convenient means, to prevent our being comprehended in or concluded by the same. Our circumstances are different from those of other plantations under charter government, our

first settlement being wholly at our own cost and charge, and by our present settlement we are already reduced to a more immediate dependence on the crown, his majesty having reserved to himself the nomination of our governor, lieutenant governor, and secretary, and a negative on our laws." In their address to the king they thus express themselves:—"And forasmuch as we are given to understand that, through the suggestions of some persons not well affected to charter governments, a bill has been preferred in the House of Lords for vacating charter and proprietary governments within your majesty's plantations, we in all submission crave leave humbly to pray your majesty's grace and favour towards your good subjects within this your province, that no such suggestions may make an impression in your royal breast to deprive us of those privileges which we enjoy under your majesty's most gracious grant, and that we may not be included in any such act to our prejudice, without having opportunity given us of being heard and speaking for ourselves." The bill was dropped in the House of Lords, and a war with France being every day expected, the longest sword was to determine the points complained of in the first address.

The sending these addresses to Phipps was grievous to Ashurst. Although he had not very shining talents, yet being a member of parliament, having a great family interest, and being an honest man and conscientious in the discharge of his trust, he had been very serviceable to the province. He had, however, the fate of most agents. As soon as the party against him found they were strong enough they left him out of the agency, and he made frequent complaints that they had slighted his services and neglected giving him an adequate reward. All the agents who had been employed before him, except Mr. Winslow, were unsuccessful; and several, probably for that reason, thought unfaithful. The first who were employed were Weld, Peters, and Hibbins, in 1640. They borrowed money for the service of the colony, and proper care not being taken by the government for the payment, these agents for several years after, were contending about the proportion in which they should pay it themselves.—Winslow, who went over in 1646, soon found more profitable employment, but his allowance was so scant from the colony, that the corporation for propagating the gospel among the Indians allowed him 130*l.* sterling for promoting that design, but wrote to the government that it ought to be restored. Bradstreet and Norton were sent in 1660. Norton laid the reproaches he met with so much to heart as to affect his health and shorten his life. In 1677, Stoughton and Bulkley were employed, and soon after their return it was said by those who charged Bulkley with too great compliance with court measures, that his sun set in a cloud. He died of melancholy. Stoughton was reproached, and although he had a majority of the court in his favour, he could not be prevailed on to risk his reputation a second time. Dudley and Richards were the next, in 1682. The former managed the whole business, and bore the whole blame, but being of a very different temper from some of his predecessors, instead of laying to heart the slight of his countrymen, he was politic enough to improve frowns at home to procure favours from abroad. Mather, Cooke, and Oakes were employed to solicit the restoration of the first charter. In this they failed. Mather without the consent of his brethren accepted the present charter, and although, at first, a majority of the court acknowledged

his merit, the opposite party soon after prevailed, and he failed of his expected reward, and complained all his life of the ingratitude of his countrymen, after having spent not only his time but part of his estate in public service. We would draw a veil over our transactions relative to agents, if the obligations due to truth would permit. Errors and failings, as well as laudable deeds, in past ages, may be rendered useful, by exciting posterity to avoid the one and to imitate the other.

From the arrival of Governor Dudley, in 1702, to the arrival of Governor Shute, in 1716.

Mr. Dudley was received with ceremony and marks of respect, even by those who had been his greatest opposers in the reign of King James. Winthrop, Cooke, Hutchinson, Foster, Addington, Russell, Phillips, Browne, Sargent, and others, who had been of the council which committed him to prison, where he lay twenty weeks, were of the council when he arrived. Upon such political changes a general amnesty is oftentimes advisable and necessary.

The affront and insult shown by Louis XIV., not only to the prince upon the throne, but to the English nation, in proclaiming another person king, had rendered a war with France inevitable, before the governor left England. The news of its being proclaimed arrived in a few weeks after him. Nothing less could be expected than a war with the Indians also. Ever since the peace, in 1698, the governor of Canada, by his emissaries, had been continually exciting them to hostilities; and justified himself upon this principle, that the Indians having cast themselves upon the French long since, as their protectors, and being proprietors of the eastern country, where the English had usurped a jurisdiction, which as far westward as Kennebeck rightfully belonged to the French, the English therefore were to be considered as intruders and invaders upon the jurisdiction of the French and upon the property of the Indians.

The governor, the first summer, visited all the eastern frontiers as far as Pemaquid; taking such gentlemen of the general court with him as he thought proper; met the delegates from the Indian tribes, and confirmed the former treaties which had been made. He had recommended, in his first speech to the assembly, the rebuilding the fort at Pemaquid; and the gentlemen who accompanied him east reported in favour of it, and their report was accepted by the council; but the house continued of the same mind they had formerly been, urging that all the money they could raise would be wanted for other services more necessary than that, and refused to comply with the governor's proposal. His heart was set upon it; the ministry continued their prejudice in favour of this particular spot, and it is not improbable that he had given himself encouragement he should be able to carry a point, which his predecessors could not, and therefore was the more mortified at the failure.

The Indians, upon the Massachusetts frontiers, continued quiet this year, but the Nova-Scotia Indians seized three of the fishing vessels belonging to this province, upon a report that war was declared. The council attempted to recover them, and by the interposition of Brillon, governor of Nova Scotia, two, if not the third, were restored.

(1703.) At the first election Mr. Dudley treated the house more cavalierly than Sir William Phipps or Lord Bellamont had ever done. After the list of counsellors elect had been presented, "A message was

sent from his Excellency to desire Mr. Speaker and the house forthwith to attend him in the council chamber; and Mr. Speaker and the house being come up, his excellency observed to them, that in their list of elections, presented to him, he took notice that there were several gentlemen left out who were of the council last year, who were of good ability, for estate and otherwise, to serve her majesty and well disposed thereto, and that some others who were new elected, were not so well qualified; some of them being of little or mean estate; and withal signified, that he should expunge five of the names in their list, viz., Elisha Cooke, and Peter Sargent, Esqrs., Mr. Thomas Oakes, Mr. John Saffin, and Mr. John Bradford, and dismissed the house, who returned to their chamber." Cooke had been of the council nine or ten years, had been assistant before the revolution, married a daughter of governor Leveret, and was allied to the best families in the province, had a better estate than the governor himself, but then he had been agent in England, and discovered greater zeal for prosecuting the complaints against Andros, Dudley, &c., than any of his fellow agents. Sargent had married the relict of Sir William Phipps. Oakes had been one of the agents in England also, and under the direction of Cooke. Saffin was a principal inhabitant of Bristol (the father of Thomas Saffin, of Stepney churchyard, whose memory the author of the Spectator has immortalized), and Bradford was grandson of the first worthy governor of Plymouth.

There had been but one instance of the governor's refusal of a counsellor, since the charter. The right of refusal could not be disputed. Had the power been frequently exercised less exception would have been taken to this instance; but the long disuse of it caused the re-assumption of it upon so many persons at once, to be more disagreeable. Oakes was of the house, and notwithstanding the negative as a counsellor, remained there; and if he could be of any consequence, this would add to his weight.

Lord Cornbury, governor of New York, some time in the month of May advised Mr. Dudley of an army of French and Indians, intending to make a descent upon Deerfield, in the Massachusetts province. The intelligence was brought to Albany by some of the praying or christianized Mohawks, who had been to visit their friends at Cagnawaga, in Canada, who formerly had belonged to the same village, about forty miles from Albany. This design was not immediately carried into execution.

Whilst every one was fearing hostilities from the Indians, several Englishmen, pretending friendship to Castine, son of the Baron de St. Castine, by an Indian woman, who now lived at Penobscot, plundered his house, &c., and made great spoil. Upon his complaint to the government, he was assured the action should not go without due punishment, and that restitution should be made. About the same time the Indians did mischief to some of the people of Kennebeck: which action was first cannot be ascertained. Perhaps neither of them was from resentment or revenge for the other.

Before the end of the year, the blow threatened in the beginning of it, was struck upon Deerfield. This was the most remote settlement upon Connecticut river, except a few families at Squakheag or Northfield adjoining to it. Deerfield, being easiest of access of any place upon the river, had often suffered by small parties. In 1697 an attempt was made upon it, but failed of success through the vigi-

lance and bravery of the inhabitants, with Mr. Williams their minister at their head. Colonel Schnyler, of Albany, had obtained information of the designs of the enemy upon it this year, and gave notice seasonable enough to put the people upon their guard. It was afterwards thought remarkable, that the minister had it strongly impressed upon his mind that the town would be destroyed. It would not have been very strange if this impression had never been off his mind. He warned his people of it in his sermons, but too many made light of the intelligence, and of the impressions which naturally followed. The government, upon his application, ordered twenty soldiers as a guard. The party, which had been fitted out at Canada, consisted of about 300 French and Indians, under Hertel de Rouville, who had four brothers with him; their father had been a noted partisan, but was now unable to take so long a march. They came upon the town the night after the 28th of February. In the fore part of the night, and until about two hours before day, the watch kept the streets; and then unfortunately went all to sleep. The enemy, who had been hovering about them, and kept continually reconnoitring, perceived all to be quiet, and first surprised the fort or principal garrison house. The snow was so high, in drifts, that they had no difficulty in jumping over the walls. Another party broke into the house of Mr. Williams, the minister, who, rising from his bed, discovered near twenty entering. He expected immediate death, but had the firmness of mind to take down a pistol, which he always kept loaded upon his tester, and to present it to the breast of the first Indian who came up to him. The pistol, fortunately for Mr. Williams, snapped only and missed fire. Had he killed the Indian, his own life no doubt would have been taken in revenge. Being, in effect, disarmed, he was seized and pinioned, and kept standing, in his shirt only, in that cold season, the space of an hour. In the mean time his house was plundered, and two of his children and a negro woman murdered. His wife and five other children were suffered to put on their clothes, and then he himself was allowed to dress and prepare for a long march.

Other parties fell upon other houses in the town, and slew about forty persons, and made about a hundred more prisoners. The sun being about an hour high, the enemy had finished their work, and took their departure, leaving all the houses, outhouses, &c. in flames. Mrs. Williams had scarcely recovered from her lying in, and was in a weak state.—The enemy made all the haste they could, lest a superior force should overtake them. The second day she let her husband know she was unable to travel any farther as fast as they did. He knew the consequence, and would gladly have remained with her and assisted her; but they had different masters, and leave could not be obtained, and he was carried from her, and soon after heard that her master had sunk his hatchet into her brains. One cannot easily conceive of greater distress, than what an affectionate husband must then have felt. About twenty more of the prisoners, in their travel towards Canada, gave out and were killed also. They were twenty-five days between Deerfield and Chamblie, depending upon hunting for their support as they travelled, Vaudreuil, the French governor of Canada, treated these prisoners with humanity; and although the Indians have been encouraged, by premiums upon prisoners and scalps to lay waste the English fron-

tiers, yet the captives, who have been carried to Canada, have often received very kind usage from the French inhabitants.

The unfortunate provinces of Massachusetts-bay and New Hampshire, were the only people upon the continent against whom the French and Indians, during a ten years' war, exerted their strength. Connecticut and Rhode-Island were covered by the Massachusetts. New York took care of themselves, and of the colonies south of them, by a neutrality which the Iroquois or six nations (influenced by those who had the direction of Indian affairs) engaged to observe between the English and French. This was, in effect, a neutrality between the French and the English governments to the southward of New England. Nothing could be more acceptable to the Canadians. The New England governments felt the terrible consequences. Charlevoix gives this account of it. "Teganissorens arrived, a little while after, at Montreal, and, in the conference which he had with the commander in chief, he appeared at first to be out of humour, which boded ill to the business he came upon. The Europeans, says he, are an out of the way people; after they have made peace, one with another, they go to war again, for mere nothing at all. This is not our practice; after we have once signed to a treaty there must be some very strong reasons to induce us to break it. He went on and declared that his nation should not engage in a war which they did not approve of, neither on one side nor the other. Mons. de Vaudreuil let Teganissorens know that he desired nothing further; and that the Iroquois might have no pretence to break so advantageous a neutrality, he determined to send out no parties towards New York." Again upon another occasion, "At all events, the six nations, and especially the Tsononheans were resolved strictly to observe the neutrality which they had sworn, and of which they began to feel the benefit; but you shall see that they were much set upon including the English, that they might be considered as mediators between them and us. Mr. Vaudreuil, who had very early seen through their design, had acquainted the court with it, and received for answer, that if he was able to carry on the war to advantage without putting the crown to any extraordinary expense, he should reject the proposals of the Iroquois; otherwise he might settle a neutrality for America upon the best terms he could, but that it was not for his majesty's honour that his governor and lieutenant general should be the first mover of it. The minister added, that he thought it would be most proper for the missionaries to let the Indians know that the French did not desire to disturb the peace of the country; that although they were very well able to carry on a vigorous war, yet they preferred the quiet of Canada to all the advantages they might reap from the superiority of their arms; and if the six nations, convinced that this was our disposition, should cause the English to ask a neutrality for their colonies, M. Vaudreuil might consider of it; but that he should not come to a conclusion without orders from the king."

It is true Charlevoix says, that "the Bostoners would have obtained the same thing from the Abenakis or eastern Indians." It is certain that the Massachusetts government would have been content (provided the eastern Indians had continued a peace with the English) that they should not be obliged to go to war against the French; but the Massachusetts, in all their treaties with the eastern Indians, made peace for the other governments as

well as for themselves; and hostilities against Connecticut or New York would have been deemed a breach of the peace, as well as those against the Massachusetts; whereas the New Yorkers, or rather the Albanians, suffered the Canada Indians to go through their province and fall upon any of the frontiers, without looking upon it to be a breach of the neutrality, and carried on great trade both with French and Indians, at the same time; and sometimes the plunder made in the county of Hampshire became merchandize in Albany. Some of the best people detested such proceedings, particularly Col. John Schuyler, of Albany; who, by means of the Indians of the six nations in the English interest, informed himself of the intended expeditions of the French and French Indians, and gave frequent notice to the people upon the frontiers to be upon their guard; but most of the inroads made upon it he had it not in his power to discover.

That the French might improve this plan to greater advantage, they drew off, about this time, a great number of the Abenakis families from Penobscot, Norridgewock Saco, Pigwacket, &c. and settled them at Becancour and St. Francois, in Canada, where they were known to the English by the name of St. Francois Indians. Here they were under the constant direction of the governor of Canada, and were sent out, from time to time, with parties of the six nations in the French interest and French Canadians, to massacre the men, women, and children upon the east and west frontiers. Charlevoix says, "they were intended as a barrier against the inroads of the six nations, in case of a future war between them and the French."

The Massachusetts, thus harassed and perplexed, thought it necessary to remain no longer on the defensive only; and, in the fall, sent out three or four hundred men to a noted settlement of the Indians at Pigwacket, and another party to the ponds, Ossapy, &c. upon the back of the eastern frontier; but neither party met with the enemy. Soon after, Colonel March going out with another party, killed and took about a dozen of the enemy. This measure not answering expectation; to encourage small parties of the English to go out and hunt the Indians, the general court promised a bounty or reward, no less than forty pounds, for every Indian scalp. Captain Twyng went out in the winter and brought in five.

(1704.) In the spring, another project was tried. About an hundred Indians were obtained from Connecticut and posted at Berwick, in the county of York; but these Indians were not only strangers to the woods, and wholly ignorant of the frontiers of Canada, but by long living in a depressed state among the English, were dispirited, enervated and unfit for this service, and nothing remarkable was effected. Had not the six nations been restrained, parties of them, harassing the French settlements, would have induced the French, for their own preservation, to have suffered the frontiers of New England, as well as New York, to have remained unmolested.

All these attempts failing, a still more expensive undertaking was agreed on. It was supposed that an army, to sweep the coast and country from Piscataqua river to Nova Scotia, would strike terror into the Indians and bring them to reason. Colonel Church, noted for his exploits in former wars, especially in Philip's war, was pitched upon to command in this expedition, and had orders to enlist as many as he could, both of English and Indians,

who had been in service before. This is called, by Charlevoix, an expedition against Port Royal; but Church was instructed not to make any attempt against the Fort there, and to ravage the country only. Mr. Dudley had intimations of the queen's intention, to send ships the next year for the reduction of that fortress.

Church had 550 soldiers under him, in fourteen small transports, and was provided with thirty-six whaleboats, and convoyed by the Jersey man of war, of forty-eight, the Gosport of thirty-two, and the Province Snow of fourteen guns. He stopped first at Montinicus, and sent two of his boats to Green-Island, where he took four or five French and Indians, who served him for pilots up Penobscot river and to the Indian settlements there. In this river he killed and took captive many of the enemy; among the captives were Castine's daughter and her children, her husband and father being gone to France, where Castine had an estate upon which he lived after he left America. The transports lay at Mount Desert. Church, having taken from them a fresh supply of provisions, went in the boats up the western Passimaquady. In the harbour he found only a French woman and her children, upon an island, and another family upon the main, near to it. He then went up the river, where he took prisoners, Gourdon a French officer and his family, who lived in a small cottage. Church seeing some of his men hovering over another hut, he called to them to know what they were doing; and upon their reply, that there were people in the house who would not come out, he, hastily, bid his men knock them on the head; which order they immediately observed. He was much blamed for this, after his return, and excused himself but indifferently. He feared the enemy might fall upon his men, who he saw were off their guard, which put him in a passion. He went as high up the river as the falls, taking or destroying all in his way; missed Chartiers, another French officer who lived or was posted there. The transports took in the forces at the harbour or mouth of the river and carried them to Menis; the men of war standing for Port-royal. At Menis, he met with some opposition, the enemy firing from the banks as he rowed up the river to the town; but he lost none of his men. They found plenty, not only of fresh provisions but good liquor in the town, which occasioned such disorders among the men, especially the Indians, that it was necessary to stave all the casks which had an wine or spirits in them, and it was done accordingly. Here, the lieutenant of Church's own company, Barker (Charlevoix calls him the lieutenant general) and one man more were shot down, which were all that were lost in the expedition. After plundering the inhabitants of all their goods, they set the town on fire, and then embarked on board the transports. The inhabitants of a village, upon another branch of the river, supposed the English to be gone, and that they should escape; but Church went back with his boats, and, going up this branch, came unexpectedly upon the village and took what prisoners he had a mind to, and among the rest, two gentlemen who had been sent by the governor of Port-royal to bring two companies of soldiers for the defence of the place against the men of war which appeared in the gut. Church gave the gentlemen leave to return, for the sake of sending a message by them to the governor, to desire him to acquaint the governor of Canada, that if he did not prevent his French and Indians from committing such barbarities upon poor helpless

women and children, as the people of Deerfield had suffered the last year, he would return with a thousand Indians and let them loose upon the frontier of Canada to commit the like barbarities there. This the French governor must know to be a gas conade.

The forces, after this, went up what is called the eastern river and destroyed the settlements there, and then returned to the transports, and joined the men of war at Port-royal; where it was agreed, both by sea and land officers, that no attempt should be made. The men of war returned to Mount Desert harbour, and Church with his transports, went up to Chignecto. The inhabitants all fled, taking with them as much of their substance as they could carry away; the rest they left to the mercy of the English, who laid all waste. From Chignecto they went to Mount Desert; the men of war being gone to Boston, the transports followed; and stopping at Casco-bay, Church found orders lodged there, from the governor, to go up Kennebeck river as far as Norridgewock fort; but having intelligence that it was deserted and his men having undergone much fatigue, he thought it best to return home.

This expedition Mr. Dudley supposes, in his speech to the assembly, struck great terror into the Indians, and drove them from the frontiers; but it appears from Church's journal, that the poor Acadians, who had been so often ravaged before, were the principal sufferers now, and that the Indians were little or nothing annoyed.

An exploit of Caleb Lyman of Northampton, deserves to be recorded. Hearing of a small party of Indians at Cohass, far up Connecticut river, he went out with only five friend Indians, and, after nine or ten days travel, came upon the enemy Indians in the night, killed seven out of nine, and the other two escaped, but wounded.

This may be placed among the favourable years; but the frontiers were not without annoyance. In April an Indian scout killed Edward Taylor at Lamprey river and carried his wife and child to Canada; Major Hilton with twenty men pursuing without overtaking them. They lay in wait to take Major Waldron at Cochecho, but missed him, carrying off one of his servants in his stead. July 31. About four hundred, French and Indians, fell upon Lancaster, and assaulted six garrison houses at the same time, which made a brave defence. They burned many other dwelling houses and the meeting house. An alarm was soon spread, and three hundred men were in the town before night, who engaged the enemy with some loss on both sides. The beginning of August, a party of the enemy, lying in wait, fired upon a small scout going from Northampton to Westfield, killed one man and took two prisoners; but more of the forces being behind, they came up, retook the two men, and killed two of the Indians. Soon after, they killed lieutenant Wyler and several others at Groton, and at a plantation called Natheway.

Almsbury, Haverill and York, in the Massachusetts and Exeter, Dover and Oyster river, in New-Hampshire, suffered more or less, this summer, by the enemy.

The licentious practice, indulged among the seamen, of making depredations upon foreign nations in the east and west Indies was not wholly suppressed. John Quelch (who had been master of the brigantine Charles, and had committed many piratical acts upon the coast of India) came with

several of his crew and landed, some in one part of New England, some in another. Quench and six more were condemned at Boston and executed. Some were admitted to be witnesses for the king, some reprieved, and some pardoned. The governor, upon this occasion, found old prejudices against him reviving. Reports were spread, of large sums of money falling into the hands of the governor and of his son, the queen's advocate, which however groundless easily obtained credit.

Mr. Dudley's principles, in government, were too high for the Massachusetts people. He found it very difficult to maintain what appeared to him to be the just prerogative of the crown, and at the same time to recover and preserve the esteem of the country. The government had been so popular under the old charter, that the exercise of the powers reserved to the crown by the new charter was submitted to with reluctance. Sir William Phipps was under the influence of some of his council and some of the ministers of note, and suffered remains of customs under the old form, hardly consistent with the new. Mr. Stoughton expecting every day to be superseded, avoided all occasions of controversy. Lord Bellamont, indeed, in some instances, assumed more than he had right to. His quality and the high esteem, at first, conceived of him, prevented any controversies, during his very short administration. Mr. Dudley set out, with resolution, to maintain his authority. The people were more jealous of him than they would have been of any other person. His negating five of the council, the first election, was an unpopular stroke. The next year (1704) the two houses chose again two of the negated persons, Mr. Cooke, and Mr. Sargent, and the governor again refused to approve of them. They were such favourites of the house, that the speaker, the house being present, addressed his excellency and prayed him to reconsider his negative, and to approve of the choice. This was out of character, and the house dishonoured themselves and had the mortification of being denied. This year, neither of the persons were chosen of the council, but one of them, Mr. Oakes, being chosen speaker of the house, upon the governor's being acquainted therewith, he signified to the house that he disapproved of their choice, and directed them to proceed in the choice of another, which they refused to do. It had been always the practice, for the governor to give directions to the two houses to proceed to the choice of counsellors; but the dispute about the speaker prevented it at this time, the council inserted themselves, and the question being put, whether it was in the governor's power, by virtue of the charter, to refuse the election of a speaker and direct the choice of another, they determined it was not, and immediately joined the house in electing counsellors. The next day the governor declared, that he looked upon it to be her majesty's prerogative to allow or disallow the choice of a speaker, but he would not delay the assembly by disputes, when the affairs of war were so pressing, saving to her majesty her just rights at all times.

The governor had it in special command to recommend three things to the assembly; the rebuilding the fort at Permaquid; the contributing to a fort at Piscataqua; and the establishing honourable salaries for the governor, lieutenant governor and judges of the courts. He had been pressing these things from his first arrival, but could obtain neither of them, and as to salaries, they not only refused fixing a salary, but allowed him only £500 per

annum, viz. 300 of it in the spring and 200 in the fall. To the lieutenant governor they gave £200 annually, as lieutenant governor and captain of the castle; and although it was more than any lieutenant governor has received since, yet he found it insufficient to support him, and this year, by the way of Lisbon, went back to England, and never returned to the province. A message from the house this year to the governor, though not very elegant, shews the sense they had of these matters.

"May it please your excellency,

"In answer to those parts of your excellency's speech, at the beginning of the session, referring to her majesty's directions for the building of a fort at Permaquid, contributing to the charge of a fort at Piscataqua, and settling of salaries, we crave leave to offer,

"Imprimis, as to the building a fort at Permaquid, we are humbly of opinion, that her majesty hath received misrepresentations concerning the necessity and usefulness of a fort there; wherefore, this house, in their humble address to her majesty, dated the 27th of March 1703, and since twice repeated, did among other things lay before her majesty our reasons why we could not comply with her expectations in that affair, as

"First, the little benefit said fort was to us, not being, as we could discern, any bridle to the enemy or barrier to our frontiers, being out of the usual road of the Indians and a hundred miles distant from any English plantation; and seemed only to make an anchorage for a few fishing boats, that accidentally put in there; but the expense thereon was very great, not less than twenty thousand pounds.

"Secondly, the charge of the said fort will be such that we cannot see how the province can possibly sustain it, having already laid out several large sums of money in raising new fortifications at Castle Island, &c., which was set forth in the address and memorial accompanying the same; but we understand we have been so unhappy, as that the said address and memorial did not reach her majesty's hands, because proceeding from this house alone, although the addressing her majesty is a privilege ever allowed to the meanest of her subjects. We did therefore at our session in February last join the council, in making our humble address to her majesty upon the affair aforesaid, which we hope, hath some time since arrived to her majesty's favorable acceptance.

"The second article is the contributing to the charge of Piscataqua fort.—The fort in that province was built several years past, when it was not desired or thought necessary that this province should assist them therein. The late reforms and reparations made of the same, as we have been informed, stands that whole province about the sum of five hundred pounds, which doth not amount to the quota of several particular towns within this province, towards the charge of the war one year; and all the navigation and trade of this province, coming down Piscataqua river, have been charged with a considerable duty towards the support of that fort; and this province hath always afforded such guards as were needful for their haling of masts, timber, &c. for her majesty's service, whilst the principal benefit and advantage of the trade hath accrued to that province. And they have never contributed any thing to the charge of our forces, forts, and garrisons, or guard by sea, that are as great a safety and defence to them as to ourselves; but the public charge of that

government has been much less proportionably than the charge of this; which being considered we hope no assistance will be expected from us towards the charge of the said fort.

"Thirdly, as to the settling fixed salaries, the circumstances of this province, as to our ability to support the government, are at times so different, that we fear the settling of fixed salaries, will be of no service to her majesty's interest, but may prove prejudicial to her majesty's good subjects here: and as it is the native privilege and right of English subjects, by consent of parliament, from time to time, to raise and dispose of such sums of money as the present exigency of affairs calls for; which privilege we her majesty's loyal and dutiful subjects have hitherto lived in the enjoyment of, so we hope and pray always to enjoy the same under our most gracious sovereign and her successors."

The governor then proposed the several matters to the council.

- 1st. Whether they advised to the building a fort at Peramquid.
- 2d. Whether they advised to a contribution towards the charge of Piscataqua fort.
- 3d. Whether they advised to the settling a fixed salary to the governor and lieutenant-governor for the time being.

And, they gave a negative answer to each question.

It was a great disappointment, to be able to carry neither of these points, which the ministry were very much set upon, and which it is not improbable they were encouraged might be obtained. Had they been matters less unpopular, yet the governor's weight, at this time, would have scarce been sufficient to have carried them through. The prejudices against him were great. The people in general looked upon him as an enemy, even to the privileges of the new charter. Sir Henry Ashurst procured an original letter, wrote by the governor's son Paul, who was then an attorney general, to Mr. Floyd, and sent it to New-England, in which were these expressions, "The government and college are disposed of here in chimney corners and private meetings, as confidently as can be—this country will never be worth living in for lawyers and gentlemen, till the charter is taken away.—My father and I sometimes talk of the queen's establishing a court of chancery in this country. I have wrote about it to Mr. Blathwait." Copies were dispersed about the province, and the letter was soon after printed. Mr. Dudley had no rest the first seven years; besides the opposition he met with in his administration, endeavours were using, soon after his arrival, to supplant him, and his enemies prevailed upon Sir Charles Hobby (who had been knighted as some said for fortitude and resolution at the time of the earthquake in Jamaica, others for the further consideration of £800 sterling) to go to England and solicit for the government. He was recommended to Sir H. Ashurst, who at first gave encouragement of success. Hobby was a gay man, a free liver and of very different behaviour from what should have recommended him to the clergy of New-England; and yet, such is the force of party-prejudice, that it prevails over religion itself, and some of the most pious ministers strongly urged, in their letters, that he might be appointed their governor instead of Dudley.

The governor, this year sent Mr. Livingston, William Dudley, the governor's son, and two or three other gentlemen, to Canada, for the exchange of prisoners; who brought back with them Mr. Williams

the minister and many of the inhabitants of Deerfield with other captives. Vaudreuil, the French governor, sent a commissioner to Boston, with proposals of neutrality, which were communicated to the general court, who did not think proper to take any steps towards effecting it. They wished and hoped instead of a neutrality for the reduction of Canada; whereas the employment given to the French strength in Europe might well cause Vaudreuil to fear the want of protection, and dispose him to secure himself by a neutrality. Dudley, however, kept the matter in suspense with Vaudreuil for some time; and to the policy of his negotiation it was owing, that the people upon the frontiers enjoyed remarkable tranquility, and he valued himself upon it in his speech to the general court. Charlevoix says, "it was evident Mr. Dudley had no intention to agree, that he was a long time in treaty, and at length declared that he could come to no agreement without the consent of the other English colonies; and thereupon Vaudreuil caused hostilities to be renewed against the people of New England. He adds, that the Canadians were much dissatisfied with their governor, for suffering Mr. Dudley's son to remain some time at Quebec, under pretence of finishing the treaty, and for permitting a New England brigantine to go up and down the river."

Another negotiation, the next year, had a less desirable effect. William Rowse was sent in a small vessel, to Nova Scotia, as a flag of truce. He stayed there a long time, and brought back only seventeen prisoners. Being sent a second time, he brought no more than seven. Much greater numbers were expected, considering the time spent in procuring them. Upon his last return, it was charged upon him, that instead of employing his time in redeeming captives, he had been trading with the enemy and supplying them with ammunition and other stores of war. Rowse, upon examination, was committed to prison. Samuel Vetch, afterwards Colonel Vetch, and governor of Nova Scotia; John Borland, a merchant of note in Boston, and Roger Lawson, were all apprehended and examined, and bound to answer at the superior court. There was a general clamour through the province; and it was whispered about that the governor was as deeply concerned as any of the rest, and such reports against a governor as easily obtain credit, with many, without ground, as with. The house of representatives took the first opportunity of satisfying themselves. It was suggested there, that the superior court had no cognizance of the offence; and, that admitting Nova Scotia to be part of the province, yet it was not within the bounds of any country, and there was no authority, but the general court, that could punish it. The carrying the goods from Boston and the conspiracy there, were not considered. Besides, no persons could be supposed to have the public interests so much at heart, and none so likely to search to the bottom. They thereupon resolved, that the superior court had not jurisdiction, and that a parliamentary enquiry was necessary; and, in imitation of the house of commons, they framed articles of accusation and impeachment against the several persons apprehended, for traitorously supplying the queen's enemies, &c. These were signed by the speaker, and sent by a committee to the council (June 25) praying "that such proceedings, examinations, trials, and judgments may be had and used upon and relating to the said persons as is agreeable to law and justice." It was expected that the council should proceed, as the house of lords do upon an impeachment. No

wonder the council did not immediately proceed. In trying a capital offence, it became them to be well satisfied of their jurisdiction. No notice is taken of the affair in the council books for above a fortnight. The governor sat every day in council, and he still continued the practice of directing, every day, upon what business the council should proceed. It having been reported, that the house, in their examination of the prisoners, enquired how far the governor was concerned; on the 9th of July they passed a vote, vindicating themselves from an aspersion cast upon them, as having, in the examination of the prisoners, made it the first question, whether the governor was not concerned with them in the unlawful trade; wickedly insinuating, that the house had suspicion thereof, which they declared to be utterly false; and they thanked his excellency for his utmost readiness and forwardness, upon all occasions, in detecting and discouraging all such illegal trade and traders. For this the governor gave them thanks.

Before the 13th of July, the house were either convinced that the form of proceeding was irregular, or else that they could not support the charge of high treason, and ordered a bill to be brought in for inflicting pains and penalties; some moved for a bill of attainder, but the court being near rising, a message was sent to the governor, desiring that the prisoners charged might be kept in close custody, until the next session, in order to further proceeding against him.

At the next session, a few weeks after, the persons charged with two or three other accomplices of less note, were brought upon trial before the whole court; the governor's son, Paul Dudley, the queen's attorney, supporting the charge. The prisoners were heard by counsel in their defence. The court pronounced them all to be guilty, and then proceeded to determine their punishment. A committee of the two houses reported a fine of £1000 on Mr. Borland and three months' imprisonment; £350 on Roger Lawson and three months' imprisonment; £400 on Samuel Vetch and one year's imprisonment; £1000 on William Rowse, one year's imprisonment and incapacity of sustaining any office of public trust; £100 on John Philips, jun. and one year's imprisonment; and £100 on Ebenezer Coffin. The house accepted this report, with an addition to Rowse's punishment, that he sit an hour upon the gallows with a rope about his neck; but the board disagreed to and reduced all the fines except Rowse's, and rejected the infamous part of his punishment. After a conference between the two houses, they settled the penalties as follows, viz. on Vetch a fine of £200; Borland £1100; Lawson £300; Rowse £1200 and incapacity; Philips £100; and Coffin £60: all to stand committed until the fines and costs of prosecution were paid; and six separate acts passed the whole court for these purposes. By a clause in the charter, the general court is empowered to impose fines, imprisonments, and other punishments, and in consequence of this clause the proceeding was thought to be regular; but the queen did not think so, and these acts were disallowed. The governor was under a disadvantage, any obstruction to the two houses would have been improved as an evidence of the truth of the reports of his being *particeps criminis*; his compliance did not satisfy the people. An ill impression against persons in authority is not easily effaced. Several persons, some in Boston, but more in London, signed a petition, full of invectives against the governor, which was presented to the queen. Upon information of this petition, the council and house of representatives

passed votes, declaring their sense of the injury done the governor by the persons signing this petition or address. Mr. Higginson, who was at the head of the petitioners, was originally of New England, and educated at Harvard College, afterwards he travelled to the East Indies, and upon his return became a merchant in London, he was also a member of the corporation for propagating the Gospel among the Indians of New England, &c., and had so much interest, that some persons of note, by their letters, signified that they thought the two houses impolitic in the severity of their expressions, which, from being their friend, might at least cause him to become cool and indifferent.

Besides this petition, a pamphlet from New England appeared about the same time in London, charging the governor with treasonable correspondence, and it was expected that his enemies would prevail. Mr. Povey wrote to him from London; that he must prepare to receive the news of being superseded; but he was so fortunate, as either to convince the queen and her ministers of his innocence, or by some other means to allay the storm which had been raised against him. The charge of supplying the enemy with ammunition is incredible. Those persons who were convicted, had he been an accomplice, would have discovered him. He left them to suffer such punishment as the court thought proper to inflict. There was no certainty that the acts would be repealed, and after they were repealed, some remained long in prison; Rouse lay there eighteen months, unable to find security. The whole that appeared upon the trial, was an invoice for a quantity of nails, which, at the request of the governor of Port Royal, Mr. Dudley allowed to be shipped. This was foundation enough, though in no degree criminal, to give rise to all the calumny. It is not improbable, from the remonstrance of Mr. Sewall, who was a person of great integrity, that connivance might be shown as to some supplies of merchandise, and that this indulgence might be abused to the supply of powder, shot, &c., contrary to the governor's mind. It was the general opinion, that, without these supplies, the French could not have proceeded in their expedition against Newfoundland, where the harbours this year were much spoiled, and great loss and damage was sustained, not by the Europeans only, but by the New Englanders, who had then large commerce there.

That we might finish what relates to this prosecution, which was a subject of notoriety for many years after, we have been led a year or two forward. We meet with no remarkable devastations by the Indians in 1706; but in April 1706, they renewed their inroads and murdered eight or ten people in one house at Oyster River. There was a garrison house near, where the women of the neighbourhood had retreated, their husbands being abroad at their labour, or absent upon other occasions. This house being attacked, the women put on their husbands' hats and jackets, and let their hair loose, to make the appearance of men; and firing briskly from the openings, saved the house and caused the enemy to retreat.

Colonel Schuyler gave intelligence of two hundred and seventy men having marched from the frontiers of New Canada, which was an alarm to all the frontiers of New England; for it was uncertain upon which part they would fall. They made their first appearance upon Merimack River, about Dunstable, surprised and burned a garrison house there in which twenty soldiers were posted, and did other

mischievous. Five of their Indians, probably from the same party, ventured down as far as Reading, about fifteen or eighteen miles from Boston, surprised a poor woman, who had eight children with her in a lone cottage, killed the woman and three of the children, and carried away the rest; but the distant inhabitants were alarmed time enough to overtake them in their retreat, and recovered three of the children. Chelmsford, Sudbury, Groton, Exeter, Dover, and other plantations, had more or less of their people killed or taken; some of the latter they murdered before they could reach Canada, others very narrowly escaping. A poor woman, Rebecca Taylor, after the misery of a long travel to St. Lawrence River, near to Montreal, having offended her Indian master, he took off his belt and fastened one end of it round her neck, and threw the other over the limb of a tree; but the weight of her body broke the limb. He was making a second attempt, when the noted Bomazeen came by and rescued her. In their march, their hunting failing, they were kindling a fire to roast a child of one Hannah Parsons, when a strange dog, falling in their way, supplied the child's place. A Groton soldier, Samuel Butterfield, defended himself bravely, and killed one of their chiefs. This occasioned a dispute about the kind of punishment, some being for burning alive, others for whipping to death. It was left to the dead man's widow to determine it. She told them, that if killing the prisoner would bring her husband to life, she cared not what kind of death he suffered; but if not, she desired to have him for a slave, and her request was granted.

It appears, by the French accounts, that the Indians themselves were tired of the war, and with great difficulty were prevailed upon to continue it. To encourage them, a noted chief, dreaded by the English upon the frontiers, from the report of his cruelties, Nescambouit, was about this time sent by M. Vaudreuil to France, to receive his reward from the king himself. Upon his appearance at court, he held out his arm and bragged, that with that arm he had slain one hundred and fifty of his majesty's enemies. The king was so much pleased, that, as was then reported, he knighted him, and settled a pension of eight livres a day for life.

Charlevoix attributes the distress of the New Englanders to their refusal of a neutrality, "The Abenakis continued to lay New England desolate; Mr. Dudley either being unwilling or afraid to accept the neutrality which had been proposed for that province. He was much affected with the state of the inhabitants, who were no longer able to improve their lands, which were continually ravaged by the Indians, and he thought the only way to put an end to this distress was to extirpate the French from Acadia."

1707. Dudley depended upon the French being extirpated from Canada, as well as Acadia, or he would have been glad of a neutrality, if he could have had the queen's leave to agree to it. It was known, that an armament was intended, this year, from England against the French, either in Canada, or Acadia, or both. Troops were actually destined for this service, and general Macartney was to have commanded; but the battle of Almanza, in Spain, made such an alteration in affairs, that the troops could not be spared, and the expedition was laid aside. The Massachusetts would have been ready with the forces expected from them; and it was determined, early in the spring, that such a number

of men should be raised, as might be sufficient for the reduction of Acadia, although no assistance came from England. At least the other parts of Nova Scotia might be ravaged; but for Port Royal, it was doubted whether it could be subdued: however, the fortress there was "to be insulted, if by a council of war it should be found practicable."

One thousand men it was resolved should be raised in the Massachusetts, and proposals were made to New Hampshire, Connecticut, and Rhode Island, to join. Connecticut declined. The other two governments assisted, and Mr. Dudley, in his speech to the assembly, acknowledges that he had received a very honourable assistance from Rhode Island, and a proper force from New Hampshire. The naval force was barely sufficient for convoy, there being only the Deptford man-of-war, Captain Stukeley, and the province galley, captain Southack. The command of the land forces was given to colonel March, who had behaved well at Casco fort and upon some other occasions; but had never been tried in any service where other talents besides mere natural bravery were necessary. The fleet sailed from Boston the 13th of May, and arrived the 26th at Port Royal. March immediately landed with seven hundred men on the harbour side; colonel Appleton with three hundred men landing on the other side. The next day, as March with his men was advancing towards the fort, he discovered about two hundred of the enemy, with Subercas, the governor, at their head, near the top of a hill. A short skirmish ensued, and Subercas had his horse killed under him; but the numbers being very unequal the French soon retreated, leaving two of their number killed, and having wounded three of the English. On the 29th, Appleton and his three hundred men were attacked by a body of Indians, joined by about sixty Canadians who had arrived just before to man a privateer which lay in the harbour. They killed two of the English and then retreated. All the inhabitants forsook their houses and retired to the fort, which was well garrisoned. They made a continual fire with cannon and mortars upon the English camp; but wanting skilful engineers, very few of them fell so as to cause any destruction. The Indians, upon every quarter skulking about, shot any man who ventured without the camp. It is evident that the forces were very diffident of success from their first landing; and the army would in a great measure have saved their reputation, if, in conformity to the vote of the court for engaging in the expedition, they had, at a council of war determined not to attack the fort, and proceeded to ravage the country. Some intelligence which they had received of the disposition of great part of the garrison to revolt, seems to have encouraged them more than any hopes they had of being able to reduce the place by a regular siege or sudden attack. The 13th of May, at a council of war, it was agreed, "that the enemy's well disciplined garrison in a strong fort, was more than a match for a raw undisciplined army." They opened their trenches notwithstanding, and in three or four days they had made some breaches, and determined upon a general assault; but advancing towards the fort and finding no deserters come over, they altered their minds, and the 6th or 7th of June the whole army were re-embarked. Colonel Redknapp (the engineer) and colonel Appleton went to Boston for further orders; the rest of the army to Casco Bay. A great clamour was raised at Boston against March and

Wainwright, and letters were sent them from thence, some anonymous, vilifying them as cowards and deserving the gallows. They charged Appleton with being the first for decamping, but own it would have been to no good purpose to have remained; as there was no prospect of carrying the fort. Captain Stukely, of the Deptford, gave an account of the strength of the place, and added, that he had hoped the fighting men at Boston, who had wrote so many scurrilous, vilifying letters, without names, would be satisfied, that regular, well fortified, and well defended forts, are not to be taken by raw men; and he was very certain that 1,500 of the best of them would come back as the army had done.

Mr. Dudley, notwithstanding the diffidence expressed, thought of nothing short of the reduction of Port Royal from the beginning; and after so great an expense in raising such an armed force, he was unwilling to give over the design, and sent immediate orders for the forces to remain where they were whilst he considered of further measures. March was beloved by the soldiers; besides, his courage was not suspected, although his capacity for a general was called in question. It was not, therefore, thought proper to recall him, and to appoint a general officer over him would be as exceptionable. An expedient was therefore thought of, which was suggested perhaps by the practice of the Dutch. Three gentlemen of the council were to be sent to the army, with as full powers to superintend and direct the proceedings as the governor himself would have had if present in person. Colonel Hutchinson, colonel Townsend, and Mr. Leverett, were selected for this purpose; and they embarked in the middle of July with about one hundred recruits and several deserters, who had left the army at Casco. Upon their arrival, they found parties formed among officers and men, no subordination, a coldness in the officers, and an aversion in the privates, to a return to the ground they had left. But it seems, the governor had made a point the army should go back.

A round robin was signed by a great number, peremptorily refusing to go to Port Royal; but the ringleaders being discovered and secured, whilst their sentence was under consideration, the rest submitted, and the ships of war and transports sailed. They stopped at Passimaquadi, about the 7th of August. March's spirits were broke and his health affected, so that, when the disposition was made for landing the army, he declared himself incapable of acting, and the command was given to Wainwright, the next officer. The 10th of August they crossed over to Port Royal, where they landed, but on the opposite side to the fort, and in every respect, in a much worse condition than before. The nights were growing cold, the men sickening, and the army in general, incapable of sustaining the fatigues of a siege. Wainwright's letter to the Commissioners, August 14th, shows the state they were in. "Our not recovering the intended ground on the opposite side is a mighty advantage to the enemy, in that they have opportunity, and are improving it, for casting up trenches in the very place where we designed to land and draw up our small forces. Yesterday, the French, about eight of the clock forenoon, on the fort point, with a small body of St. John's Indians, began to fire on our river guards, and so continued until about three in the afternoon: then appeared about one hundred Indians and French, upon the same ground, who kept firing at us until dark. Several were shot through

their clothes, and one Indian through the thigh. About four in the afternoon I suffered a number of men, about forty or fifty, to go down to the bank of the river, to cut thatch to cover their tents. All returned well, except nine of captain Dimmock's men, who were led away by one Mansfield, a mad fellow, to the next plantation to get cabbages in a garden, without the leave and against the will of his officer. They were no sooner at their plunder but they were surrounded by at least one hundred French and Indians, who in a few minutes killed every one of them, their bodies being mangled in a frightful manner. Our people buried them, and fired twice upon the enemy; on which they were seen to run towards our out-guards next the woods, which we immediately strengthened. Indeed, the French have reduced us to the same state to which we reduced them at our last being at Port Royal; surrounded with enemies, and judging it unsafe to proceed on any service without a company of at least one hundred men. I shall now give you a short account of the state of our people, truly, as delivered me by doctor Ellis. There is a considerable number of them visited with violent fluxes, and although we have things proper to give them, yet dare not do it; others taken with mighty swellings in their throats; others filled with terror at the consideration of a fatal event of the expedition, concluding that, in a short time, there will not be well enough to carry off the sick.

"I am distressed to know which way to keep the Indians steady to the service. They protest they will draw off, whatever becomes of them. It is truly astonishing, to behold the miserable posture and temper that most of the army are in, besides the smallness of our number, to be attacked by the enemy which we expect every moment.

"I am much disordered in my health by a great cold. I shall not use it as an argument to be drawn off myself; but as you are masters of the affair, lay before you the true state of the army, which indeed is very deplorable: I should much rejoice to see some of you here that you might be proper judges of it.

"If we had the transports with us, it would be impossible, without a miracle, to recover the ground on the other side, and I believe the French have additional strength every day. In fine, most of the forces are in a distressed state, some in body, and some in mind, and the longer they are kept here on the cold ground the longer it will grow upon them, and, I fear, the further we proceed the worse the event. God help us."

Captain Stukely had given encouragement, that he would lead on an hundred of his own men; but the bad state of affairs caused him to change his mind, and he had drawn them off before the date of this letter.

The army continued ashore until the 20th, when they re-embarked. The enemy then attacked them, many of whom were killed and wounded, and finally put to flight. The French say that both retreated by turns. Each seem to have been glad to be rid of the other. About sixteen were killed in the whole expedition, and as many wounded. The French, finding so few dead bodies, supposed the Massachusetts threw them into the sea.

When the forces returned, Mr. Dudley put the best face upon their ill success. In his speech to the assembly, he says, "Though we have not obtained all that we desired against the enemy, yet we are to acknowledge the favour of God in pre-

serving our forces in the expedition, and prospering them so far as the destruction of the French settlements and estates, in and about Port Royal, to a great value; which must needs distress the enemy to a very great degree."

A court martial was judged necessary, and ordered, but never met. The act of the province, for constituting courts martial, made so many officers requisite, that it was found impracticable to hold one. This must be owing to the great number of persons charged, the remainder being insufficient to try them.

1708. Whilst the forces were employed against French, the Indians kept harassing the frontiers. Oyster River, Exeter, Kingston, and Dover in New Hampshire government, and Berwick, York, Wells, Winter Harbour, Casco, and even the inland town of Marlborough, in the Massachussetts, sustained loss. The winter following passed without molestation. In the spring, 1708, Mr. Littlefield, the lieutenant of Wells, travelling to York, was taken and carried to Canada. For several months after, the enemy seemed to have forsaken the frontiers. It afterwards appeared, that they were collecting their forces in Canada for some important stroke.

Schuyler had such influence over the French Mohawks, who kept a constant trade with Albany, that they inclined to a more general peace with the English than merely those of New York. The French discovered their indifference, and to keep them engaged, a grand council was called at Montreal, the beginning of this year, and an expedition was agreed upon, in which were to be employed the principal Indians of every tribe in Canada, the Abenakis Indians, and one hundred select French Canadians, and a number of volunteers, several of whom were officers in the French troops. They were to make to him the whole four hundred men.

De Chailions, and Hertel de Rouville (the same who sacked Deerfield) commanded the French, and La Perriere the Indians. To give the less alarm to the English, the French party, with the Algonquin and St. Francois and Huron Indians, marched by the way of the river St. Francois: La Perriere and the French Mohawks went by lake Champlain: They were to rendezvous at lake Nikisipique, and there the Norringewock, Penobscot and other eastern Indians were to join them. They all began their march the 16th July, but the Hurons gave out and returned, before they arrived at St. Francois river. One of them had killed his companion, by accident, which they thought an ill omen and that the expedition would prove unfortunate. The Mohawks also pretended, that some of their number were taken sick by an infectious distemper which would be communicated to the rest, and they returned. Vaudreuil, when he heard these accounts, sent orders to his French officers, that, although the Algonquin and St. Francois Indians should leave them also, yet they should go on and fall upon some of the scattered settlements. When the Indians were tired of murdering poor helpless women and children, Vaudreuil employed his French officers to do it. Those Indians, however, did not leave them, and, being about 200 in all, they marched between four and five hundred miles through the woods to Nikipisque, where they found none of the eastern Indians. This was a happy disappointment for the English. Had the whole proposed number rendezvoused there, Newbury, or perhaps Portsmouth, might have been surprised and destroyed; but, the army being thus reduced Haverhill, a small but compact village was

pitched upon. Intelligence had been carried to Boston, that an army of 800 men was intended for some part of the frontiers, but it was uncertain which. Guards were sent to Haverhill, as well as other places; but they were posted in the most exposed parts of the town and the enemy avoided them, or passed undiscovered, and, on the 29th of August, about break of day, surprised the body of the town, adjoining to Merrimack river, where were twenty or thirty houses together, several of which they burned, and attempted to burn the meeting-house, but failed. The rest of the houses they ransacked and plundered. Mr. Rolfe the minister, Wainwright the captain of the town, and thirty or forty more, the French say about 100, were killed, and many taken prisoners. Mr. Rolfe's maid jumped out of bed, upon the alarm, and ran with his two daughters of six or eight years old into the cellar, and covered them with two large tubs, which the Indians neglected to turn over and they were both preserved. Three very good officers were at that time in the town, Major Turner, Capt. Price and Capt. Gardner, all of Salem, but most of their men were posted at a distance, and, before any sufficient number could be collected, the mischief was done. The enemy, however, was pursued, overtaken and attacked, just as they were entering the woods. The French reported, when they got back, that they faced about, and that the Massachussetts being astonished, were all killed or taken, except ten or twelve who escaped. The truth is, that there was a brush, which lasted about an hour, and that the enemy then took to the woods, except nine who were left dead, among whom was Rouville's brother, and another officer. Many of the prisoners were also recovered. The governor in his speech to the assembly says, "We might have done more against them if we had followed their tracks."

The return of the French Mohawks might be owing to Schuyler's negotiations with them, which, it may be said, he would have had no opportunity for, if it had not been for the neutrality between them and Albany; but, on the other hand, not only Indians, at other times, but even the Penobscots and Norridgewocks were enabled by this neutrality, to make their inroads. The governor of Port royal, in a letter to the Count de Pontchartrain, says, "that the Michmacks were quite naked and the Kenebeckans and Penobscots would have been so too, if they had not carried on a trade with the Indians of Hudson's river, or, rather, by their means, with the English, who allowed a crown a pound for beaver, and sold their goods very reasonably." Charlevoix justly remarks upon it, "thus our own enemies relieved our most faithful allies, when they were in necessity, and whilst they were every day hazarding their lives in our service." The Massachussetts general court also, this year in an address to the Queen, say, "A letter from M. Vaudreuil, governor of Canada, to the late governor of Port royal was sometime since happily intercepted, and came to our governor's hands; wherein he writes thus, namely, that he endeavours to keep all quiet on the side of Orange or Albany, having command from the king his master not to have any quarrel with your majesty's subjects on that side, or with the Mohawks, which he hath strictly observed. And they are in a profound peace, having met with little or no loss on the land side, either in men or estates this war."

The enemy were satisfied with their success at Haverhill, for this season, and, except now and then

a straggling Indian, none of them appeared again upon the frontiers this summer.

The party against the governor still pursued their schemes in England for his removal. Ashurst engaged a committee of the kirk of Scotland, who came up to London to settle some affairs with the queen's council, to use their interest, that Dudley might be removed and a new governor appointed; and he was very sanguine, that this would do the business, and that Hobby would be appointed, though not such a person as he could wish. In the province, the governor's interest was strengthening. Some of the old senators, who had been disaffected to him, were left out of the council. Oakes, whom he had negated as speaker, and one other member for Boston lost their election, and John Clark and Thomas Hutchinson, two young gentlemen of the town, who were under no prejudice against him, came into the house in their stead; and, although, this year Mr. Cooke was again chosen one of the council, it was the last effort. The governor persisted in negating him, and at the same time negated Nathaniel Paine of Bristol: but he had so accustomed them to negatives, that they gave less offence than they would have done after long disuse.

The principal subject of the assembly's address, which we have just before mentioned, to the queen, was the reduction of Canada and Acadia by an armament from England, to be assisted by forces raised in the colonies. Vetch, who the last year was charged as a traitor, this year appeared, before the queen and her ministers, soliciting in behalf of the colonies; being able to give a full information of the condition of the French in America.

(1709.) In the spring, Mr. Dudley was advised, by letters from the Earl of Sunderland, that the queen had determined upon an expedition, and Vetch, made a colonel, came over with instructions to make the necessary preparations. The plan was extensive. The French were to be subdued, not only in Canada and Acadia, but in Newfoundland also. A squadron of ships were to be at Boston by the middle of May. Five regiments of regular troops were to be sent from England, to be joined by 1200 men, to be raised in Massachusetts and Rhode Island, and the governments were to send transports, flat bottomed boats, pilots, and three months' provisions for their own troops. With this force, Quebec was to be attacked; at the same time 1,500 men, proposed to be raised in the governments south of Rhode Island, which were to march by the way of the lake, were to attack Montreal. The men, assigned to the Massachusetts to raise, were ready by the 20th of May; and Vetch gave a certificate under his hand, that all the governments concerned had cheerfully and punctually complied with the orders given, except Pennsylvania. It was left to Lord Lovelace, governor of New York, to appoint the general officer for the 1500 men, but, by his death, the power devolved upon Mr. Ingoldsby, the lieutenant-governor; and Nicholson who had been lieutenant-governor of New York under Andros and afterwards lieutenant-governor of Virginia and Maryland being then in America, was settled as a proper person, and marched with the forces under his command as far as Wood-creek, there to wait until the arrival of the fleet at Boston, that the attack on both places might be made at one time. The transports and troops lay waiting at Boston from May to September, every day expecting the fleet. No intelligence coming from England, Vetch, being sensible it was too late to go to Canada, proposed a meeting, at New Lon-

don, of the governors of the several colonies, to consider in what other way the forces raised should be employed against the enemy, that the expense might not be wholly lost; but Nicholson, unexpectedly, returned with his men from Wood-creek, and he and Vetch and Colonel Moody met some of the governors at Rhode Island. Two or three days before the congress (October 11th) a ship arrived at Boston from England, with advice that the forces intended for America were ordered to Portugal, and with directions to consult whether the forces raised in America might not be employed against Port Royal, the ships of war of which there were several then at Boston to be aiding and assisting. There was no great honour or profit to be expected, by the captains of the men of war, if the expedition should succeed, nothing more being required of them, than to serve as convoy to the transports, and cover to the forces at their landing; therefore two of the frigates, whose station was New York, sailed immediately from Boston, without taking leave of any body, and the commanders of the rest, Mathews, afterwards Admiral Mathews, who was then commander of the station ship at Boston, only excepted, peremptorily refused. As soon as this was known to the two houses, the court being sitting, they desired the governor to discharge the transports and disband the men, it not being safe to proceed without convoy. This was a heavy charge upon the province, without any good effect. It was indeed late in the year for the attempt against Port Royal, but then the prospect of surprising the enemy was so much the greater, and if it had happened otherwise and the forces had returned without subduing the place, it would have caused but little increase of the expense.

Whilst Nicholson lay at Wood-creek, the governor of Canada, who had intelligence of all his motions, sent out an army of 1500 French and Indians, who left Montreal the 28th July N. S. and the three first days advanced forty leagues towards the English camp; but upon a report that they were 5000 strong, and upon the march to meet the French, and there being discord at the same time, among the French officers, it was thought best to return to their advanced posts, and wait to receive the English there. Had they proceeded, they were equal to the English, better acquainted with the country, would have come unexpected, and the event would at least have been doubtful for us.

Charlevoix gives an instance of the treachery of the Indians of the six nations, and of their intention to destroy the whole English army. Speaking of father Mareuil, who had been a prisoner at Albany, he says, "This missionary having been exchanged for a nephew of the principal officer at Albany, we learned from him, all the circumstances of that affair, and to what New France owed her deliverance from the greatest danger to which she had been at any time exposed from that quarter." Then having mentioned a grand council of the Indians, held at Onondago, where all their general meetings upon important matters were held, he goes on, "The Onondago, one of the old men of that nation, who was speaker, asked whether it was out of their minds that they were situated between two potent people, either of which were capable of totally extirpating them, and that it would be the interest of either to do it, as soon as they should have no further occasion for them. It behoved them therefore to be very careful, that they did not lose their importance, which they would do, unless each of those people

were prevented from destroying the other. This harangue made great impression upon the assembly, and it was resolved, upon this occasion, to continue the same political conduct which they had hitherto observed. Accordingly, the Iroquois, when they had joined the English army, and found, as they imagined, that it would be strong enough to take Montreal, employed their whole attention in contriving the destruction of it; and this was the way they went to work. The army being encamped upon the banks of a small river, the Indians who spent most of their time in hunting, threw the skins of all the creatures, which they flead, into the river, a little above the camp, which soon corrupted the water. The English never suspected this treachery and continued to drink the water; but it caused such a mortality among them, that father de Mareuil and the two officers, who went to fetch him from Albany to Canada, judged, by the graves, that there must have been at least a thousand buried there."

Nicholson certainly decamped sooner than was expected, which caused some dissatisfaction. The army was in a bad state. And a letter dated New York, November 4th, 1709, says, that many of the soldiers, who were at the lake, died as if they had been poisoned.

Although the French were in constant expectation of being attacked themselves, yet it did not prevent them from employing some of their strength, this summer, against the New England frontiers. In April, a man was taken prisoner at Deerfield. In May, several men were surprised and taken, as they were passing to a saw mill in Exeter; and in June, one of the Rouvilles, with 180 French and Indians, made another attempt upon Deerfield, to destroy or carry away prisoners the poor people, who, but a little while before, had returned from their captivity; but the enemy was discovered at a distance and beat off, the inhabitants bravely defending themselves. The town of Brookfield, in the west, and Wells, in the east, soon after lost some of their people, by small parties of Indians.

(1710.) Nicholson went to England, in the autumn, to solicit a force against Canada the next year, and an expedition seems to have been resolved upon. Advice was received, in New England, that, in July, Lord Shannon, with a fleet destined for that service, lay under orders for sailing, but that it was feared the westerly winds would detain him until it was too late. Port Royal, which did not require so great a force and which might be attempted late in the year, was afterwards made the only object. The Dragon and Falmouth, with a bomb ship and a tender, and two or three transports, left England in the spring, and Nicholson was on board of one of them. They arrived at Boston, July the 15th, and seem to have lain waiting there for orders, or until it should be made certain whether they were to be joined by any further force from England. On the 18th of September a fleet sailed from Nantasket for Port Royal, consisting of three-fourth rates, viz. the Dragon, commodore Martin; the Chester, Matthews; the Falmouth, Riddle; two-fifth rates, the Leostaffe, Gordon, and the Feversham, Paston, together with the Star bomb, Rochfort, and the province galley, Southack, with fourteen transports in the pay of the Massachusetts, five of Connecticut, two of New Hampshire, and three of Rhode Island. These, with the tender and transports from England, made thirty-six sail. There was a regiment of marines, commanded by Colonel Redding, and four regiments raised in New England, two commanded by Sir

Charles Hobby and Colonel Tailor of Massachusetts Bay, one by Colonel Whiting of Connecticut, and one by Colonel Walton of New Hampshire. Nicholson was general and Vetch adjutant-general. One transport, Captain Taye, ran ashore at the mouth of the river and was lost, and twenty-six men were drowned, the rest of the fleet arrived safe at Port Royal, the 24th of September. The forces were landed without any opposition. Subercase, the governor, had only 260 men, and most of them he was afraid to trust out of the fort, lest they should desert to the English. As the army was marching up to the fort, several men were killed by the inhabitants who fired from their houses and from behind their fences and made their escape; and, for three or four days, whilst the necessary preparations were making by the English, the French throw shells and shot from the fort, and the bomb ship, on the other hand, plied the French with her shells. It was commonly said, after the return of the forces to Boston, that early intimation was given to the English that they would meet with no great difficulty, a decent pretence for a surrender was all that was desired. On the 29th, the governor sent out a flag of truce, praying leave for some of his ladies, who were afraid of the bombs, to be sheltered in the English camp. The officer, not observing the rules of war, was put under arrest, and an English officer sent to the fort to acquaint the governor with the reason of it. The first of October, the two engineers, Forbes and Redknap, had three batteries opened, two mortars and twenty-four cohorn mortars ready, within 100 yards of the fort, and began their firing, the French firing their shot and throwing shells at the same time. The same day, Colonel Tailor and Captain Abercrombie were sent, with a summons to surrender, and, in consequence thereof, a cessation of arms was agreed upon, and the terms of the capitulation were soon settled, and the next day the following articles signed.

"Articles of capitulation agreed upon for the surrender of the fort at Port Royal, &c. betwixt Francis Nicholson, Esq. general and commander-in-chief of all the forces of her sacred Majesty Anne Queen of Great Britain, &c. and Monsieur Subercase, governor, &c. for his most Christian Majesty.

1. That the garrison shall march out with their arms and baggage, drums beating and colours flying.
2. That there shall be a sufficient number of ships and provisions to transport the said garrison to Rochel or Rochfort, by the shortest passage, when they shall be furnished with passports for their return.
3. That I may take out six guns and two mortars, such as I shall think fit.
4. That the officers shall carry out all their effects, of what sort soever, except they do agree to the selling them; the payment of which to be upon good faith.
5. That the inhabitants, within cannon shot of Port Royal, shall remain upon their estates, with their corn, cattle and furniture during two years, in case they are not desirous to go before, they taking the oaths of allegiance and fidelity to her Sacred Majesty of Great Britain.
6. That a vessel be provided for the privateers belonging to the islands in America, for their transportation thither.
7. That those, that are desirous to go for Placentia in Newfoundland, shall leave by the nearest passage.

8. That the Canadians, or those that are desirous to go there, may, for during the space of one year.

9. That effects, ornaments and utensils of the chapel and hospital shall be delivered to the Almoner.

10. I promise to deliver the fort of Port Royal into the hands of Francis Nicholson, Esq. for the Queen of Great Britain, within three days after the ratification of this present treaty, with all the effects belonging to the King, as guns, mortars, bombs, ball, powder and all other small arms.

11. I will discover, upon my faith, all the mines, fuggasses and casements.

12. All the articles of this present treaty shall be executed upon good faith, without difficulty, and signed by each other at her Majesty of Great Britain's camp before Port Royal fort, this second day of October, in the ninth year of her Majesty's reign, Anno Domini, 1710.

"FRANCIS NICHOLSON. SUBERCASE."

"MEMORANDUM. The General declared, that within cannon shot of Port Royal, in the fifth article abovesaid, is to be understood three English miles round the fort, to be Annapolis Royal and the inhabitants within three miles to have the benefit of that article. Which persons male and female, comprehended in the said article, according to a list of their names given in to the general by M. Allein, amounts to 481 persons."

The English lost fourteen or fifteen men in the expedition, besides the twenty-six drowned when the transport was lost. The fort had been neglected and was in a very bad state. Subercase told the general "he was very sorry for the king his master, in losing such a strong fort and the territories adjoining." This was a compliment to Nicholson, but it was in no condition to stand a siege. Charlevoix says, Subercase's character suffered a great shock. He mentions several actions which other accounts take no notice of—"The troops being landed and nothing to oppose their march, went on towards the fort; but when they came within reach of the cannon, the governor caused so smart a firing as put them to a stand, killed a great many of their men, &c." Again, the eighth (N.S.) "M. Subercase, having observed the spot where the enemy were about to erect their batteries, made so lucky a fire that Mr. Nicholson, after having lost a great many men, was obliged to retreat."

The general having left a sufficient garrison under the command of Colonel Vetch, who was destined in case of success, to the government of the country, returned with the fleet and army to Boston, arriving there the 26th of October.

Whilst the forces were at Port Royal, it was thought proper, at a council of war, to send Castine, who probably was in the fort, and Major Livingstone to Canada through the country, with letters to M. Vaudreuil, acquainting him that the country of Acadia was subdued and that all the inhabitants, except such as were within cannon shot of the fort, were prisoners at discretion; and as the council had been informed that he had often sent out his barbarous Indians to murder the poor innocent women and children upon the frontiers of New England, if he continued that practice they would cause the same execution upon the people of Acadia or Nova-Scotia, now absolutely in their power: but they abhorred such barbarities, and hoped he would give them no further occasion to copy after him, but rather would release and send home such prisoners

as had been taken by the Indians. After a most fatiguing, hazardous journey, Livingstone says in his journal that "he went about the middle of October from Port-royal to Penobscot, where he was kindly entertained by Castine, at his own house; and from thence went up the river in canoes, until they came to an island where was a great body of Indians, men, women, and children. Here, an Indian being enraged because some English prisoners had run away with his canoe, seized Livingstone by the throat, and would have dispatched him with a hatchet, if Castine had not thrown himself between them and rescued him. The Indians would not suffer them to proceed, for several days. At length, November 4, they set out in their canoes, and the next day the canoe the major was in overset, and one of the Indian guides was drowned. Soon after, the water beginning to freeze, the ice so shattered their tender vessels and made the passing so difficult, that they were obliged to betake themselves to the land and to travel by their compass, through a country so thick with spruce, cedar, and pine wood, and underwood, as to be scarcely passable, and the greatest part of the way broken and mountainous land. They were above a fortnight without the sight of the sun, the weather being stormy or foggy the whole time. They had spent their provisions six days before they came to any French settlement, and lived wholly upon moss, leaves, and dried berries. At length, the 16th of December they arrived at Quebec." The governor sent his answer to the message by two partizans, Rouville and Dupuis, by land through Albany, that they might be acquainted with the country and more fit to be employed in making war on a future occasion. The sum of the answer was, that Nicholson had been so well taught the laws of war as to know that they did not admit of reprisals upon such inhabitants as had surrendered upon an express promise of being well treated. That he, Vaudreuil, never knew the French charged with inhumanity, and he was not afraid to appeal to the English prisoners, within his government, against such a charge; they had often been redeemed from the Indians, at a great expense, and, out of pure charity; indeed, the Indians themselves, ordinarily, did not treat them ill, but let that be as it would, the French were not accountable for the behaviour of the Indians; it was not their fault, that this unfortunate war was not over a long time ago, and all the miseries, which had been the consequence, must be attributed to those who had refused the neutrality between the two colonies; he was very ready to agree to the exchange of prisoners, but he had not the command of those which were in the hands of his Indian allies; as for the menace, of delivering up the Acadians to the Indians of New England, if the Indians of New France should refuse to deliver the English prisoners, it was contrary to all the rules of justice and humanity, and if it should be carried into execution he should be obliged to do as much to all the English he had in his power. This was all that was effected by Livingstone's most fatiguing hazardous journey.

At this time, a change in the agency was agreed upon. The change of the ministry in England was as alarming to New England, as to any part of his majesty's dominions. Mr. Phipps was deeply engaged in the new measures. There could not then have been any apprehension of his removing to Ireland; but a whig people would not be satisfied with a tory agent. Sir H. Ashurst never had any great powers, and he was now declining in age and health.

The party that used to support him set up his brother, Sir William Ashurst, a gentleman of superior character and real worth. Mr. Dudley did every thing in his power to prevent the choice, but, when he could not prevail, made a merit of accepting it. An address to the queen was sent to Sir William, but he refused the agency; he was well acquainted with the neglect of his brother and the little or no reward given him for his long services. When he excused himself, he recommended a New England young gentleman, then in London, Jeremiah Dummer, who also procured from the principal merchants in London, trading to New England, letters in his favour. He was not, at that time, acceptable to Mr. Dudley, and, in a message to the assembly, he advised them to chuse Henry Newman, a New England man, then in London also, a person of great probity, who had lived some years in the Duke of Somerset's family, and who afterwards was secretary to the society for promoting christian knowledge; but the choice fell upon Mr. Dummer and the governor did not think proper to negative him.

Mr. Dudley found means to remove the prejudice of Sir William Ashurst. From this time all his letters are written in a different style, and he represents the times to be such, that there was no prospect of a better governor, and advises the people, if they could be tolerably easy, not to run the risk of a change. Mr. Dummer, who was attaching himself to the new ministry and had great favour shewn him, engaged also in Mr. Dudley's interest. Mr. Phipps, who, at first, opposed him, had for some time been very friendly to him. It was a rule with him to gain his enemies, he was sure of his friends. It requires much of that art and skill, of which he is said to have been master, to render this rule, for any length of time successful. He happened also, as we have observed, when he was in England, to be favoured by Mr. Harley, and his interest there was so established, that he was no longer in danger, until the death of the queen caused an entire revolution, both as to men and measures. In the province, some reports against him were of so gross and criminal a nature, that although they might find some ready to believe them at first, yet time alone had sunk the credit of them, and the remembrance of lesser matters sunk with it, and the last days of his administration were his best days.

This year the enemy made their first appearance, in the spring, at York, but found the inhabitants upon their guard. In June, Col. Hilton of Exeter, being in the woods with eighteen men, was ambushed by a party, who fired and killed the colonel and two of his company, and took two prisoners, the rest escaping. Hilton was a good officer, and had behaved well with Church, in 1704, and upon other occasions; but at this time was off his guard. One hundred men went out upon the alarm, but had no other success than to bring in the dead mangled bodies to a decent interment. A few days after, sixty or seventy French and Indians appeared in the skirts of the town of Exeter, but were alarmed by the firing of a gun, and went off with four children, which they picked up in the street or road at play, to the unspeakable distress of their parents. In their retreat, they killed one man and took another prisoner. They then travelled westward and killed several of the inhabitants of Waterbury and Simsbury in Connecticut, struck down upon Brookfield and Marlborough, and, from thence, to Chelmsford, where Major Tyng was slain, an officer respected for his prudence and courage.

The 2d of August, about fifty Indians came upon Winter Harbour, and hovered about the place, some time, until they had killed four or five and taken eight or ten of the inhabitants. They insulted the fort, and found the garrison too many to be taken; but not enough to sally out and attack them. October the 1st, several persons, as they were going to meeting at Berwick, were waylaid, one of them killed, another had his horse shot under him, the rest escaping. The 10th of the same month, Bomazeen, with sixty or seventy more Indians, appeared at Winter Harbour, killed three or four and took as many captives; one of the latter was Johnson Harman, an officer noted for his expeditions in the ensuing war. The Indians, after they had done this mischief, sent a flag of truce to the fort, and offered to ransom their prisoners, if a vessel should be sent to Kennebeck river to receive them.

The Massachusetts forces had been scouring the woods all the summer, but the parties of the enemy avoided them. Towards winter, Col. Wilton, after his return from Port-royal, with 170 men ranged the eastern country, and killed a Norridgewock chief and six or eight others. He made a second march to Winnepisiaukee, without any success:—but in the mean time, the Indians were committing atrocities at Cohecho, York, Wells, and other places.

(1711.) After Port royal was reduced, Nicholson went to England to solicit another expedition against Canada; and, although his intention was known, there seemed to be no expectation that he would succeed. The New England people we have observed were all whigs and supposed the tory ministry to be determined upon a peace, and rather disposed to suffer France to recover part of what she had lost, than to make further acquisition from her: and there was a general astonishment when Nicholson returned to Boston, on the 8th of June, with orders from the queen to the several governments of New England, to New York, the Jerseys, and Pennsylvania to have their quotas of men in readiness for a fleet which had been dispatched, and which arrived on the 24th. This was short warning: but it was thought more extraordinary, that ten weeks' provision for the army was to be procured at Boston. One reason given for this measure, was, that there might be no suspicions, in Europe, of the destination of this armament. It might well be doubted whether it would be possible to procure such a quantity of provisions at Boston in season, and if it was not, it would be impossible to proceed. This unexpected measure increased a jealousy, began before, that it was not designed Canada should be taken, and that the blame should be cast upon New England. This jealousy may have been as groundless as the charge, which Walker first, and, after him, many other authors have brought against New England, for not affording that ready assistance which was expected: but it certainly had this effect, to cause, not only the government, but even private persons to exert themselves with more zeal and vigour than had been done upon any other occasion; and the people submitted, not without reluctance, it is true, to have their property taken from them, in a way and manner which the people of Great Britain or Ireland would not have allowed. A general meeting of all the governors was appointed, immediately after Nicholson's arrival at New London, and they were sitting when the fleet arrived. The assembly happened to be at Boston, when the first orders came. The governor, without delay, recommended to them a full compliance with the orders he had re-

ceived. The first thing necessary, was money. The credit of the treasury was so low in England, that no merchants or private persons at Massachusetts would take bills, unless the drawer would make themselves responsible, and there was no body authorized to draw such bills. The general court determined to issue forty thousand pounds in bills of credit, and to lend them to merchants and others, for the term of two years. These persons with their bills of credit purchased bills of exchange upon the treasury in England, which, it was hoped, before the expiration of the two years, would be paid, and, if they should not, it would be in the power of the government to continue the loan, but there was no engagement to do it. The next difficulty to be removed was the extravagant price to which provisions had started, upon the advice of this extraordinary demand. For this purpose, an order passed the court, stating the prices of the several species of provisions necessary for the service. The owners of the provisions shut up their stores, or removed their provisions in order to conceal them. The demand, which had raised the price, they urged, was the common chance in trade, which every merchant was justly entitled to. Another order soon passed the court, to impress all provisions, in whose possession soever, and for this purpose to open all doors and enter. This effected a general compliance. The short time spent for this purpose, and the refusal of particular persons to submit at first, caused a charge from the officers against the country in general, for unnecessarily delaying the fleet and army; and no notice was taken of the zeal of the government and this extraordinary measure for the removal of these impediments. The addition of so many mouths had caused a sudden rise of all poultry and fresh meat, and at that season of the year, if the usual consumption had continued, the forces must have failed of necessary supplies. This consideration induced many of the principal gentlemen in Boston to deprive themselves, and to eat salt provisions, and no other, in their families, as long as the fleet remained. The soldiers and seamen, some of them, deserted and were concealed by the inhabitants, who were justly censured for doing it. A law against this offence was made, with a very severe penalty, and a more summary way provided for trial of the offence than ever had been in any instance before. The desertion of the men put the Admiral out of temper, and he wrote the governor an angry letter, in which he told him, the service had been prejudiced, rather than forwarded, since his arrival at Boston, and demanded from the government a supply of men equal to the loss. This could be done in no other way than an impress. The inhabitants, it must be owned, would not have submitted to it; but, in general, would have preferred a prison on shore to a man of war at sea.

Besides the mistake, in the plan of this expedition, with respect to a speedy supply of provisions at Boston without previous notice, there was another, in presuming that skilful pilots were to be obtained there. The best in the country were shipmasters, who had been once or twice up the river St. Lawrence. These were employed in other business, upon which their future support depended, and they were averse to leaving it; but the government impressed them into the service, and afterwards was charged with their defect of skill, which, admitting it to be true, could not be helped.

The troops were all landed upon Noddle's island, about a mile from the town, where they were every

day exercised in a healthy air; and it was allowed, that men were never landed and rebarked in better order. The land force, including two regiments from New England, amounted to near 7000 men, an army more than equal in number to that which afterwards reduced Quebec, under General Wolfe; although, in 1711, it was not half so strong as in 1759.

The fleet which arrived at Boston, consisted of fifteen sail of men of war, and forty transports, and all sailed again the 30th of July. Greater despatch could not well be expected from such short warning. Nicholson set out for Albany the same day, to take the command of the forces which were to march by land.

Nothing remarkable happened in the passage of the fleet to Gaspee, where it arrived the 18th of August, and sailed again the 20th. The next day and the day after proving foggy, and the wind beginning to blow fresh at E.S.E., the ships brought to, with their heads to the southward, being out of sight of land and out of soundings. This, the admiral, in his own account, says was by the advice of the pilots, both English and French; and that they were of opinion the fleet would drive into the midst of the channel or river. The New England pilots always denied they gave such advice, and declared, upon their oaths, their opinion was not followed nor regarded. Some of the principal persons on board one of the ships which belonged to New England, reported that upon the fleets being ordered to lie with their heads to the southward, the whole ship's company determined they must drive upon the north shore; and they were confirmed in their former jealousy, that it was never intended the fleet should arrive at Quebec. This, however, is incredible; and the admiral, who had not the character of an abandoned man, was incapable of sacrificing the lives of so many men; and, it must be presumed, he would not have thrown away his own life, which was exposed as well as the rest. The pilots from Boston supposed the admiral had a very mean opinion of them, and laid greater stress upon the judgment of the French pilots, who, through ignorance or from design, occasioned this wrong measure. In two or three hours after the fleet brought to, some of the transports were among the breakers. Eight or nine ships were lost upon the rocks, about midnight, one thousand of the men that were on board drowned, and about six or seven hundred saved by the other ships. All the men of war escaped; the admiral's ship is said to have anchored, and the rest either stood off or came to anchor; and the next morning, the wind shifting to W.S.W. the admiral bore away for Spanish river, the men of war and transports following; but, the wind shifting again to east, they were eight days before they all arrived, and, as they had the wind, might more easily have gone to Quebec. In a council of war, it was unanimously resolved, not only not to make any further trial to go up the river St. Lawrence, but also not to attempt any thing against Placentia in Newfoundland; the fleet not being sufficiently victualled for either. They sailed the 16th of September, and the admiral arrived the 9th of October at Portsmouth, and the 15th, his ship, the *Edgar*, blew up: the cause not being known, jealous minds would suggest that even this was not without design.

The admiral supposed, in his account of the expedition, that if they had arrived at Quebec and landed their men, their misfortune would have been greater still; that the French would either have

quitted the place and carried all their provisions with them, or that they would have defended the place until the provisions of the fleet and army were spent, and they must have laid down their arms; or if they finally surrendered, it was not to be expected the provisions, for so small a garrison, would have lasted any time for twelve thousand men, and French and English must have starved together. Vaudreuil had made the best preparations he could for their reception, having early notice of their coming, from the governor of Placentia. An English prisoner, carried in there from Boston, gave an account of Nicholson's arrival, of the fleet that was to follow, and of the forces intended by way of the lake; and the captain of a privateer saw the fleet within sixty leagues of Boston. This intelligence was afterwards confirmed by an Onondago Indian, who came to Quebec to inform of the great preparations making at Albany.

Nicholson had made but little progress in his march when he received the news of this disaster, and if the fleet had arrived safe, he would have been too late to have drawn any of the French force from Quebec, before so much of the provisions of the fleet had been spent that it would not have been safe to have remained any longer; and it is well he did not proceed; for as soon as Vaudreuil had advice of so many ships stove, and so many dead bodies with red coats drove upon the shore, and that the river was clear of ships, he ordered all the strength of Canada towards Montreal and the lake Champlain; which if Nicholson had passed, would have been sufficient to prevent his return.

To complete the charge against the Massachusetts, they are said to have represented the navigation to Quebec to be easy and without hazard, of which they were wholly ignorant; for the French, after an hundred years experience, almost every year suffered shipwreck; and sailing in the bay and river St. Lawrence was so hazardous, that they could hardly obtain sailors for a voyage thither. The Massachusetts people knew very well that Phipps and his fleet went up and down without difficulty, in 1690; that flags of truce had frequently passed and repassed, and they supposed the French represented the passage difficult, to deter other nations, and experience now shews that they judged right.

The American transports were all preserved, except one victualler, and the crew of that were saved. The disappointment and loss was grievous to New England. Some pious minds gave over all hopes of reducing Canada. So many attempts blasted, plainly indicated, as they conceived, that Providence never designed the whole northern continent of America for one European nation. Upon the first news in England of the disaster, the blame was laid upon governor Dudley, and it was said he would be removed, but his conduct soon appeared to have been unexceptionable.

Upon the return of the Massachusetts troops, they gave an account of the freedom used by the sea and land officers, in attributing the whole misfortune to the colonies. The forces were unreasonably detained at Boston—the provisions fell short of what was expected—the pilots were ignorant, and not fit to be trusted. The general court therefore thought that it was necessary to exculpate themselves; and that it would be prudent to lay no blame any where else. The governor, in his speech, October 17, says, "I condole with you upon the sorrowful disaster of the fleet and forces sent hither, by her majesty's special favour, to all her good sub-

jects in the provinces of North America. I have had time enough, since the account thereof, to consider the several articles of her majesty's commands to this government for the putting forward the expedition, and, therein, I cannot charge this assembly with neglect in any particular; but when I peruse the journal of the proceedings, I think there was all provision and expedition made, in every article referring to soldiers, artificers, pilots, transports, and provisions for the service of her majesty's British forces, as well as our own; which I hope you will see reason to consider and represent home for our justification, that it may be demonstrated, that we were in earnest to do our duty, to the utmost, for our own benefit and establishment, as well as her majesty's honour and just rights."

Three of the principal pilots in the service, were sent to England, to be ready to give an account of their conduct, if inquiry should be made. A journal of the proceedings relative to the expedition was prepared and transmitted, together with an address to the queen. The instructions to the agent were given with prudence and caution. "It chiefly concerns us to set forth that we have done our duty, by giving all assistance in obedience to her majesty's royal commands, as we have represented in our humble address herewith transmitted to be presented by you, and will appear by the journal and orders accompanying the same. We comforted with the supplies, in the large demands made upon us, to the utmost of our power, beyond what we had at first a reasonable prospect to have provided timely, having so short a notice; but made our utmost efforts, and happily got through the same, in which you are to vindicate and justify the government.

"It is not our province, nor must you enter thereinto, to fault or impeach others, for want of doing their duty, or for their conduct in that affair, any further than is absolutely necessary for our own vindication. If there be just cause, therefore, her majesty, in her princely wisdom, will direct the inquiry thereinto."

The pilots waited many months in England, ready to answer any questions, but none were ever asked, nor was any inquiry ever made into the cause of the failure of the expedition. Upon the whole, it cannot be conceived that the admiral, general, and principal persons employed in the execution of this plan, pursued any particular measures in order to defeat and overthrow it; that those who projected it in England, had not good reason to expect, from the insufficient provision made, that it must fail of success, and, at best, were all content that it should, is not so certain.

The account which Charlevoix gives of the French pilot does not agree with Walker's. "There was on board the admiral, a French prisoner, one Paradis, an old seaman who was perfectly acquainted with the River St. Lawrence. This man cautioned him, when he was off the seven islands, not to venture too near the land, and he obliged him to make frequent tacks, and to keep near the wind, which did not favour him. At length the admiral tired out, and, perhaps, suspecting the pilot only designed to wear out his men, refused to come to stays, and bordered so near a little island called the isle of eggs, that he and seven more were driven ashore by a very sudden squall at south east, and stove to pieces, and but very few people were saved."

A brief account of the disaster the fleet met with, is given in the following letter of the New England commissary, Sampson Sheaf:—





"When I accepted the employment of commissary to the New England forces on the Canada expedition, it was in hopes of doing some good service; wherein I designed to do my best, and hoped, with my diligence and best understanding to have been of some use; but on the 22d of August, our fleet under the command of Sir Hovenden Walker, about eight or ten leagues above the entrance of Canada river, about eleven or twelve at night, met with a dismal disaster. Ten or eleven of the British transports run on the north shore, and were dashed to pieces against the rocks. I hear but of one vessel belonging to New England met with any damage. There is an eminent providence of God therein, which doubtless we ought to consider; but as to the instrumental cause, by whose misconduct, remains to be examined, and, I hope, will be made evident. The admiral and general were in great danger; they saved themselves and their ships by anchoring, but lost several anchors. It was lamentable to hear the shrieks of the sinking, drowning, departing souls. The ship, wherein I was embarked, with very great difficulty weathered the rocks; but we were in no capacity to succour them that were in distress.

"Admiral Walker, just before our departure from Spanish River, set up a cross with an inscription, dated 15th of September. *In nomine Patris, &c.*, the purport of which was, that thereby he took possession of that country for her majesty.

"This will be a bitter pill for New England. The French will now employ their Indians with redoubled rage and malice, to distress and destroy our exposed frontiers.

"Annapolis-Royal, October 6, 1711."

Although the principal object of this expedition was not obtained, yet, in all probability, Annapolis-Royal was saved by it from falling into the hands of the French. The garrison there was reduced to a handful of men. Between two and three hundred of the New England forces were kept there, after the place was reduced, and four out of five were dead, and they were afraid even of the Acadians alone, without any additional strength; but the French court, sensible of their mistake in not giving more attention to the preservation of that country when it was in their hands, pressed the governor of Canada, in the strongest manner, to exert himself for the recovery of it. A body of troops was raised and ready to depart from Canada, when the news arrived of the English fleet and other preparations making; and the men which were designed against Nova-Scotia were detained at home to defend Canada. The French inhabitants of Nova-Scotia, having notice of the force intended from Canada, grew insolent, and it was not safe for an Englishman to stir out of the fort. As soon as they heard of the disappointment, they became submissive again and made acknowledgment of their faults; but at the same time let Vaudreuil know, that the French king had no better subjects, and necessity alone had brought them to this submission. These were the inhabitants round the fort, included in the capitulation. Many of those at a distance had not yet submitted to the English, and Capt. Pigeon, an officer of the regulars, was sent up the river to destroy some of the French houses, as well as to cut timber for the repair of the fort. He was surprised by a great number of Indians, who killed the fort major, the engineer, and all the boat's crew, and took thirty or forty of the garrison prisoners. This encouraged the inhabitants again to take up arms, and five

hundred of them, with as many Indians as they could collect, were preparing to attack the fort, expecting an experienced officer from Placentia to head them; but the governor not being able to spare one, they laid down their arms again and dispersed.

To meet the French or Indian enemy, who were expected upon our frontiers, Col. Walton was sent, in the fall, with 180 men, as far as Penobscot, where he burned two vessels which were designed for privateers or cruizers, and took some prisoners.

The year 1711 was rendered remarkable by a fire in the town of Boston, which from that time until the year 1760 was called the great fire. It was supposed to have been caused by the carelessness of an old woman in or near what was called Williams's-court; all the houses on both sides of Cornhill, from School-street to what was called the stone shop in Dock-square, all the upper part of King-street on the south and north side, together with the town-house, and what was called the old meeting-house above it, were consumed to ashes. Col. Tailer arrived in the fall of the year 1711, with her majesty's commission for lieutenant-governor.

(1712.) Early in the spring the enemy attacked Exeter, Kittery, York, and Wells. In May, a party of English went up Merrimack river and killed eight Indians, without loss to themselves; but the Indians did not rest long without revenge. In June and July, they killed or took several prisoners from Berwick, Kittery, Wells, Dover, and Kingston. At Dover, apprehending they were in danger as they were scalping two children, for greater dispatch they took off both their heads, leaving the bodies a revolting spectacle. In the autumn, a great number of people being at a wedding of Capt. Wheelwright's daughter, of Wells, the enemy surprised several of the company, and among the rest, the bridegroom, Mr. Plaisted, son to a gentleman of Portsmouth. The Indians expected a good ransom for such a prisoner, and, instead of carrying him to Canada, sent in a flag, and offered, upon payment of three hundred pounds to release him, and the money was paid and the prisoner returned. We become wearied of relating these inroads and atrocities of the enemy, many of which have been given in general terms, to avoid frequently enumerating circumstances which can excite nothing but horror and disgust. This was the last action of any consequence. (1713.) In the spring, after the peace of Utrecht was known in America, the Indians sent in to Major Moodey at Casco, to pray that there might be peace between the English and them also, and also proposed a treaty to be held there; but the governor thought it more for his honour to oblige them to come to Portsmouth, the chief town of one of his governments, than to go to the borders of their usual residence; and, upon the 13th of July, they entered anew into articles of submission and pacification, signed by a number of chiefs of their several tribes, wherein they asked pardon for all their past rebellions and violations of former promises, and engaged to demean themselves for the future as faithful subjects of the crown of Great Britain. It may here be observed, that though the inhabitants in the colonies, in general, double their numbers, from their natural growth or increase, in twenty-five years at most, yet the growth of the Massachusetts colony and New Hampshire have borne no proportion to the rest; and in the year 1713 there was not double the number of inhabitants in the Massachusetts province, which the several colonies of which it was formed con-

tained fifty years before; and yet during this period there was no remarkable emigration to other colonies: there was vacant land sufficient to extend settlements upon, and as easy to be procured as any where else: the heavy taxes may have driven some to other governments; but the chief reason of the difference is to be found in the constant state of war which these two provinces were in, the Massachusetts more especially. From 1675 to 1713, five or six thousand of the youth of the country had perished by the enemy, or by distempers contracted in the service; nine in ten of these would have been fathers of families, and, in the course of forty years, have multiplied to near an hundred thousand souls.

The heavy burdens which the province subjected itself to during this war, were beyond those of any other ten years from the first settlement. The castle and other fortifications at Boston, the several forts in the eastern country, the various expensive expeditions actually prosecuted, and the preparations made for others, added to the constant defence of the extensive frontiers and to the support of the civil government, without any relief or compensation from the crown, must have occasioned such an annual burden as was not felt by any other subjects of Great Britain, and the merit of the people of that day ought not to be forgotten.

The settlement of the line of jurisdiction between the province and the colony of Connecticut, which was accomplished in the year 1713, after ineffectual attempts for several years before, deserves particular notice. In 1636 the first settlers upon Connecticut river had removed from the Massachusetts, and taken possession of the country upon and near the river on both sides, from Springfield as low as Weathersfield, inclusive of both, and managed their affairs by virtue of authority from the general court of the Massachusetts. In 1638 the inhabitants of Springfield, which included what was afterwards called Suffield, below on one side of the river, and Enfield on the other side, having no doubt that they were within the limits of the Massachusetts patent, petitioned the general court that they might be separated from the other towns below, and be received and continued as part of the colony, which was granted and jurisdiction exercised accordingly. In 1642, by order of the general court, two mathematicians, as they are called in the records, Nathan Woodward and Solomon Saffery, ran a line west, as they supposed, from a station three miles north of Charles river until they came to Windsor, upon Connecticut river, where it struck the house of Bissell, who kept the ferry. The people who had settled upon Connecticut river had no better title to land or jurisdiction than possession, the grant made by the Massachusetts general court being a mere nullity.

In 1630, the Earl of Warwick had obtained from the council of Plymouth, a patent of the lands upon a straight line near the sea shore towards the south west, west and by south, or west, from Naraganset river forty leagues, as the coast lies towards Virginia, and all within that breadth to the south sea; and yet, in 1635, all the lands between Connecticut river and the Naraganset country were assigned by the same council to the Marquis of Hamilton. Lord Say and others had purchased the Earl of Warwick's title, and by their agents built a fort at the mouth of Connecticut river about the year 1635, and four or five years after Mr. Fenwick came over with design to take possession of the lands upon Connecticut river under lord Say, &c., and remained

in possession of the mouth of the river until 1644, when the settlers purchased the title, as it was called, and formed themselves into, or continued the form they had assumed, of a body politic.

When the line was run by Woodward and Saffery, Fenwick was to have joined, as the Massachusetts commissioners for the united colonies afterwards affirmed, though Connecticut commissioners denied it; and in 1648, when a dispute arose about a duty required of Springfield for the support of the fort at the mouth of the river, the Massachusetts offered to run the line anew if Connecticut would be at the charge, the Massachusetts having been at the sole charge before, but this was not agreed to, and the fort having been burnt down, and the controversy about the duty at an end, this line seems to have been acquiesced in; and, in 1662, Mr. Winthrop obtained from King Charles, a charter for the colonies of Connecticut and New-Haven united, the north line of which was said to be intended to be the same with the south line of Massachusetts. From this time, until after the incorporation of the Massachusetts by a new charter in 1691, we hear nothing about bounds, except some controversies between Springfield and Windsor about their towns grants, and letters from the authority of each government relative to it; and, in 1686, many of the inhabitants of Roxbury pitched upon a tract of land to settle upon, which was bounded on the south by Woodward and Saffery's line, and it was granted to them by the Massachusetts government and took the name of Woodstock. Grants were also made to particular persons of tracts of land near to this line.

After the new charter, Connecticut made a more serious affair of what was called the Massachusetts encroachments, and in 1700, upon the appointment of a committee by Connecticut with a general power to settle the bounds between the two governments, the Massachusetts appointed a committee with a special limited power, viz. "to find the southernmost line of the late colony of Massachusetts-bay as anciently run by Nathaniel Woodward and Solomon Saffery, and to make report thereof to the general court." This was not what Connecticut wanted, for they supposed Woodward and Saffery's line to be erroneous: however they appointed a committee to attend the work, who reported to their constituents that a line from three miles north of Charles river, or Woodward and Saffery's station, would run some miles to the northward of John Bissell's house, where Woodward and Saffery supposed it to run; and in 1702 Mr. Winthrop, the governor of Connecticut, wrote to governor Dudley, and desired that the Massachusetts would join in ascertaining the difference of latitude between the Charles River station and Bissell's house. There were other attempts to bring this affair to a conclusion, but ineffectual, and in 1708, by a state of the case read in both houses, it appears that the Massachusetts intended "to rely upon the line formerly run, as it is therein said, by two skilful artists in the year 1642, and which has continued the stated boundary for sixty-six years." They add, "that the Connecticut charter which was granted in 1662 was bound by the south line of the Massachusetts, which was not then an imaginary or untried line, but well known to the gentleman who solicited that charter, who if he had thought it controvertible would doubtless have obtained an order for rectifying and adjusting it; and supposing, which was not granted, that there should be any error or mistake in the line, yet, having been run and stated so long before the grant of Connecticut charter and

held by possession for sixty-six years, and towns and plantations having been granted and settled upon the same, it was unreasonable, now, to draw it into question."

There being so little prospect of the Massachusetts receding from a line of which they had so long been in possession, Connecticut made their application to England, and it appears by a letter from governor Saltonstall, of Connecticut, in 1710, that he was expecting orders concerning it. If any came, probably they were such as repeatedly afterwards were sent to New Hampshire, viz. to settle the controversy by commissioners appointed or agreed upon by the general courts of each colony. Be that as it may, it is certain that Connecticut renewed their application to the Massachusetts, and at last commissions passed the seals of each government with ample powers to settle the controversy. The Massachusetts were intent upon securing the property to such persons to whom they had granted lands and the jurisdiction of those towns which had been settled by them. Suffield, Enfield, and Woodstock were the only towns which could be affected. Connecticut was also apprehensive that part of the town of Simsbury, which had been settled by that government, might fall within the Massachusetts. It was therefore settled as a preliminary, that the towns should remain to the governments by which they had been settled, and the property of as many acres as should appear upon a balance to have been gained by one government from the other should be conveyed out of other unimproved lands as a satisfaction or equivalent; only, as there was about two miles which Windsor claimed upon the town of Suffield, there having been a long contest between these two towns concerning the validity of the respective grants, it was agreed the two miles should belong to the Connecticut if they fell within their line.

Nothing could be more equitable, nor tend more to the future peace and content of the inhabitants of the contested borders.

It appeared, by the report of the commissioners, that 107,793 acres of land were due from the Massachusetts, who accordingly made a grant thereof to Connecticut. They accepted and made sale of the same, and applied the produce to the support of Yale college and other public uses, and the controverted towns for many years after continued without molestation under the jurisdiction by which they were settled.

The affairs of the war had so engaged the attention of all persons, that we hear little of party disputes and discord, for five or six years; but as soon as they were delivered from enemies without, a contention began within, from a new cause, the effects of which were felt for many years together. The paper bills of credit were the cause of this contention: so many of which had been issued for the charges of the war (particularly the large sum of forty thousand pounds, issued for the Canada expedition), that they were become the sole instrument and measure of commerce, and silver and gold were entirely banished. Of two instruments, one in use in a particular state only, the other with the whole commercial world, it is easy to determine which must leave that particular state and which remain. The currency of silver and gold entirely ceasing, the price of every thing bought or sold was no longer compared therewith, but with the paper bills, or rather with mere ideal pounds, shillings, and pence. The rise of exchange with England and all other countries, was not attributed to the true cause, the

want of a fixed staple medium, but to the general bad state of the trade. It was thought that increasing the paper bills would enliven and reform the trade. Three parties were formed, one very small, which were for drawing in the paper bills and depending upon silver and gold currency. Mr. Hutchinson, one of the members for Boston, was among the most active of this party. He was an enemy all his life, to a depreciating currency, upon a principle very ancient, but too seldom practised upon, *nil utile quod non honestum*: nothing is useful which is not honest.

Another party was very numerous. These had projected a private bank, or rather had taken up a project published in London in the year 1684; but this not being generally known in America, a merchant in Boston was the reputed father of it. There was nothing more in it, than issuing bills of credit, which all the members of the company promised to receive as money, but at no certain value compared with silver and gold; and real estates, to a sufficient value, were to be bound as a security that the company should perform their engagements. They were soliciting the sanction of the general court, and an act of government to incorporate them. This party, generally, consisted of persons in difficult or involved circumstances in trade, or such as were possessed of real estates, but had little or no ready money at command, or men of no substance at all; and we may well enough suppose the party to be very numerous. Some, no doubt, joined them from mistaken principles, and an apprehension that it was a scheme beneficial to the public, and some for party sake and popular applause.

Three of the representatives of Boston, Mr. Cooke, Mr. Noyes, a gentleman in great esteem with the inhabitants in general, and Mr. Payne, were the supporters of the party. Mr. Hutchinson, the other (an attempt to leave him out of the house not succeeding), was sent from the house to the council, where his opposition would be of less consequence. The governor was no favourer of the scheme, but the lieutenant-governor, a gentleman of no great fortune, and whose stipend from the government was trifling, engaged in this cause with great zeal.

A third party, though very opposite to the private bank, yet were no enemies to bills of credit. They were in favour of a loan of bills from the government to any of the inhabitants who would mortgage their estates as a security for the repayment of the bills with interest, in a term of years, the interest to be paid annually, and applied to the support of government. This was an easy way of paying public charges, which, no doubt, they wondered that in so many ages the wisdom of other governments had never discovered. The principal men of the council were in favour of it, and it being thought by the first party the least of the two evils, they fell in with the scheme, and, after that, the country was divided between the public and private bank. The house of representatives was nearly equally divided, but rather favourers of the private bank, from the great influence of the Boston members in the house, and a great number of persons of the town, out of it. The controversy spread universally, and divided towns, parishes, and private families.

(1714.) At length, after a long struggle, the party for the public bank prevailed in the general court, for a loan of fifty thousand pounds in bills of credit, which were put into the hands of trustees and lent for five years only, to any of the inhabitants at five per cent. interest, one-fifth part of the principal to

be paid annually. This lessened the number of the party for the private bank, but it increased the zeal, and raised a strong resentment, in those which remained.

A vessel, which arrived at Boston from Ireland on the 15th of September, brought the first news of the death of the queen, and the accession of king George the First; and two days after, a vessel arrived, from some part of Great Britain, with the printed proclamation in the London Gazette. This, the governor thought sufficient warrant, without express orders, for proclaiming the king in the province. The practice in the colonies has not been uniform on the like occasions. At New Hampshire, the king was proclaimed from the same intelligence, the 22d of September; at Rhode-Island, the 29th; at New York, on the 11th of October; at New Haven, in Connecticut, the 14th; at Philadelphia, the 27th; no express orders being received in any of those places: but at Annapolis-Royal it was delayed until the 2d of December. The propriety of proceeding without express orders has been questioned; but the absurdity of acts of government in the name and by authority of a prince, for months together, after certain intelligence of their demise, has generally influenced the governors to proceed.

The secret designs of Queen Anne's last ministry were no where more suspected, nor more dreaded, than in Massachusetts; and the 1st of August was no where celebrated with greater joy, during the whole of the king's reign.

The Hazard sloop, sent express from England with orders to the government, was lost upon Cohasset rocks, the 12th of November, the vessel being stove to pieces and no papers of any consequence saved. Enough washed ashore to make certain what vessel it was, and one man had been landed and left at Nantucket. Six months, from the king's accession, had expired and no orders had arrived for continuing officers in their posts. The authority of the governor began to be called in question. According to the charter, upon the death, removal, or absence of the governor or lieutenant-governor, and there being no person commissioned as governor within the province, the government devolves upon the council or the major part of them. The council deriving their authority from charter and not from a royal commission, the act of parliament, limiting the continuance in office to six months after the death of a prince, it was supposed could not affect their authority. The advice of the miscarriage of the first orders went the first opportunity to England, and new orders were daily expected, and some were inclined to wait; but, on the 4th of February, the council assumed the government, the lieutenant-governor, being of the council, joining with the rest, and issued a proclamation for all officers to continue in their posts, &c.

An instruction had been given by the queen, in 1707, directing that in case of the death or absence of the governor and lieutenant-governor, the eldest counsellor should preside in the province; but the charter giving the powers of government to the major part, this instruction was not regarded.

The administration of the council was short, and nothing of moment was transacted. On the 21st of March, the king's proclamation was received, and the governor reassumed with as great parade as if he had been first entering upon the government; but he had reason to expect his rule would be short. His friends in the province were increased. Those who had been his greatest opposers had many of

them changed sides, and were strongly attached to him, and used what interest they had with Sir William Ashurst and others, that he might be continued, and at their request Ashurst appeared for him. The Bankers were the most disaffected, and Colonel Byfield, a gentleman of the council, father-in-law to the lieutenant-governor, went over to England to endeavour to supplant him, but wanted interest. In England Mr. Dudley lost his friends by the queen's death. Colonel Burgess, who had served under General Stanhope, was, by his interest, in February, appointed to the government, and his commissions passed the seals March the 17th, and Ashurst writes, that the General had promised to be answerable for his good behaviour.

(1715.) Mr. Dudley met the assembly, at the election in May, but made no speech, though he had never failed of doing it before. The council and house chose his great adversary, Mr. Cooke, whom he had so often negatived, into the council, and either from indifference, or a spirit of forgiveness before his political departure, he now approved of him.

Colonel Burgess intended to stay a short time in England. The bank party were impatient for the removal of Dudley, who did not favour them, and whose second son, William Dudley, who began to have great weight in the house of representatives, was a violent opposer. An unusual step was taken, that the governor's commission might be superseded. An exemplification of Burgess's commission was obtained; and that, with the new commission or warrant to the lieutenant-governor, Tailor, were published in Boston, at the same time, the 9th of November; and thereupon Tailor took upon him the administration. It was questioned, whether this was regular; the commissions lay three or four weeks for the council to consider of; but at length they advised to the publication. No other instance of the publication of a governor's commission in the Massachusetts before his arrival in person ever occurred. In Virginia, it must have been practised, if a publication has been judged necessary; as several of their governors have never been in the colony. The house of representatives, the first day of their sitting (November 23d), appointed a committee to consider of the commissions, but no public exception was taken. Mr. Dudley's friends were sensible he could continue but a short time; for the original commission, with the new governor, would remove all doubt; he himself was in advanced life, near seventy, and had felt so much of the burthen of government, that he might well be weary of it; and, like his friend, Mr. Stoughton, wish to retire.

No New England man had passed through more scenes of busy life than Mr. Dudley. He was educated for the ministry, and if various dignities had been known in the New England churches, possibly he had lived and died a clergyman; but, without this, nothing could be more dissonant from his genius. He soon turned his thoughts to civil affairs; was first a deputy, or representative of the town of Roxbury; then an assistant; then agent for the colony in England, where he laid a foundation for a commission, soon after, appointing him president of the council, first for Massachusetts Bay only, but, under Andros, for all New England. Upon the revolution, for a short time, he was sunk in disgrace, but soon emerged. He appeared, first, in the character of chief justice at New York, then, returning to England, became lieutenant-governor of the Isle of Wight, and member of Parliament for Newtown, both which places he willingly resigned for the chief

command in his own country. Ambition was the ruling passion; and, perhaps, like Caesar, he had rather be the first man in New England than the second in Old. Few men have been pursued by their enemies with greater virulence, and few have been supported by their friends with greater zeal. It has been seen that a second generation inherited the spirit of their ancestors, the descendants, on one side, preserving an affection for his family and posterity, and on the other, retaining equal disaffection against them. Some of his good qualities were so conspicuous, that his enemies could not avoid acknowledging them. He applied himself with the greatest diligence to the business of his station. The affairs of the war and other parts of his administration were conducted with good judgment. In economy he excelled both in public and private life. He supported the dignity of a governor without the reproach of parsimony; and yet, from the moderate emoluments of his post, made an addition to his paternal estate. The visible increase of his substance made some incredible reports of bribery and corruption to be very easily received; but, in times when party spirit prevails, what will not a governor's enemies believe, however injurious and absurd? It is no more than justice to his character, to allow that he had as many virtues as can consist with so great a thirst for honour and power.

His life would afford convincing evidence, if there was any doubt, that an humble calm mind enjoys more happiness in private life than an ambitious anxious mind in the highest station. No man in that period had seen more of those vicissitudes of fortune and the age, which Cicero, in one of his epistles to Luceius, says, afford a pleasing narration, however irksome to the man who has the experience of them.

Colonel Tailor's strong attachment to the bank party procured him the administration for a few months; but was the ultimate cause of his losing his commission for lieutenant-governor. It was supposed, but it does not appear upon what grounds, that Colonel Burgess would favour the same party, and his arrival was every day wished for by them; whilst the other party dreaded it, and laboured to prevent it. It was said also, that, in other respects, he would by no means be agreeable to the country; a gentleman of a more grave serious turn of mind would be more likely to be happy here himself, and to render the people so. Mr. Belcher, afterwards governor, who was very opposite to the bank party, was then in London, he joined with Mr. Dummer, the agent, and they engaged Sir William Ashurst with them, and prevailed upon Burgess for a thousand pounds sterling, which Belcher and Dummer advanced equally between them, to resign his commission, that Colonel Shute might be appointed in his stead. Colonel Tailor's friends had endeavoured to engage Ashurst in his favour, but to no purpose; the same interest obtained the lieutenant-governor's commission for Mr. William Dummer, a New England gentleman, who had married a daughter of Mr. Dummer, one of the commissioners at Plymouth, and was in some post there himself; but, his wife dying, he had returned to his native country.

Colonel Shute's family were, generally, dissenters: His father, an eminent citizen in London; his mother, daughter of Mr. Caryl, a dissenting minister of great note. His brother, afterwards Lord Barrington, was then a member of parliament, and at the head of the dissenting interest. The

colonel began his education under Mr. Charles Morton, who, about the year 1684, came to New England, and was minister of Charlestown. After tuition under him, he was sent to Leyden. He went after that into the army under King William, who made him a captain, served under the Duke of Marlborough, was a lieutenant-colonel, and wounded in one of the principal battles in Flanders. He had a good acquaintance, and was well esteemed at court; had the character of a friend to liberty, and was of an open, generous, and humane disposition. A governor of his character might be supposed to be welcome to New England men, but the interest of party prevails over all other considerations; and virtue, religion, private friendship, and public good are all sacrificed to promote it.

From the arrival of Governor Shute, in 1716, to the arrival of Governor Belcher, in 1730.

Colonel Shute arrived at Boston, October the 4th, 1716, in a merchant ship, and was received with the usual parade. He made the opposers of the bank his first acquaintance, the old governor's family in particular, and took his lodgings at Mr. Paul Dudley's. He had received very unfavourable impressions of the other party, from Mr. Belcher and Mr. Dummer, in England, and was considered, from his first arrival, as an enemy to the scheme, and the heads of the party were the heads of an opposition, during the whole of his administration. In his first speech to the general court, November 7th, he put them in mind of the bad state of the trade of the province, an important article of any people's happiness, owing, as he supposed, to the great scarcity of money, and recommended the consideration of some effectual measures to supply this want, and thereby to restore trade to a flourishing condition. He advocated the further emission of government bills, and the representatives, pleased with so easy a method of obtaining money, soon determined upon a second loan, of one hundred thousand pounds for ten years, to be put into the hands of commissioners appointed for each county in proportion to their taxes. This provision being made by the government, there was the less pretence for private persons or companies issuing their bills; but it gave no relief to the trade, the whole currency soon depreciating to that degree, as, with this addition, to answer the purposes of money very little more than if it had not been made. The governor became sensible of it, and recommended to them to provide against it, which they were not able to do, and many of them would not have been willing if they had been able, being in debt; and, by means of the depreciation, discharging the debts by a nominal sum, perhaps of not more than one half of the real value of the debts. He soon found the effects of it upon his own salary, which they refused to advance as the bills sunk; and having recommended this measure in a public speech, it became more difficult afterwards to refuse repeating it.

The province had been at war with the eastern Indians, except some short intervals, for about forty years. The prospect of a long peace between Great Britain and France encouraged us to hope for the like with the Indians, who had always been under French influence; but their father, Rallé, a jesuit, was constantly instigating them to insult and annoy the new settlers who, he pretended, encroached upon the lands of the Indians, and by supplying them with strong drink, debauched their morals and pre-

vented the progress of the good work he had began among them. A treaty or conference was thought expedient to confirm them in their friendship with the English, and, if possible, to draw them from the Roman Catholic to the Protestant religion. The governor, therefore, the first summer after his arrival, in August, (1717), attended by several of the council both of Massachusetts and New Hampshire, and other gentlemen, met the Indians at Arowsick Island.

At the beginning of the conference, he delivered them an English and an Indian bible, which he told them contained the religion of the English, and at the same time recommended to them Mr. Baxter, a minister who went down as a missionary, and told them he would explain the Bible, and instruct them in the principles of religion. They were at no loss for an answer. "All people, they said, loved their own ministers; and as for the Bible, they desired to be excused from keeping it, God had given them teaching, and if they should go from that they should displease God." They were fixed in their religion, and it would have been a loss of time to attempt to move them. The rest of the conference was upon the right of the English to settle in that part of the country. Upon complaint made, by the Indians, of encroachments upon their lands, the governor produced one of the original deeds which had been given by their sachems. They acknowledged the lands, to the west of Kennebeck, belonged to the English, but they were sure no sale had ever been made of any lands to the east. The governor told them the English would not part with an inch of the land which belonged to them. The Indians were so offended, that they rose immediately, and, without ceremony, took to their canoes, and went to another island, where they had their head quarters, leaving behind an English flag which the governor had given them. In the evening, several of them returned to Arowsick, with a letter from Rallé to the governor, acquainting him that the French king did not allow, that in any treaty he had given away the land of the Indians to the English, and would protect the Indians against the English encroachments. The governor let them know, that he highly resented the insolence of the jesuit, and the next morning ordered the signal for sailing. Rallé, in his letters, often laments the unsteadiness of the Indians. They were afraid at this time of a new war. The old men were loth to quit their villages at Norridgewock and Penobscot, where they lived at ease, and encamp in the woods, or, which was much worse, depend upon the French who, they would often say, treated them like dogs when there was no immediate occasion for their service. This consideration induced them to send two of their number with a message to the governor, acknowledging that yesterday they had been rude and unmannerly, and earnestly desiring to see him again. He let them know he would see them upon no terms, unless they quitted their pretensions to the lands which belonged to the English. This the messengers promised should be done, and desired that the English colours which they had slighted might be returned them. In the evening they came again to the conference, and appointed a new speaker, as a mark of resentment to the former, who, they said, had behaved ill the day before; and, without entering into any dispute about particular limits or bounds, declared they were willing the English should settle where their predecessors had settled, desired to live in peace, and to be supplied with

necessaries, in a way of trade, confessed that some of their inconsiderate young men had offered injuries to the English, and violated the treaty of Portsmouth in 1713. After renewing that treaty, the conference ended.

The administration of a new Governor in the colonies was formerly calm at first. Several months passed after Col. Shute's arrival, without open opposition to any measures. The town of Bolton at the first election of their representatives, left out such as had been bank men, and choose such as were of the other party, but Mr. Cooke, who was at the head of the first party, had interest enough to obtain a place in council. It was, soon after, insinuated that the governor was a weak man, easily led away, and that he was in the hands of the Dudleys, men of high principles in government, and it behoved the people to be very careful of their liberties. Mr. Cooke, who had the character of a fair and open enemy, was bold in expressing his sentiments, and the governor was informed of some contemptuous language in private company, with which he was so much offended as to procure Mr. Cooke's removal from the place of clerk to the superior court. A dispute happening about the same time between Mr. Bridges, surveyor of the woods, and the inhabitants of the province of Maine, concerning the property of the white pine trees within that province, Mr. Cooke immediately inserted himself in the controversy, publicly patronized the inhabitants, and in a memorial to the house of representatives, charged the surveyor with mal-conduct in threatening to prosecute all who, without licence from him, should cut any pine trees in their own ground, which Mr. Cooke alleged they had good right to do, and he further charged the surveyor with permitting such persons, as would pay him for it, to cut down the trees which were said to belong to the king.

The surveyor thereupon preferred his memorial to the governor and council, justifying himself in the discharge of his trust, and complaining of Mr. Cooke, one of the members of the council, for officiously concerning himself with the affairs of the surveyor's office, and obstructing his measures for the service of the crown. Mr. Cooke had many friends in the house ready to support him, and this dispute was the beginning of the public controversy which continued until the end of Col. Shute's administration; parties were formed, new subjects for contention from time to time were furnished, until at length the governor was forced to leave the province.

In the month of April of this year (1717), a pirate ship, the *Whidah*, of 23 guns and 130 men, Samuel Bellamy, commander, ventured upon the coast of New England, near to Cape Cod, and after having taken several vessels, seven of the pirates were put on board one of them, who soon got drunk and went to sleep. The master of the vessel which had been taken, ran her ashore upon the back of the cape and the seven men were secured. Soon after, the pirate ship, in a storm, was forced ashore near the table land, and the whole crew, except one Englishman and one Indian, were drowned. Six of the company, upon trial by a special court of admiralty, were pronounced guilty, and executed at Boston, Nov. 15th.

The famous Indian warrior, Benjamin Church, who had escaped the enemy's bullets in a great number of encounters when in the most imminent hazard, met death this year by a fall from his horse, at the age of 78.

Mr. Woodward, secretary of the province, tired of a post of much labour and little emolument, disposed

of it to Josiah Willard, Esq.; who obtained the royal commission, and arrived at Boston, from London, December the 12th.

(1713.) No vote of council upon this memorial can be found, but the governor espoused the cause of the surveyor, and, to shew his resentment against Mr. Cooke, when the list of counsellors was presented at the next election, directed his speech to him in particular, and let him know he would excuse him from attending at the board for the ensuing year.

Mr. Cooke, soon after, presented his memorial to the council, in which he justified his own conduct, and charged Mr. Bridges with "using his utmost efforts to evade the rights and properties of the people in the province of Main, by his exorbitant actions, as well as basely betraying the trust the crown had invested him with, by daily selling and bartering the very logs and timber which he gave out was the king's, his master, whose bread he then eat." The council suffered the memorial to lie upon the table, but acted nothing upon it. Afterwards, upon the appointment of a committee by the house, they joined a committee of council to consider in general of Mr. Bridges's conduct. This committee, in their report, justified Mr. Cooke, and condemned the proceedings of the surveyor. The council put off the consideration of this report also, but the house voted their acceptance of it. The governor, of course, transmitted to the board of trade an account of all these proceedings, and very soon received an answer censuring the house of representatives for countenancing and encouraging Mr. Cooke. This being laid before the house, they by a vote declared, that the censure of the board of trade was occasioned "by sending home the papers on one side only, whereby their lordships were informed ex parte," The house had avoided any direct attack upon the governor, until this vote; many of the principal members this year being well affected to him, but the party without doors, especially in Boston, had been increasing against him, and, at the next election for that town, they sent all new members, and a change was made in many other towns unfavourable to the governor's interest.

The famous projector, Captain Coram, in the year 1718, was busy in a scheme for settling Nova-Scotia and the lands between Nova-Scotia and the province of Main, and a petition was preferred by Sir Alexander Cairnes, James Douglas, and Joshua Gee, in behalf of themselves and others, praying for a grant upon the sea-coast five leagues south west and five leagues north east of Chibuctow harbour, where they proposed to build a town, and to improve the country round it in raising hemp, in making pitch, tar, and turpentine, and they undertook to settle a certain number of families to consist of 200 persons in three years, the rest of his majesty's subjects not to be prohibited fishing on the coasts under regulations. To this petition Mr. Dummer, the Massachusetts agent, objected because of the last clause, which laid a restraint upon the fishery. The lords of trade, however, reported in favour of it, but it stopped in council.

Another petition was preferred by William Armstrong and others, who had been officers and soldiers in the army, "praying for a grant of the lands between Nova-Scotia and the province of Main, the said tract of land having been conquered by the French in 1696, and possessed by them until 1710, when it was recovered by the English, and by the treaty of Utrecht was, with Nova-Scotia, given up by France to the British crown." The conquest in

1696, was the taking Pemaquid fort and holding possession of the harbour two or three days. The general court being restrained from conveying these lands without consent of the crown, it was proposed that if they would consent to resign the jurisdiction between Kennebeck and Penobscot the crown should confirm the property of the soil, but upon the proposal being communicated to the court, they instructed their agent to make no concessions.

One Sarah Watts, setting forth that she was heir at law to Thomas Goffe, deputy governor and one of the twenty-six patentees of the old colony, claimed a 16th part of the colony, and the issues and profits for eighty or ninety years. She filed a bill of complaint in chancery against the province, and there was a commission of sequestration for several New England ships in the river, which cost the owners several guineas, each, to the sharpers who had urged the woman to the suit. The agent was required to answer the bill, which he did by declaring that if the complainant could even make it appear that Thomas Goffe was once seized of a 26th part of the colony, and that she was heir at law to him, which he did not believe she was able to do, yet he verily believed that when the patentees, with others, were incorporated into a body politic, their respective rights ceased and passed to the corporation, who had granted the lands away. The poor woman was at last arrested for debt and sent to Newgate, where she perished.

(1719.) The governor, in the beginning of the year 1718, had consented to an impost bill which laid a duty not only upon West India goods, wines, &c., but also upon English manufactures, and a duty of tonnage upon English ships. Before the session in May, the next year, he had received an instruction from the king to give all encouragement to the manufactures of Great Britain. The house, however, passed a bill of the same tenor with that of last year, and sent it to the council for their concurrence. An amendment was proposed, viz., to leave out the duty upon English vessels and goods, but the house adhered to their bill. A conference ensued, for the house was not, then, so exact as they have been since, in refusing to confer upon money bills. This produced nothing more than a proposal from the house to alter the word English to European, which, being trivial, was refused. It seems, the governor, a little out of time, had taken the opinion of the council upon this question, whether, consistent with his instruction, he could give his consent to the bill, which they determined he could not, if it should be offered to him. The house then tried the council with the following resolve, "The house insist on their vote, forasmuch as the royal charter of this province gives power to the government to impose and levy proportionable and reasonable assessments, rates, and taxes upon the estates and persons of all and every the proprietors and inhabitants of the same, which this government has been in the free and uninterrupted exercise of ever since the enjoyment of the said charter." Sent to the upper house for their concurrence. The upper house was a new name for the council, and designed as a flier, and to intimate that they might consider themselves in another capacity, than as privy council. Perhaps if Cromwell's epithet for his house of lords had come into their minds, it would have been, the other house. Taunts and language which tend to irritate, can upon no occasion be justifiable from one branch of the legislature to the other. • Upon an agreement and harmony the interest of the people depends,

Upon different apprehensions of this interest, if it be the real object, the several branches, by the persuasive voice of reason, will strive to convince each other, and be willing to be convinced as truth shall appear.

The council thought themselves unkindly treated; and, by a message, desired the house to alter their vote, but they refused to do it, and gave their reasons for the new form. "The house have received new and unusual treatment from the board. 1st, It is new and unusual for the council to give his excellency their advice upon a bill, till they have acted in concert with the house in concurring or non-concurring. 2d, It is likewise new and unusual for the council to desire a free conference, upon a subject matter, and then, at the management, to inform the house that by a previous vote they had so far engaged themselves that they could not recede from it. 3d, It is likewise a new and unusual method for the honourable board, after a message to the house during several amendments to a bill of rates and duties which were in a great measure agreed to by the house, immediately to non-concur the bill. 4th, It is likewise new and unusual for the honourable board to intermeddle so much with the grants and funds, which this house take to be their peculiar province."

The house having in this manner expressed their resentment, returned to their old style, and then the council, by message, let them know that they would not give their concurrence to any bill laying a duty upon European goods, denied the charge made against them by the house, of innovations, and intimated that any further messages would only tend to increase the misunderstanding and retard the affairs of the government, and desired the house, rather to join with them in a diligent endeavour to bring the session to such a conclusion, as should promote his majesty's honour and the interest of the province.

Several weeks having been spent in these alterations, the governor thought it time to interpose; and, sending for the house to the council-chamber, he made the following mild and healing speech to them.

"Gentlemen,—My design for sending for you up at this time, is to let you know how concerned I am at the unhappy misunderstandings that have been for many years between the council and your house relating to the impost bill, and to assure you that no person here present can be more desirous of preserving the privileges of this people than myself, so far as is consistent with the late instructions I have received from my royal master, which have, by his special directions, been laid before this court. I am fully persuaded, that to act any way contrary thereto, after the many debates and votes which have been upon that head, would rather destroy than preserve those privileges we justly prize. Gentlemen, I desire your earnest consideration of what I have hinted; that so the important affairs of the province yet lying before you may have a speedy and happy conclusion."

This speech, which, a year or two after, when the prejudices against the governor were at the height, would have been excepted to as irregular and anticipating matters, which it would have been time enough for the governor to have declared his sense of when they came to be laid before him, had now a good effect, and the house, the same day, resolved that a new impost bill should be brought in, and that the controverted clause in the former bill

should be left out, but in the preamble to their resolve they made a heavy charge against the council for not concurring their former bill.

"Whereas this house have voted, and passed a bill, granting to his majesty several rates and duties of impost and tonnage of shipping, in which was included one per cent. on European merchandize, for which article or clause the honourable council have several times non-concurred the said bill, notwithstanding all proper endeavours have been used by this house to attain the same which have hitherto proved fruitless, whereby a considerable part of the revenue, which would have accrued to this province, is for the present session foregone; which also tends to the depriving this government of their just rights, powers, and privileges granted by the royal charter, resolved," &c.

The council were fond of peace, and, as soon as this resolve came to their knowledge, they sent a message to the house desiring they would not print the resolve in their votes, as it would have an ill effect and would oblige the council, in their own vindication, to reply, although they wished that all controversy, between the two houses, might cease. The house printed it, notwithstanding, and the next day the council sent the following answer.

"The board are very much concerned to find, among the votes of the honourable house, a declaration as if the council in non-concurring the bill of impost as it was first framed, had done that whereby a considerable part of the revenue, which would have accrued to this province, is for the present session foregone; which also tends to the depriving this government of their just rights, powers, and privileges granted by the royal charter.

"This declaration contains, or implies, such a charge as the council can, by no means, suffer themselves to lie under, without asserting and solemnly declaring their integrity, and they are more surprised, at the imputation of doing a thing which tends to deprive this government of their just rights, powers and privileges granted by the royal charter; because, on the 23d current, the board sent down a message to the honourable house, 'that they were always ready and desirous to concur with the honourable house of representatives in such proposals relating to an impost, as may not tend to alter or expose our present happy constitution under the royal charter;' so that it was from a sincere and just regard to the rights, powers, and privileges of this government granted by the royal charter, that the council chose rather to omit the duty of one per cent. on English goods for this session.

"That the council apprehended the duty of one per cent. on English goods affected the trade of Great Britain, and so came within the meaning of his majesty's late additional instruction, is certain: and, being of that opinion, it would have been inconsistent for the board to concur the bill of impost as it was sent up; however, they can boldly and truly say, they have acted from a principle of duty to his majesty, love and fidelity to their country, and have nothing more at heart than the just, wise, and careful preservation of those invaluable rights, powers, and privileges granted by the royal charter, which God long continue."

This controversy being over, the court was prorogued.

Before the next sessions in November, the governor received a reprimand from the lords justices, the king being absent, for consenting to the duty on English goods, &c. by the impost act in 1718. This

he laid before the court. The same house, which had so long contended with the council, the session before, for this clause in the bill, now "readily acknowledge the exceptions taken to it are just and reasonable." An instruction to the governor to support the surveyor of the woods in the execution of his office, which was communicated to the house at the same time, was not so favourably received, and in an answer or remonstrance occasioned by the governor's speech they charge the surveyor with instances of very gross mal-conduct. What evidence they had of it does not now fully appear. The governor, by a message, desired that they would not print their remonstrance. They sent a committee to acquaint him, they must insist upon the right they had to make it public. He made a very great mistake, and told the committee, that his majesty had given him the power of the press, and he would not suffer it to be printed. This doctrine would have done well enough in the reigns of the Stuarts. In the present age it is justly exceptionable; although, by the liberty of the press, we are not to understand a liberty of printing every thing, however criminal, with impunity. The house had no opportunity to take notice of this declaration. Upon another occasion they let him know they had not forgot it. The governor was so displeased with the proceedings of the house, that he put an end to the session, and they did not meet again.

(1720.) We are now arrived to the memorable year 1720. The contests and dissensions in the government rose to a greater height than they had done since the religious feuds in the years 1636 and 1637.

The public affairs, in general, were in a very indifferent state. The Indians upon the eastern frontiers were continually insulting and menacing the English inhabitants, so that but little progress had been made in settling the country since the peace, and, this year, most of the settlements which had been begun were deserted, and a new war was every day expected.

The trade of the province declined; there was a general cry for want of money, and yet the bills of credit, which were the only money, were daily depreciating; the depreciation was grievous to all creditors, but particularly distressing to the clergy and other salary men, to widows and orphans whose estates consisted of money at interest, perhaps just enough to support them, and being reduced to one half the former value, they found themselves on a sudden in a state of poverty and want; executors and administrators, and all who were possessed of the effects of others in trust, had a strong temptation to retain them; the influence a bad currency has upon the morals of the people is greater than is generally imagined. Numbers of schemes, for private and public emissions of bills, were proposed as remedies, the only effectual one, the utter abolition of the bills, was omitted.

By these calamities, the minds of the people were prepared for impressions from pamphlets, courants, and other newspapers, which were frequently published, in order to convince them, that their civil liberties and privileges were struck at, and that a general union was necessary. These did not pass without answers, attributing all the distress in public affairs to the wrath and resentment, the arts and sinister views, of a few particular persons; but the voice of the people in general was against the governor. In the mother country, when disputes arise between the branches of the legislature upon their re-

spective rights, parties are formed and the body of the people are divided; for in a well constituted government it is of importance to the people that the share, even of the popular part of the constitution, should not be unduly raised to the suppression of the monarchical or aristocratical parts. From a regard to the common interest, therefore, in a dispute concerning prerogative and privilege, the people, ordinarily, are divided in sentiment. The reason is obvious why it is less frequently so in a colony. There, the people, in general, consider the prerogative as an interest; without them, separate and distinct from the interior interest of the colony: this takes their attention from the just proportion of weight due to each branch in the constitution, and causes a bias in favour of the popular art. For the same reason, men fond of popular applause are more sure of success, with less degree of part, in a colony, than in a state not so connected: and, consequently, men who with unbiassed judgments, discern and have virtue enough to pursue the real interest of their country, are more likely to be reproached and vilified.

The first act of the house of representatives was the choice of Mr. Cooke for their speaker. A committee was sent to the governor at his house, to acquaint him with the choice. They reported, at their return, that his excellency said, "it was very well." In the afternoon, the governor, being in council, sent the secretary to acquaint the house, that he was now in the chair and ready to receive their message, respecting the choice of a speaker. They sent back an answer, that his excellency, upon being informed of the choice in the morning, had said "it was very well," and they had recorded his answer in the books of the house. The governor replied, that he would receive no message from the house but when he was in the chair. The house then proposed, by message, to the council, to join with them in the business of the day, the choice of counsellors; but upon the governor's telling their committee, who carried up the message, that no election should be made until he was acquainted who was chosen speaker, the house sent a new committee to acquaint him with the choice they had made. The governor replied to this committee, that Mr. Cooke had treated him ill as the king's governor, and, therefore, according to the power given him by the royal charter, he negatived the choice, and desired they would proceed to choose another person. They sent back their answer, that they had chosen a speaker, according to their known and legal privileges, and therefore insisted upon the choice, and at the same time they renewed their motion to the council to join with them in the election. The governor told the committee, that he had received a message from the house, acquainting him with the choice they had made of a speaker, which choice had been negatived and he was no speaker. Upon this, the house sent their committee to the board to acquaint them, that two messages having been sent to propose to the board to join in the choice of counsellors and no answer having been given, they now desired to know whether the board would join in the election or not.

If there had been any further delay on the part of the board, it is very probable, the house would have proceeded without them, which must have increased the perplexity. The governor, therefore, left the board, having first charged the secretary with the following message to the house, "His excellency orders me to acquaint you, he is informed that governor Dudley did, in the time of his government,

disallow of a speaker chosen by the house, and that his proceedings therein were approved by the commissioners of trade and plantations, and that he was thereupon directed by the said commissioners to acquaint the council, that it would not be thought fit that her majesty's right of having a negative upon the choice of a speaker be given up, which was reserved to her majesty, as well by the charter, as by the constitution of England."

Notwithstanding the warm disputes, in the preceding year, between the two houses, only one new counsellor was chosen, John Burrill, Esq., of Lynn, who had been many years speaker of the house, but this year was sent to the board, in the room of Mr. Higginson. His temperate spirit, until now, had engaged the whole house in his favour, and, from year to year, procured him a general vote, but this year the house were willing to part with him for a gentleman obnoxious to the governor, which measure, it was easy to foresee, must give a further occasion of controversy.

Two of the new elected counsellors were negatived, Nathaniel Byfield, who had been soliciting in England for the government when Colonel Shute was appointed, and John Clark, who was a person of many valuable qualities, and obnoxious, only, for being strongly attached to Mr. Cooke, and having been a great supporter of the cause.

After the election, the governor made a further attempt to bring the house to a compliance by the following speech. "Gentlemen. At the opening of this session you thought fit to make choice of Elisha Cooke, Esq. for your speaker; and, upon reporting of it to me, I did declare my disacceptance of that election, and am firm in my opinion that I had good right so to do, by virtue of his majesty's commission, and the powers reserved by the royal charter, and am also confirmed in it, by what I find transacted by the late governor Dudley, during his administration, and also by the opinion of the right honourable the lords of trade and plantations in that matter. I must further observe to you, that the person you have chosen had invaded the king my master's rights in the woods of the province of Maine, though confirmed to his majesty by an act of the British parliament, and I have received the thanks of the right honourable the lords of trade and plantations for removing him out of the council. He has ill treated me, who am the king's governor, and has been censured by the council for it, which stands upon record in the council books. How acceptable this matter will be, at home, considering the warning we have lately had from the court of Great Britain upon the account of passing the impost bill, will be worthy of your serious reflection. These things I thought necessary to acquaint you with, and advise you to return to your house and choose some other person speaker, with a reservation of your own rights, until you shall send to the court of Great Britain for the explanation of that part of your charter, relating to the affair of a speaker."

The house, immediately upon their return to their chamber, entered into a debate upon this speech, and the question being put, whether, for the reasons assigned by his excellency, the house will proceed to the choice of a new speaker, it passed in the negative, *nemine contradicente*.

The governor gave them no opportunity to proceed on any other business, for the next day he sent for them up again, and, after another speech, dissolved the court. "Gentlemen. Out of a tender

regard I have for the welfare of this province; I shall give you the following advice before we part; that when it shall please God we meet again in a general assembly, which shall be as soon as possible, you will not let this province suffer by the perverse temper of a particular person, but that you will choose one for a speaker that has no other view but that of the public good, one that fears God and honours the king. It is irksome and disagreeable to me to dissolve an assembly, but as matters now stand, I am forced to do it, or must give up the king, my master's prerogative, which nothing shall ever oblige me to do, who am the king's governor. Gentlemen, I do not think it for the honour of his majesty's government that this assembly should sit any longer, and therefore I shall dissolve you."

Writs were issued for a new assembly, to meet the 13th of July. The governor had no great reason to hope for a more favourable house. The people, in general, thought their privileges were attacked. The charter indeed was silent upon this point. In a dispute, between the crown and the house of commons in the reign of Charles the Second, an expedient was found which seemed to avoid the acknowledgment of the right of the crown to refuse a speaker, but a provincial law was principally relied upon which declares "that the representatives assembled in any great and general court shall be the sole judges of elections and qualifications of their own members, and may from time to time settle, order, and purge their own house, and make such necessary orders for the due regulation thereof as they shall see occasion." Whether the legislators had in contemplation the right of the house to choose a speaker, exempt from the governor's negative, might well be questioned; but it was urged that the due regulation of the house might very well include this right.

The towns, in general, sent the former members. Boston discovered how they stood affected by leaving out Mr. Tay, who was one of those persons who serve upon a pinch, when a favourite cannot be carried by a party, to stop the gap, and prevent an opposite candidate; and he came in several times upon such occasions. In his room, the town now chose Mr. Clark, the negatived counsellor.

The house was willing to sit and do business, which the choice of the former speaker would have prevented. They therefore pitched upon a person less attached to party, Timothy Lindall, one of the representatives of Salem, to whom no exception was taken. The governor, in his speech, recommended a peaceable session, but the house could not forget the late dissolution. They began with a warm message or remonstrance to the governor, in which they tell him, "the last assembly took no great pleasure in being dissolved, before they had gone through the usual necessary business; their asserting and maintaining their just right and ancient privilege of choosing their speaker, and not owning his excellency's power to negative him, was nothing but what they were strictly obliged to; and the new house are humbly of opinion, that whoever was of advice to his excellency, in the matter, did not consult his majesty's interest, nor the public weal and quiet of the government, but officiously endeavoured to beget unhappy misunderstandings between his excellency and the house, and break off that desirable harmony which every one ought to keep up; we earnestly hope and desire the province may never have an assembly that will willingly forego such a valuable privilege as King William and Queen Marv, of eve:

blessed memory graciously favoured the province with, when they gave their royal assent to a law, directing and governing that affair."

All the subsequent proceedings of this short session shew how much the house was out of temper. An Indian war used to be universally dreaded. To prevent it, the governor and council had been treating with three of the Penobscot tribe, who were sent for or came to Boston, and the house were desired to make a grant for a present to them, but by a vote they refused to do it. Some time after, they ordered a small sum, ten pounds only. To the controversy with the governor, and the opposition made to the proposals which came from him, the war, which soon after broke out, was, by the governor's friends, attributed.

There had been no public notaries in the province, except such as derived their authority from the archbishop of Canterbury. The house now first observed, that a notary public was a civil officer, which by the charter was to be chosen by the general court, and sent a message desiring the council to join with the house in the choice of such an officer in each part of the province. To all instruments which were sent abroad, not only the attestation of the notary himself would be necessary, but a certificate under the province seal, to shew the authority to attest; the council therefore took time to consider of the expediency of appointing such an officer, and referred the matter to the next session, but the house immediately proceeded and chose the officers by their own votes. The arguments, to prove that an officer to be chose by the whole court could derive an authority from the majority of the members of the house of representatives, have not been preserved.

Being offended with the council, the house sent a message desiring "that considering the low circumstances of the province, no draught be made upon the treasury for expenses, at times of public rejoicing, for the future."

It had been usual to make a grant to the governor for the salary of half the year, at the beginning of the session: the house deferred it until the close, and then reduced it from five to six hundred pounds, although the currency was depreciated. To the lieutenant-governor they used to make a present, once a year, never less than fifty pounds, they now reduced it to thirty-five. Mr. Dummer had so much spirit, that he inclosed the vote in a letter to the speaker, acquainting him that "having the honour to bear the king's commission for lieutenant-governor of the province, and having been annually more than fifty pounds out of pocket in that service, he did not think it for his honour to accept of their grant."

The governor took no public notice of the proceedings of the house. On the 23d of July he put an end to the session.

During the recess of the court (August 7th) a part of the eastern Indians fell upon Canso, within the province of Nova-Scotia, but peopled every summer from the Massachusetts. The Indians surprised the English in their beds and stripped them of every thing, telling them they came to carry away what they could find upon their own land. Three or four of the English were killed. Some of the French of Cape Breton were in confederacy, and came with their vessels, the next night, and carried off the plunder, together with about 2,000 quintals of fish. The English vessels in the harbour were not attempted. A sloop happening to arrive the next day, the master offered his service to go out and

make reprisals, and being furnished with a number of men, and two or three small vessels for his consorts, for want of more ample authority, he took a commission from one Thomas Richards, a Canso justice, and went after the French, and soon brought in six or seven small fishing vessels, having all of them more or less of the English property aboard.

Mr. Henshaw, of Boston, a principal merchant at Canso, went to Louisbourg with a complaint to the French governor, who excused himself from intermeddling, the Indians not being French subjects, nor under his controul. The French prisoners were sent to Annapolis-royal. The loss sustained by the English, was estimated at twenty thousand pounds currency.

The fears of the people, in the eastern parts of the Massachusetts, were increased by this stroke upon Canso. In a short time after the cattle were destroyed and the lives of the owners threatened. The governor was still desirous of preserving peace, and, by the advice of counsel, sent orders to Colonel Walton, the commanding officer of such forces as upon the alarm had been sent there, to inform the Indians, that commissioners should be sent to treat with them. The Indians liked the proposal and promised to attend the treaty.

Before the time appointed the general court met, and the house passed a resolve, "that 150 effective men, under suitable officers, be forthwith ordered to march up to Norridgewock, and compel the Indians that shall be found there, or in other those parts, to make full satisfaction for the damage they have done the English, by killing their swine and sheep or carrying them away; or stealing provisions, clothing, or any other way wronging them: and that a warrant be directed to Capt. John Leighton, high sheriff of the county of York, who is to accompany the forces for the apprehending and safe bringing Mr. Rallé to Boston, who is at present resident at or near Norridgewock, in Kennebeck river, in this province; and, if he be not to be found, that then the sheriff direct and command the Indians there, or in the parts adjacent, to bring in and surrender up the jesuit to him the sheriff; and, upon their refusal to comply with either of the said demands, that the commanding officer is to take the best and most effectual way to apprehend and secure the Indians so refusing, and safe conduct them to Boston."

The governor looked upon this resolve to be, in effect, a declaration of war and an invasion of the prerogative; it necessarily prevented a treaty he had agreed to hold with the Indians, and a new war must be the consequence of such a measure. The council were fond of peace, and when the resolve was sent to them for concurrence, they rejected it. The house were less averse to war. The charge of carrying it on, it was said, would be no burden to the province; the French, now, durst not join the Indians, and this would be the most favourable opportunity which could be expected to subdue or utterly extirpate them. That the charge should be no burden seems to be a paradox, but a wild opinion had filled the minds of great part of the people of the province, that, if bills of credit could be issued, the advantage to trade would be so great, that the taxes by which, at distant periods, they were to be drawn in again would not be felt. Many schemes of public expense were projected, and, among the rest, a bridge over Charles river, broader and much deeper than the Thames at London or Westminster.

The public records of the general court are al

ways open to the inspection of any of the members, but, that the house might have them under their more immediate view and charge, they passed a vote, that the secretary should make duplicates of all public records, and that one set should be lodged in such place as the house should appoint. The council, willing to have duplicates for greater security, concurred with an amendment, viz., in such place as the general assembly should direct, but this amendment the house rejected.

The house, finding the council a bar to their attempts, resolved, in one instance, to act by themselves. There was a complaint or suggestion, that false musters were made by some of the officers in the pay of the province. The house taking the affair into consideration resolved, "that one or more meet persons be appointed by this house clerk of the check, who shall, from time to time, have an inspection into the forts, garrisons, and forces, and take care that every one have their complement of men; and the better to enable them to execute the trust reposed in them, that when and so often as they shall see reason, the commanders of the forts, garrisons, and captains of any of the companies in the pay of this government, shall call forth their men before them, and, if any do not appear, the commanding officer to give the reason of such absent men; and that no muster roll shall be accepted and paid by the treasurer, unless approved of by the clerk of the check." The governor did not intend to admit this officer, appointed by the house, into the forts, garrisons, &c., which, by the charter, the crown had reserved to the governor, but he kept silent.

To another act of the house the council took exception. A message was sent by the house to the council to let them know they had appointed a committee to prepare a bill for levying soldiers, "taking it to be their peculiar care." Lest it should be understood that this was to exclude the council from concurring or non-concurring such bill, or from advising to the levying soldiers upon an emergency in the recess of the court, the council desired the house to withdraw those words, "taking it to be their peculiar care," which they agreed to.

At this session, the house, again, withheld one hundred pounds from the governor's usual half year's salary. He had passed it over without notice before, but now he thought it proper to lay before them a royal instruction to recommend to the assembly to establish a sufficient allowance for him by a fixed salary. They sent him a reply, "that they humbly conceived what was granted him was an honourable allowance, and the affair of settling salaries being a matter of great weight, and wholly new to the house, and many of the members absent, they did not think it proper to enter upon the consideration of it, but desired the court might rise." The governor complied with their request. The Massachusetts province afforded subject for some part of the madness of the people of England in this remarkable year. Waste lands have an imaginary value set upon them, sometimes higher, sometimes lower, and continually afforded subject for bubbles among themselves. Mr. Dummer raised a bubble from the eastern lands, but had not time for any very great success. We give his letter, as a specimen of this kind of transaction:—

"It remains now that I give an account to the general court of a very considerable undertaking which I set on foot, and have been carrying on for

several months past in hopes to procure thereby many great advantages to the province. I have projected a scheme to raise hemp and flax in the eastern frontiers of the province of Main for the supply of this kingdom. In order to accomplish this design, I proposed that the lands between St. Croix and Penobscot should be granted to the undertakers and their assigns by the crown, and that they should also have a charter of incorporation, with all reasonable privileges and advantages allowed them.

"I set myself heartily to work, and, that I might lay a good foundation, I chose seventeen managers for the carrying it on, who are all persons of great distinction, and attend diligently upon the business at every meeting. My Lord Barrington is one, and Colonel Bladen, of the board of trade, is another, and Alderman Bailis, a commissioner of the customs, is a third. The rest are either men of note and figure in parliament, as Mr. Young, first commissioner for stating the accounts of the army, or eminent citizens, as Sir Justus Beck, who is one of the greatest merchants in the kingdom. Being thus strong, I had no reason to take notice of Coram and friends, or to have any apprehensions of what they were doing, or capable of doing against me; yet, for quietness sake, I sent them word that, if they would withdraw their petition, and give me no more trouble, they should find an account of profit from this undertaking, beyond what they could ever expect, if it were to be under their own conduct. Coram immediately submitted to my petition, but when he afterwards was told that I had left out of my petition the tract of land between Kennebeck and Penobscot, he ran about in a mad rage, declaring he would rather starve than come into it, and that the whole design was only a trick in me to save that fine country for the villainous people of New England.—I have therefore since treated and agreed with his partners and patrons by whose interest he was supported, so that Coram is now entirely dropped, and I have no opposition.

"Nevertheless, it is the opinion of the managers to rest a little till the ministry has quelled the great number of companies that are erected every day in defiance of the late act of parliament, and are so offensive to the government, that the best scheme in the world would suffer some disgrace by appearing at this time. I have only to add, that I have reserved twenty thousand pounds of the subscription for the use and benefit of the province; which, when the time comes, I will put in the name of proper trustees for that end."

(1721.) At the opening the next session (March 15th), the governor, in his speech, recommended measures to prevent the depreciation of the currency, to suppress a trade carried on with the French at Cape Breton, and to punish the authors of factious and seditious papers, to provide a present for the five nations, and to enlarge his salary.

They refused, directly or virtually, every proposal. To the first the house tell him, in their answer, "they had passed a bill for issuing one hundred thousand pounds more in bills of credit. This, alone, had a direct tendency to increase the mischief, but they add that "to prevent their depreciation they had prohibited the buying, selling, and bartering silver, at any higher rate than set by act of parliament. This certainly could have no tendency to lessen it." Such an act can no more be executed than an act to stop the ebbing and flowing of the sea. It would probably carry away and keep

out all silver and gold. The depreciation of their currency would, notwithstanding, have been as visible by the rise of exchange with foreign countries, and as sensibly felt by every creditor among themselves. To his other proposals they say, "they know of no trade carried on by any people of the province with Cape Breton, and do not think any law to prevent a trade there is necessary; and for seditious and scandalous papers, the best way to suppress or prevent them is, for the executive part of the government to bring the authors to condign punishment; and if proper measures had been taken to discover and punish the authors of a libel called *News from Robinson Crusoe's Island*, wherein the members of the house are grossly reflected upon, few or none would have dared, afterwards, to publish any thing of that nature or tendency, but to suffer no books to be printed without license from the governor will be attended with innumerable inconveniences and danger; as to the five nations, the house do not know enough of their number, nor what the other governments intend to give, and, therefore, cannot judge what is proper for them to do; and for the allowance to the governor, they think it as much as the honour and service of the government calls for, and believe the inhabitants of the several towns through the province are of the same mind."

There never had been an instance of any governor's refusing or neglecting, at the beginning of the year, to appoint a fast, in conformity to the practice of the country, but the house now endeavoured to anticipate the governor, and appointed a committee to join with a committee of council to prepare a proclamation for a public fast. The council refused to join, and acquainted the house they could find no precedent; but the house replied that, if such days had not the sanction of the whole court, people would not be liable to punishment for working or playing. The governor, willing to conform to the house so far as would consist with maintaining his right of issuing proclamations, mentioned in the proclamation which he soon after published, that the appointment was by advice of council, and upon a motion from the house of representatives; but the house refused to meet him and declared they had never made any such motion; and ordered that no members of the house should carry any proclamations to their towns, for the present. The day was, however, observed as usual, except that one of the representatives of Boston would not attend the public worship, but opened his warehouse as upon other days.

Certain persons had cut pine trees upon that part of the province of Main which had been granted by the general court as private property. A deputy to the surveyor of the woods gave licence to cut the trees, as belonging to the king. The house appointed a committee to join with a committee of council, which joint committee were to seize and secure for the province, the same logs which had been cut by licence. The council concurred with a "saving to his majesty all such rights as are reserved by the royal charter, and acts of parliament, to trees of the royal navy."

The house desired this saving might be withdrawn, not that they apprehended the reservation made in the charter, or the provision by act of parliament, were of no force; but they alleged that the trees they designed to seize were cut by one deputed by the deputy of the surveyor of woods, and cut not for the royal navy, but for other uses, and

therefore they did not come within reason of the reservation or provision.

Finally, upon the council's refusing to join, the house appointed a committee of their own to seize the logs, and directed the attorney-general to prosecute those who had trespassed and made spoil upon the province lands. After they were seized, the house again desired the council to concur a vote or order for securing and converting the logs to the benefit of the province. This, without any judicial determination, was still more irregular, and the council declined meddling with them.

As the time approached for issuing writs for a new assembly, the governor made the following speech to them, before their dissolution:—

"Gentlemen of the house of representatives: In my speech at the beginning of the session, I gave you the reasons of my meeting you at this time. I have since received your answer, which I shall take care to transmit by the first conveyance, that his majesty may see, not only how his governor of this province is treated and supported, but what sort of regard is paid to his own royal instructions. I shall also lay before the right honourable the lords commissioners of trade and plantations, the bill for prohibiting a trade to Cape Breton, which I recommended to you several sessions, and which had twice the concurrence of his majesty's council, but was as often thrown out in your house, notwithstanding the message that accompanied that bill.

"I am very much surprised you should refuse two other bills, which came down from the council, the one to prevent riots, the other to prohibit the making and publishing libels and scandalous pamphlets, the passing of which would, in my opinion, have tended both to the honour of the government and the public peace.

"But what gives me the greatest concern is, that the proceedings of your house, with respect to the woods in the province of Main, are directly contrary to the reservation of his majesty's right in the royal charter, and an act of parliament, which were both set forth in my proclamation, dated the 1st of November, 1720, for preventing the destruction and spoil of his majesty's woods.

"I could heartily wish, that instead of obliging me to make such representations to the lords of trade, as I fear will not be to your advantage, you had acted with that calmness and moderation, which becomes the subjects of a prince, who possesses those qualities in an eminent degree; and, which becomes the representatives of a province, that, without any encroachment on the royal prerogative, enjoys as many and as high privileges, as the greatest advocates for liberty can desire or expect.

"I must therefore recommend to you a loyal and peaceable behaviour, and to lay aside those misunderstandings and animosities that of late prevail so much amongst you, which you will find to be your trust and best interest."

Doctor Noyes, one of the representatives of Boston, died while the court was sitting (March 16th), after a short illness. He was very strongly attached to the popular party, and highly esteemed by them; was of a very humane and obliging disposition, and, in private life, no man was more free from indelicacies. Mr. William Hutchinson, who succeeded him, was also a gentleman of a very fair character, sensible, virtuous, discreet, and of an independent fortune. He began his political life at a time when persons, thus qualified, were wanted for the service of their country, to moderate the pas-

sions of those who were less temperate and who had the lead in the house. In general, he adhered to the popular party also, but lived but a little while. Longer experience might probably have convinced him, that he would have shewn his gratitude to his constituents more, by endeavouring to convince them that they were running to an extreme, than by encouraging the same extremities himself.

The session of the general court, in May, this year, began as unfavourably as any former session. The house chose for their speaker, John Clarke, Esq.; who the year before had been negatived by the governor, as a counsellor. To prevent a negative, as a speaker, they projected a new form of message directed to the governor and council jointly, to acquaint them "that John Clarke, Esq. is chosen speaker of the house, and is now sitting in the chair." This was undoubtedly a very extraordinary contempt of the governor. Mr. John White, a gentleman of unspotted character, had been clerk of the house for many years. He was no zealous party man, but his most intimate friends, who esteemed him, and sought his company for the sake of his valuable accomplishments, were strongly attached to the governor. This, alone, was enough to dismiss him; and Mr. William Payne, brother by marriage to Mr. Cooke, and who had formerly been of the bank party, was appointed clerk in his stead.

The governor was more wroth than upon any occasion before. He came to council, in the afternoon, and sent immediately for the house, no doubt with an intent to dissolve the court. He had several faithful advisers about him, and, whilst the house were preparing to come up, he sent a message to stop them, and to let them know he accepted their choice of a speaker. This was giving a construction to their message, which they did not intend, and it was giving his consent before it was asked, but it was to be preferred to a dissolution; for a dissolution of the court, before the election of counsellors, according to the construction the house have sometimes put upon the charter, would have been a dissolution of the government, for one year at least, because the time mentioned for the first election was the last Wednesday in May. The counsellors named in the charter were to continue until others were chosen and appointed in their stead. We do not know of any words in the charter which would make the choice upon any day invalid, although that be the day more particularly designed for that business. The house shewed their resentment against the lieutenant-governor, and Mr. Belcher, who were both left out of the council. The rest were continued.

The next step was the appointing a committee to carry a list of the new elected counsellors to the governor; but the committee was not to desire his approbation, though this form had never been omitted in any one instance. The governor sent the list back, and took notice of the omission. The house thereupon resolved, "that considering the small pox was in Boston, and they were very desirous the house should be removed to Cambridge, they would send the list in the usual terms, saving their right to assert their privileges at a more convenient time." What privileges they had in their minds it is now difficult to discover. Surely they could not imagine the election would have been valid without his consent. The governor negatived Colonel Byfield, the rest he consented to.

The court was adjourned to Cambridge. The governor, in his speech, took no notice of past

differences. All was fair and smooth, and all was fair in the house also, the first fortnight, but, on the 19th of June, the governor's speech, at the dissolution of the last assembly, was ordered to be read, and a committee was appointed "to vindicate the proceedings of the house from the insinuations made by the governor of their want of duty and loyalty to his majesty." This committee made a report, not in the form of an address or message to the governor, but of a narrative and justification of the proceedings of the last assembly, and the house accepted it, and ordered it to be printed.

To vindicate the past proceedings about the pine trees, a full consideration was now had of the several acts of parliament, and the reservation to the crown in the province charter. The house did not deny a right in the crown to the trees, whilst they were standing, and fit for masts, but supposed that, as soon as they were felled and cut into lengths, fit for boards or timber only, the right of the crown ceased, and the owners of the soil recovered or acquired a new property in them. This, it was said, would render the provision made for the preservation of the trees, which at best is insufficient, to be of no effect, nothing being more easy than for the owners of the soil to procure the trees to be felled and cut into short logs, without possibility of discovery. However, they came to the following resolution, viz. "That inasmuch as a great number of pine trees have been cut in the province of Main, which, when standing, were fit for masts for the royal navy, but are now cut into logs of about twenty feet in length, and 'although the cutting them should be allowed to be an infringement of his majesty's rights reserved in the charter,' yet in the condition they are now in, being no longer capable of being used for masts, it is lawful for, and behoves this government to cause such logs to be seized, and converted to their own use, and to bring the persons who cut down the trees to punishment." In consequence, and for the purposes, of this resolve a committee was appointed.

The reservation in the charter is in these words, "for the better providing and furnishing of masts for our royal navy, we do hereby reserve to us, our heirs and successors, all trees of the diameter of twenty-four inches, and upwards of twelve inches from the ground, growing upon any soil or tract of land not heretofore granted to private persons. And we restrain and forbid all persons whatsoever from selling, cutting, or destroying any such trees without the royal licence of us, our heirs and successors, first had and obtained, upon penalty of forfeiting one hundred pounds sterling unto us, our heirs and successors, for every such tree."

It was said further upon this occasion that although the crown reserved the trees, and restrained all persons from cutting them which the necessity of the trees for national use and service might be sufficient to justify, yet it was not equitable to take them without a valuable consideration. The crown had made an absolute grant of the province of Main to Gorges, from whom the Massachusetts purchased. The Massachusetts' charter indeed was declared forfeited. Where the right was, after that, might be disputed, but this was a hard judgment, and it was the plain intent of the charter, in general, to restore rights, except that of the form of jurisdiction or administration of government, to the former state.

The house neglected making any provision for the support of the governor, or the other officers of the government, who depended upon the court for

their salaries. They waited to see how far the governor would consent to their several acts and votes. On the other hand, the two houses having chose the treasurer, impost officer, and other civil officers, the governor laid by the list, and neither approved or disapproved. When the house sent a message to the council, to enquire whether the governor had passed upon the list, he directed the committee to tell the house that they should take his own time for it. This occasioned a reply from the house, and divers messages and answers passed upon the subject. At length the house, by a vote, determined they would not go into the consideration of grants and allowances, before his excellency had passed upon the acts, resolves and election of that session. This was in plain terms avowing that the governor at first charged them with tacitly intending. To compel the governor to any particular measure, by making his support, in whole or in part, depend upon it, was said to be inconsistent with that freedom of judgment, in each branch of the legislature, which is the glory of the English constitution: this was not all; the house withheld the support of all the other salary men, because the governor would not comply with the measures of the house.

Resentment was shewn against some of the governor's friends. The agent in England, Mr. Dummer, in some of his letters, had informed the court of the sentiments of the ministry upon the proceedings of the house of representatives, and of the general approbation in England of the governor's conduct. A faithful agent would rather tell them the truth, than recommend himself to them by flattery and false representations. He lost the favour of the house, who, upon the receipt of these letters, voted, that it was not for the interest of the province Mr. Dummer should be continued agent any longer, and therefore it was ordered that he should be dismissed.

Paul Dudley, another of the governor's friends, had the misfortune also of falling under the displeasure of the house. He had been chosen, by a small majority, counsellor for Sagadahoc. By the charter, it was necessary for him to have been an inhabitant or proprietor of that part of the province for which he was chosen. He dwelt in the old colony of Massachusetts. It was suggested, in the house, that he had no lands at Sagadahoc, and they appointed a committee to enquire into this fact. Upon their applying to Mr. Dudley for evidence of his title, he told them it was too late, they should have inquired before the election. Perhaps he was in an error. He went on and told the committee, he had a deed which he would not expose to the house, but he would shew it to two or three of the members. Upon this they sent another committee to inform him, it was expected he should produce his deed, the next morning, to be laid upon the speaker's table. He replied that he would not produce his deed before the house, for they might possibly vote it insufficient. In this part of the province there are scarce any lands which have not more than one claimer, and it is not improbable some of the members of the house claimed the lands in Mr. Dudley's deed. The vote of the house would not have determined his title, but it might have had undue influence upon a jury in a judicial proceeding.

Mr. Dudley's answer was unsatisfactory, and the house voted that it was an affront; that his declining to produce his deeds gave sufficient grounds to believe that he was no proprietor, and it was therefore resolved that his election be declared null and

void. This vote being sent to the council was by them unanimously non-concurred.

No grants had been made, and no officers for the ensuing year had been constituted; the house, notwithstanding, sent a message to the governor to desire the court might rise. He refused to gratify them. Thursday, the 13th of July, had been appointed for a public fast; the members desired to be at home with their families; and, on Wednesday, by a vote, they adjourned themselves to Tuesday in the next week. It was urged that the British house of commons adjourn for as long a time, without any immediate act of royal authority; but it was replied that it never did so contrary to the inclination of the crown; and the adjournments over holidays are as much established by ancient usage, as the ordinary adjournments from day to day, and, being conformed to by both houses of parliament, no inconvenience can arise. But the charter was argued by the governor, to be the rule in this assembly, not the analogy between a Massachusetts' house of representatives and the commons of Great Britain. The governor, by charter, had the sole power of adjourning, proroguing, and dissolving the general court. Taken strictly, it would be extremely inconvenient, for the act of the governor would be necessary every day. Upon a reasonable construction, therefore, the house had always adjourned from day to day, but never for so great a number of days. The council, who were obliged to spend near a week without business, unanimously voted, upon hearing the house had adjourned, that such adjournment, without his excellency's knowledge and consent, was irregular and not agreeable to the charter.

The governor, afterwards, made this adjournment one of the principal articles of complaint against the house.

Upon Tuesday, like the first day of a session, there was scarcely a house for business. The next morning some votes passed, which were offered to the governor, and which he would not suffer to be laid before him, until he had sent for the house, and told them they had made a breach upon his majesty's prerogative, which he was under oath to take care of; and he insisted upon an acknowledgment of their error before they proceeded to business.

The house, by a vote or resolve, declared they had no design to make any breach upon the prerogative, but acknowledged, they had made a mistake in not acquainting his excellency and the board with the adjournment.

The governor observed to them, that they had industriously avoided acknowledging the sole power of adjourning, as well as proroguing and dissolving the general assembly, is vested in his majesty's governor, by the royal charter. They thereupon agreed to the following message: "The house of representatives do truly acknowledge, that, by the royal charter, your excellency and the governor for the time being, have the sole power and authority to adjourn, prorogue, and dissolve the general court; and the house further acknowledge, that your excellency ought to have been acquainted with the design and intention of the house, in their adjournment from Wednesday the 12th, to Tuesday the 18th instant, before they did adjourn, and that it was so designed and casually omitted."

The house carefully distinguished between the power of adjourning the general court and adjourning the house of representatives, one branch only, and seem to suppose, that their only mistake was their not acquainting the governor and the board

with their intention, which was, by no means, satisfactory to the governor, and he immediately ordered the house to attend him in the council chamber. The speaker ordered all the members of the house to be called in, and, expecting a dissolution, they resolved, "that all the votes of the house in the present session, more especially relating to any misunderstanding or difference that hath arisen between his excellency and the house, shall be prepared to be sent home, and that the speaker transmit them to William Tailer, Esq., now resident in London, or, in his absence, to such persons, as he shall think fit, desiring them to lay the same before his majesty in council, or any where else, if need require, to obviate any complaint that may be made by his excellency the governor against the proceedings of this house for their just and necessary vindication. So much time was taken up in this vote, or resolve, that the governor was highly offended, and sent a second time, requiring them to attend him forthwith. It has always been the practice of the house, before and since, upon a message from the governor, to stop all business, and go up without delay. The speaker, at this time, was among the forwardest in the opposition. There was no need of four or five members to hold him, as the speaker of the house of commons was once held, in the chair, until a number of strong resolutions had passed the house.

The governor directed his speech to the house only. "Gentlemen of the house of representatives: I am very much concerned to find in the printed journal of the house, first, an order to appoint a committee to draw a memorial upon, or representation of, my speech, made before the dissolution of the assembly in March last, and, afterwards, the memorial itself, signed by Mr. Cooke, in the name of the committee.

"This treatment is very surprising, from a house of representatives that profess so much loyalty and respect to his majesty's government. It appears to me to be very irregular, that the present house of representatives, whereof John Clarke, Esq. is speaker, and which consists of a majority of new members, should take upon them to answer my speech made to a former house of representatives, whereof Timothy Lindall, Esq. was speaker. These proceedings are not only improper, but without precedent from any former assembly.

"I must also observe to you, that you have not shewn that respect which is due to me as governor of this province, by suffering this order or memorial to go into the press, before it was communicated to me, which, if you had done, I could have convinced you, that it would have been very much for the service of your constituents, that neither the order nor the memorial should have appeared in print.

"It is my opinion, that you will quickly be convinced how much you have been wanting in your duty and interest, by disowning the authority of the right honourable board, which his majesty has constituted to superintend the affairs of the province, and all the other plantations.

"For these reasons, I should have dissolved the general court when the memorial first appeared, but I was in hopes the house might have been brought to correct or expunge it. Instead of making this use of my tenderness, you have gone on in the most unadulter manner, to withdraw from his majesty's and your country's service, by adjourning yourselves for near a week, without my knowledge and consent, contrary to the royal charter, which absolutely

vests in the governors of this province the power of adjourning, proroguing and dissolving, and that at a time when I thought it for the interest of the colony to adjourn you for two days only, having an affair of the greatest consequence to communicate to the house, which was to persuade you to take some effectual measures to prevent the plague coming among us, there being nothing so likely to bring it in as the French silk and stuffs which are constantly brought into this province.

"These your unwarrantable proceedings oblige me to dissolve this assembly."

This speech, and the dissolution which followed, further alienated the minds of the people from the governor. Some of his friends wished he had carried his resentment no further than putting an end to the session and giving time to deliberate. There was no room to expect a change for the better, upon a new election.

There was yet no open war with the Indians, but they continued their insults. The French instigated them, and furnished them with ammunition and provisions. Governor Shute published a proclamation, requiring the inhabitants to remain upon their estates, and keep possession of the country. No wonder the proclamation was not obeyed. We know no authority he had to require them to remain. If the preservation of their own property was not sufficient to keep them there, it could not be expected they would remain merely as a barrier for the rest of the province.

In the month of August, two hundred Indians, with two French jesuits, came to George town upon Arowsick Island, armed, and under French colours, and, after some parley with the inhabitants, left a letter to be delivered to the governor, in which they make a heavy charge against the English for unjustly invading the property of the Indians, and taking from them the country which God had given them.

Rallé, their spiritual father, was their patron also in their temporal concerns. Either from a consciousness of their having conveyed the country to the English, or from a desire of peace and quiet, they were averse to engaging in war. When they were at their villages, the priests were continually exciting them to act vigorously, and drive all the English to the westward of Kennebec; and such was their influence over them, that they would often set out from home, with great resolution to persist in their demands, and in their parleys, with the commanders of forts, as well as at more public treaties, would appear, at first, to be very sturdy, but were soon softened down to a better temper, and made to agree that the English should hold the lands without molestation. When they returned home, they gave their father an account of the great firmness they had shewn in refusing to make any concessions, and to this we are to impute the erroneous relation of these treaties by Charlevoix and others.

But about this time Toxus, the Norridgewock chief, died. When they came to choose another Toxus, the old men who were averse to war, contrary to Rallé's inclination, pitched upon Ouikouiroumenit, who had always been of the pacific party. They took another very disagreeable step, and submitted to send four hostages to Boston, sureties for their good behaviour, and for the payment of the damages the English had sustained. Vaudreuil, the governor of Canada, was alarmed, and thought it necessary to exert himself upon this occasion. He writes to father Rallé, of the 15th of June, "I

was at Montreal, my reverend father, when your letters of the 16th and 18th of May came to my hands, informing me of the bad step taken by the Norridgewocks, in choosing Oukouiroumenit successor to the deceased Toxus, of the great loss which the whole Abenakis nation hath sustained by his death, and the divisions prevailing among the Norridgewocks, many of whom, and especially their chiefs, have betrayed the interest of their tribe in openly favouring the pretensions of the English to the country of Norridgewock. The faint hearts of your Indians in giving hostages to the English, to secure payment of the damage they have sustained, and the audacious language which they have used to the Indians, in order to keep possession of their country, and to drive you out of it, fully convinced me that every advantage would be taken of the present state of affairs, to subject them to the English, if the utmost care should not be immediately taken to prevent so great a misfortune. Without a moment's delay I set out, in order to apply myself to the business of Montreal, and from thence to St. Francois and Becancour, where I prevailed with the Indians of those villages vigorously to support their brethren of Norridgewock, and to send two deputies for that purpose, to be present at the treaty and to let the English know, that they will not have to do with the Norridgewocks alone if they continue their injuries to them. The intendant and I have joined in a letter, to desire father le Chase to take a journey to Norridgewock, in order to keep those Indians in their present disposition and to encourage them to behave with firmness and resolution. He will also go to Penobscot, to engage them to send some of their chiefs also, to be present on this occasion and to strengthen their brethren."

Begoir, the intendant, writes at the same time to Rallé, "I wrote, my reverend father, to Mons. de Vaudreuil, who is at Montreal, the sentiments of father de la Chase and my own, viz., what we think convenient to be done, until we hear from the council of the marine, whether the French shall join the Indians to support them openly against the English, or shall content themselves with supplying ammunition, as the council has advised that M. Vaudreuil might do, in case the English should enterprise any thing against them. He thought it more proper to send the reverend father la Chase, than Mons. de Croisil, lieutenant, &c., because the English can have no room to except to one missionary's visiting another, the treaty of peace not forbidding it; whereas, if a French officer was sent, they might complain that we sent Frenchmen into a country, which they pretend belongs to them, to excite the Indians to make war upon them.

"It is to be wished that you and your Indians may be suffered to live in quiet until we know the king's intentions whether we shall openly join the Indians if they are attacked wrongfully; in the mean time we shall assist them with ammunition, which they may be assured they shall not want.

"P. S. Since I wrote the foregoing, the Indians of St. Francois and Becancour have desired M. Vaudreuil that M. de Croisil may go with them to be a witness of their good disposition, and he has consented to join him with father de la Chase."

The Massachusetts people made heavy complaints of the French governor, for supporting and stirring up enemies against them in time of peace between the two crowns, but he justified himself to his own master. Rallé was ranked by the English among the most infamous villains, and his scalp would have

been worth an hundred scalps of the Indians. His intrepid courage and fervent zeal to promote the religion he professed, and to secure his *neophytes* or converts to the interest of his sovereign, were the principal causes of these prejudices. The French, for the same reasons, rank him with saints and heroes. He had been near forty years a missionary among the Indians, and their manner of life had become quite easy and agreeable to him. They loved and idolized him, and were always ready to hazard their own lives to preserve his. His letters, upon various subjects, discover him to have been a man of superior natural powers, which had been improved by an education in a college of jesuits; his latin is pure, classical, and elegant; he had taught many of his converts, male and female, to write, and corresponded with them in their own language, and made some attempts in Indian poetry. When he was young he learned to speak Dutch, and so came more easily to a smattering of English, enough to be understood by traders and tradesmen, who had been employed in building a church and other work at Norridgewock. He corresponded in latin with one or more of the ministers of Boston, and had a great fondness for shewing his talent at controversy. Pride was his foible, and he took great delight in railery. The English idiom and the flat and bald Latin, in some of his correspondent letters, afforded him subjects. Some of his contemporaries, as well as Cotton, Norton, Mitchel, and others of the first ministers of the country, would have been a match for him. He contemned and often provoked the English, and when threatened with destruction by them, if they should ever take Norridgewock, he replied, "If"

The English charge the Indians with perfidy and breach of the most solemn engagements. The jesuit denies it and justifies their conduct, from their being under duress, at such times, and compelled to agree to whatever terms are proposed to them; particularly, when they met governor Shute, at Arowsick, in 1717, he says, the body of the Norridgewocks had fully determined, that the English should settle no farther upon Kennebeck river than a certain mill; for all the pretence they had to go beyond that, was a bargain of this sort, made by some Englishman with any Indian he happened to meet with. "I will give you a bottle of rum if you will give me leave to settle here; or, if you will give me such a place." "Give me the bottle," says the Indian, "and take as much land as you have a mind to:" the Englishman asks his name, which he writes down and the bargain is finished. Such sort of bargains being urged against the Indians, at the treaty, they rose in a body and went away in great wrath, and, although they met again the next day and submitted to the governor's terms, yet when they came home, all they had done was disallowed by the body of the nation and rejected." Whilst the English kept within the mill the jesuit forbade the Indians molesting them, but if any settled beyond those bounds, he allowed and encouraged the Indians to kill their cattle and to make other spoil.

The consideration made by the purchasers of Indian lands was not always so inconsiderable as the jesuit mentions, and the purchases were from chiefs or reputed chiefs or sachems, and the possession had been taken and improvements made scores of miles beyond the limits he would restrain the English to, more than sixty years before.

The French governor, Vaudreuil, in his manuscript letters, and the French historian Charlevoix,

in print, suppose the English settlers to be mere intruders, and charge the English nation with great injustice in dispossessing the Abanakis of their country. The European nations, which have their colonies in America, may not reproach one another upon this head. They all took possession, contrary to the minds of the natives, who would gladly have been rid of their new guests. The best plea, viz. that a small number of families laid claim to a greater part of the globe than they were capable of improving, and to a greater proportion than the general proprietor designed for so few people, who therefore had acquired no such right to it as to exclude the rest of mankind, will hold as well for the English as any other nation. The first settlers of the Massachusetts and Plymouth were not content with this, but made conscience of paying the natives to their satisfaction for all parts of the territory which were not depopulated or deserted, and left without a claimer. Gorges, the original patentee of the province of Main, made grants or conveyance of greater part of the sea coast and rivers of that province without purchase from the natives, other parts had been purchased from them by particular persons, and the remaining part, as well as the country east of it, the government claimed by conquest; but it must be confessed, that in the several treaties of peace this right had not been acknowledged by the Indians, nor insisted upon by the English, this controversy being about those parts of the country which the English claimed by purchase, and no mention made of a right to the whole by conquest.

The governor, immediately after the dissolution of the general court, issued writs for a new house of representatives, and the court met, the 23d of August, at the George tavern, the then extreme part of Boston, beyond the isthmus or neck, the small pox then prevailing in the town. The house chose Mr. Clarke, their former speaker, and informed the governor of it by message, and he sent his approbation, in writing, to the house. They passed a resolve, that they intended no more by their message than to inform the governor and council of the choice they had made, and that they had no need of the governor's approbation.

The first act of the house gave new occasion for controversy. They were so near the town as to be in danger, and, instead of desiring the governor to adjourn or prorogue the court to some other place, they passed a vote for removing the court to Cambridge, and sent it to the council for concurrence. The council nonconcurrent the vote. The governor let the house know, that he should be very ready to gratify them if he was applied to in such manner as should consist with the sole right in him of adjourning, proroguing, and dissolving the court. They replied, that they were very willing to acknowledge his right, so far as respected time, but as to place, by the law of the province, the court was to be held in Boston, and therefore an act or order of the three branches was necessary to remove it to any other place. They let the governor know further, that although they had met in consequence of his summons, yet, as many of the members apprehended that their lives were in danger, they would leave the court and go home. There was a quorum, however, who chose to risk their lives rather than concede that the governor had power, by his own act, to remove the court from Boston to any other town in the province, or risk the consequence of refusing to remain a sufficient number to make a house.

The governor had received from England the opinion of the attorney-general, that he had good right to negative the speaker; and the lords commissioners of trade and plantations had written to him, and signified their approbation of his proceedings. These papers he caused to be laid before the house. The house drew up a remonstrance, in which they justified their own conduct, and that of former assemblies, in their controversies with the governor, and with a great deal of decency declared that, with all deference to the opinion of the attorney-general, they must still claim the right of solely electing and constituting their speaker; and they humbly presumed that their so doing could not be construed a disrespect to his majesty's instructions, or bearing upon the royal prerogative. The governor gave them a short and very moderate answer; that he had made his majesty's instructions and the royal charter the rule of his administration, that he did not desire to be his own judge, the former house had voted to send an account of the proceedings to England, and it would be very acceptable to him, if the present house would state the case, and send it home to persons learned in the law, and give them directions to appear for the house, that his majesty might judge between his governor and them, but in the mean time it was his duty to follow his instructions until they were countermanded.

Here seems to have been a calm interval. The flame was abated but the fire not extinguished. Fresh fuel soon caused a fresh flame. The grant to the governor afforded proper matter. It was said the house were bad economists. To save an hundred pounds in the governor's salary they put their constituents to the expense of five hundred pounds for their own wages. If the governor's demand was unreasonable, the house may be justified, although the wages of the members for the time spent in the debate amounted to much more than the sum in dispute. The currency also continued to depreciate, but this is a consideration which never had its just weight. Twenty shillings one year must be as good as twenty shillings another. They received and paid their private dues and debts in bills of credit according to their denominations, why should not the government's debts be paid in the same manner? A majority of the house were prevailed upon to vote no more than five hundred pounds, for half a year's salary, equal to about an hundred and eighty pounds sterling.

The governor was irritated, instead of obtaining an established salary of a thousand pounds sterling per annum, which he had been instructed to insist upon, his whole perquisites from the government would not afford him a decent support, and they were growing less every day by the sinking of the currency in its value.

The house, from an expectation that the governor would, from time to time, make complaints to the ministry, voted 500*l.* pounds sterling to be paid into the hands of such persons as should be chosen to defend their rights in England, but the council refused to concur the vote, because it was not expressed by whom the persons should be chosen.

At the close of the session, the house and council came into a vote, and the governor was prevailed with to consent to it, "that 300 men should be sent to the head quarters of the Indians, and that proclamation should be made commanding them, on pain of being prosecuted with the utmost severity, to deliver up the jesuits, and the other heads and fomenters of their rebellion, and to make satisfac-

tion for the damage they had done; and if they refused to comply, that as many of their principal men as the commanding officer should think meet, should be seized, together with Rallé, or any other jesuit, and sent to Boston; and if any opposition should be made, force should be repelled by force." Judge Sewall, one of the council, scrupled the lawfulness of this proceeding against the Indians and entered his dissent. This gentleman was a great friend to the aboriginals of every tribe, not from mere humanity and compassion, but from a strange notion that they were part of the ancient people of God; and that the ten tribes, by some means or other, had strolled into America. He was a commissioner from the corporation for propagating the gospel among them, and with his own substance built them what he named a synagogue, and did many other charitable acts. After the general court was prorogued, the governor, notwithstanding he had consented to the vote, suspended the prosecution until the Indian hostages escaped from the castle, but a war being then deemed inevitable, orders were given for raising the men. The hostages were taken and sent back to their confinement, and the orders were recalled.

A promise had been made, by the governor, to the Indians, that trading houses should be built, armourers or smiths sent down, at the charge of the province, and that they should be supplied with provisions, clothing, &c., for their furs and skins. The compliance with this promise was expected from the general court; and at any other time, it would have been thought a well judged measure, but the unhappy controversy with the governor would not suffer any thing from him to be approved of, and the private traders provoked the Indians by their frauds and other injuries, and, it seems, the governor, as well as good Mr. Sewall, scrupled whether a declaration of war against them was just or prudent. This house and council chose to call the proceedings against them, a prosecution for rebellion; but, if a view be taken of all the transactions between the English and them from the beginning, it will be difficult to say what sort of subjects they were, and it is not certain that they understood that they had promised any subjection at all.

The house, dissatisfied with the governor for not carrying into execution a vote of the whole court, resolved at the beginning of the next session, "that the government has still sufficient reason for prosecuting the eastern Indians for their many breaches of covenant." The vote being sent up for concurrence, the council desired the house to explain what they intended by prosecution, but they refused to do it, and desired the council either to concur or non-concur. The house refusing to explain their meaning, the board undertook to explain it, and concurred the vote with a declaration that they understood it to be such a prosecution as had been determined the former session. This, no doubt, was irregular in the council, and left room to question whether it was a vote of the court, the house not having agreed to it as the council qualified it. However, in consequence of it, a party of men were ordered up to Norridgewock, and returned with no other success than bringing off some of Rallé's books and papers, his faithful disciples having taken care to secure his person and fly with him into the woods. This insult upon their chief town, and the spoil made upon their priest, did not long remain unrevenged.

The session began at Boston the 3d of November.

The governor prorogued the court to meet at Cambridge the 7th; and before they proceeded to business, to avoid any dispute about the place of meeting, which would have obstructed the important affairs of the province, he gave his consent to a vote of the two houses, that by this instance of the governor's adjourning the court no advantage should be taken in favour of his sole power of removing the court from place to place. In his speech, he had taken no notice of party disputes, and only recommended to them to raise money for the service of the government and particularly of their exposed frontiers.

The house, in their vote for supply of the treasury, brought in a clause which had not been in former votes, and which the council supposed would lay such restraint upon the money in the treasury, that it would not be in the governor's power, with their advice and consent, so much as to pay an express without a vote of the whole court; they therefore non-concurred the vote, and the house refused any provision without that clause. In the midst of the dispute, Mr. Hutchinson, one of the members for Boston, was seized with the small pox and died in a few days. The speaker, Mr. Clarke, was one of the most noted physicians in Boston, and notwithstanding all his care to cleanse himself from infection after visiting his patients, it was supposed, brought the distemper to his brother member, which so terrified the court, that after the report of his being seized, it was not possible to keep them together, and the governor found it necessary to prorogue them. At the next session in March, the house insisting upon the form of supply which they had voted in the last session, the council concurred.

An affair happened during this session, which shewed the uncertainty of the relation the Indians stood in to the English. Castine, son by an Indian woman to the Baron de St. Castine, who lived many years, in the last century, at Penobscot, had appeared among the Indians, who were in arms at Arowsick. By an order of court, he had been afterwards seized in the eastern country, and brought to Boston and put under close confinement.

The house ordered that he should be brought upon trial in the county of Suffolk, before the superior court, and that the witnesses who saw him in arms should be summoned to attend. This, no doubt, would have been trying in one county a fact committed in another. The council non-concurred and voted to send for witnesses, that the court might judge in what manner to proceed against him; but this was not agreed to by the house. Some time after a committee was appointed to examine him. Castine was a very subtle fellow, and made all straight with the committee. He professed the highest friendship for the English, and affirmed that he came to Penobscot to prevent the Indians from doing mischief, and promised to endeavour to influence all that tribe to keep peace. The committee, therefore, reported and the two houses accepted the report, that he should be set at large. The governor approved of this proceeding; he had yet hopes of preserving peace. To have punished him as a traitor, would have destroyed all hopes of an accommodation. It might also be very well questioned whether it would have been justifiable. The tribe, or nation, with which he was mixed, has repeatedly, in words of which they had no adequate ideas, acknowledged themselves subjects; but, in fact, in concomitant as well as precedent and subsequent transactions with them, they had always been considered

as free and independent; and, although, they lived within the limits of the charter, the government never made any attempt to exercise any civil authority or jurisdiction over them, except when any of them came within the English settlements and disputes had arisen between them and the English subjects.

The house, who, the last session, were for prosecuting the Indians, and could not reasonably have supposed that they would bury, as they express themselves, the late march of the English to Norridgewock, seem, notwithstanding, to be suddenly changed from vigorous measures for bringing them to terms, to schemes for appeasing and softening them; and a present was ordered to be sent to Bomaseen, the Norridgewock captain, to engage him in favour of the English.

The small pox, this year, made great havoc in Boston and some of the adjacent towns. It had been brought into the harbour of Boston about the middle of April by the *Salortugas* fleet; and having been prevented spreading for near twenty years, all born within that time, besides many who had escaped it before, were liable to the distemper. Of 5889 which took it in Boston, 844 died. Inoculation was introduced upon this occasion, contrary to the minds of the inhabitants in general, and not without hazard to the lives of those who promoted it, from the rage of the people. Doctor C. Mather, one of the principal ministers of Boston, had observed, in the *Philosophical Transactions*, a letter of Timonius from Constantinople, and a treatise of Pyrlarinus, Venetian consul at Smyrna, giving a very favourable account of the operation, and he recommended a trial to the physicians of the town, when the small pox first began to spread, but they all declined it, except Doctor Boylston, who made himself very obnoxious. To shew the confidence he had of success, he began with his own children and servants. Many sober pious people were struck with horror, and were of opinion that, if any of his patients should die, he ought to be treated as a murderer. The vulgar were enraged to that degree, that his family were hardly safe in his house, and he often met with affronts and insults in the streets.

The faculty, in general, disapproved his conduct, but Doctor Douglas made the most zealous opposition. He had been regularly bred in Scotland, was assuming even to arrogance, and in several fugitive pieces, which he published, treated all who differed from him with contempt. He was credulous, and easily received idle reports, of persons who had received the small pox by inoculation taking it a second time in the natural way, of others who perished in a most deplorable manner from the corrupt matter which had so infected the mass of blood as to render the patient incurable. At other times he pronounced the eruption from inoculation to be only a pustulary fever, like the chicken or swine pox, nothing analogous to the small pox, and that the patient, therefore, had not the least security against the small pox, afterwards, by ordinary infection.

Another practiser, Lawrence Dalhonde, who had been a surgeon in the French army, made oath that at Cremona, about the year 1696, the operation was made upon thirteen soldiers, four of which died, three did not take the distemper, the other six hardly escaped, and were left with tumours, inflammations, gangrenes, &c.; and that, about the time of the battle of Almanza, the small pox being in the army, two Muscovites were inoculated, one without

any immediate effect, but six weeks after was seized with a frenzy, swelled all over his body, and was supposed to be poisoned, and, being opened after his death, his lungs were found ulcerated, which it was determined was caused by inoculation.

The justices of the peace and select men of the town called together the physicians, who, after mature deliberation, came to the following conclusions: "That it appears, by numerous instances, that inoculation has proved the death of many persons, soon after the operation, and brought distempers upon many others which, in the end, have proved deadly to them. That the natural tendency of infusing such malignant filth in the mass of blood is to corrupt and putrify it, and if there be not a sufficient discharge of that malignity, by the place of incision or elsewhere, it lays a foundation for many dangerous diseases. That the continuing the operation among us is likely to prove of the most dangerous consequence." The practice was generally condemned.

The common people imbibed the strongest prejudices, and such as died by inoculation were no more lamented than self-murderers. Doctor Mather, the first mover, after having been reproached and vilified in pamphlets and newspapers, was at length attacked in a more violent way. His nephew, Mr. Walter, one of the ministers of Roxbury, having been privately inoculated in the doctor's house in Boston, a villain, about three o'clock in the morning, set fire to the fuze of a grenado shell, filled with combustible stuff, and threw it into the chamber where the sick man was lodged. The fuze was fortunately beat off by the passing of the shell through the window, and the wild fire spent itself upon the floor. It was generally supposed that the bursting of the shell by that means was prevented; but the shell was not filled with powder, but a mixture of brimstone, with bituminous matter. A scurrilous menacing writing was fastened to it.

The moderate opposers urged, that the practice was to be condemned, as trusting more to the machination of men, than to the all-wise providence of God in the ordinary course of nature, and as tending to propagate distempers to the destruction of mankind, which proved it to be criminal in its nature, and a species of murder. The magistrates in Boston supposed it had a tendency to increase the malignity, and prolong the continuance of the infection, and that therefore it behoved them to discountenance it.

At length, in the house of representatives, a bill was brought in, and passed, to prohibit all persons from inoculation for the small pox, but the council were in doubt, and the bill stopped.

Such is the force of prejudice. All orders of men, in that day, in greater or less proportion, condemned a practice which is now generally approved, and to which many thousands owe the preservation of their lives.

Boylston continued the practice, in spite of all the opposition. About 300 were inoculated, in Boston and the adjacent towns. It is impossible to determine the number which died by it. Douglas would have it there was one in fourteen, whilst the favourers of the practice would not allow more than one in seventy or eighty. It was evident, from the speedy eruption, that many had taken the distemper before they were inoculated. Indeed, where persons have continued in an infected air for months together, no true judgment can ever be made of the experiment.

{1722.) The new house of representatives, in May, chose the former speaker, and the governor declared his approbation in the same manner he had done before. He negatived two of the counselors elect, Colonel Byfield and Mr. William Clark. Mr. Clark, being a member of the house for Boston, had ever adhered closely to Mr. Cooke. The governor shewed his resentment, by refusing to admit him to the council, but did not serve his own interest, Mr. Clarke's opposition being of greater consequence in the house.

The Indians were meditating mischief, from the time the English were at Norridgewock, but committed no hostilities until June following. They came then with about sixty men, in twenty canoes, into Merrymeeting Bay, and took prisoners nine families, but gave no marks of their usual rage and barbarity. Some of their prisoners they released immediately, and others in a short time after. Enough were retained to be a security for the return of their hostages from Boston. Another small party of Indians made an attempt upon a fishing vessel belonging to Ipswich, as she lay in one of the eastern harbours, but the fishermen being armed they killed two or three of the Indians, and the rest retreated. The collector of the customs at Annapolis Royal, Mr. Newton, with John Adams, son of one of the council for Nova Scotia, were coming from thence, with Captain Blin, to Boston, and, putting in to one of the Passimaquadies, went ashore, with other passengers, and were all seized, and made prisoners, by about a dozen Indians and as many French; the people left on board the sloop cut their cables and fled to Boston.

Another party of the Indians burned a sloop at St. George's river, took several prisoners, and attempted to surprise the fort.

Intelligence of these several hostile acts came to Boston, whilst the general court was sitting, but there seemed to be no disposition to engage in war. Instead of the former vigorous resolves, upon lesser provocations, the house proposed that a message should be sent to the Norridgewock Indians to demand the reasons of this behaviour, restitution of the captives, and satisfaction for damages, and acquaint them that, if they refused, effectual methods could be taken to compel them. The hostages, given by the Indians, were sent down to the eastward, and, upon the restoring the English captives, they were to be set at liberty.

The friends of the English captives were importunate with the government to take measures for their redemption, and a view to effect this seems to have been the chief reason which delayed a declaration of war. But, soon after the prorogation of the court, news came that the Indians had burnt Brunswick, a village between Casco Bay and Kennebeck, and that Captain Harman, with part of the forces posted upon the frontiers, had pursued the enemy, killed several, and taken fifteen of their guns. Immediately after this news (July 25), the governor, by advice of council, caused a declaration of war to be published.

Foreign wars often delivered Greece and Rome from their intestine broils and animosities, but this war furnished a new subject for contention. The governor often charged the party in the house, with assuming the direction of the war, and taking into their hands that power which the charter gives to the governor. He gave them a hint in his speech, (August 8th), at the opening the next session. "One thing I would particularly remark to you,

which is that, if my hands and the council's be not left at a much greater liberty than of late they have been, I fear our affairs will be carried on with little or no spirit. Surely, every person who wishes well to his country will think it high time to lay aside all animosities, private piques, and self-interest, that so we may unanimously join in the vigorous prosecution of the weighty affairs which are now upon the carpet."

The house, in an address to the governor, signified their sentiments of the necessity of this declaration of war, and promised "all necessary and cheerful assistance." A committee of the two houses settled the rates of wages, and provisions for the forces, to which no exception was taken, but they went further, and determined the service in which they were to be employed, 300 men to be sent upon an expedition to Penobscot, and the rest to be posted at different places on the frontiers, and qualified their report, by desiring the governor to give orders accordingly. He let them know, that the king his master, and the royal charter, had given him the sole command and direction of the militia and all the forces, which might be raised on any emergency, and that he would not suffer them to be under any direction but his own, and those officers he should think fit to appoint. The house made him no answer. The destination of the military forces in this manner, and making the establishment of their wages depend upon a compliance with it, had not been the practice in former wars and administrations, but the governor found he must submit to it, or the frontiers would be without defence. He gave up his own opinion with respect to the Penobscots, and had laid the same plan which the committee had reported, and he intended to prosecute it, which made his compliance more easy. The house, being dissatisfied with Major Moody, who had the command of the forces, passed the vote desiring the governor to dismiss him. The council non-concurred this vote, "because he was condemned unheard," and substituted another vote, to desire the governor to send for him, that he might attend the court, but this the house would not agree to, and sent a separate message to the governor to desire him to suspend the major from his post. The governor told them he was surprised they should desire so high a piece of injustice as the punishing a man without hearing what he had to say for himself, and let them know that he would enquire into the grounds of their complaint. Several other votes passed, relative to the forces, which the governor did not approve.

At the next session, November 15th, he recommended a law to prevent mutiny and desertion, for want of which the men were daily running away. The house thought it necessary to be first satisfied, whether the desertion in the army was not owing to the unfaithfulness of the officers, and appointed two committees, one to repair to the head quarters on the eastern, and the other on the western frontiers, with powers to require the officers to muster their companies, when an exact list was to be taken of the men that appeared, an account of all deserters, and of all such as were absent upon furlough, or had been dismissed, or had been exchanged, together with divers other powers. They then applied to the governor to give orders to all in command to pay a proper deference to the vote and order of the house respecting repeated abuses and mismanagements among the forces, &c.

This the governor thought he had good right to

except to, and he made the vote itself, as well as the manner in which it was to be executed, an article of complaint against the house to the king; but he was prevailed upon to consent to it, and either made, or intended to make this condition, that the committees should make report to him. The house urged this consent against him, but, in England, it was not thought a sufficient justification.

The conceding in one point naturally led to a demand of the like concessions in others.

It was thought a salutary measure to send for delegates from the Iroquois, who were in friendship with the colony, and to desire them to use the influence they had over the eastern Indians, in order to their making satisfaction for the injuries done, and to their good behaviour for the time to come. When the delegates came to Boston, the house voted that the speech to be made to them by the governor should be prepared by a committee of the two houses. The governor had prepared his speech, and he directed the secretary to read it to the house of representatives, but this was not satisfactory and they sent a message, to desire that what the secretary had read might be laid before the house. The governor refused, at first, but, upon further consideration consented, desiring they would speedily return it. They sent it back to him and let him know they would not agree to it, unless he would speak in the name of the general court, and the house of representatives might be present when the speech was delivered. This was disagreeable to him, and a novelty to the Indians, who had always considered in their treaties, the governor of Pennsylvania, as well as the governor of New York, to be treating with them in their own names, or the name of the king, and not of their respective assemblies, but he submitted.

In consequence of the vote of the house, in the last session, the governor had directed an expedition to Penobscot, although it was not altogether agreeable to his own judgment. It seems he had hopes of an accommodation, with that tribe at least. Col. Walton, who had the command on the eastern frontiers, selected forces proper for the purpose, and they had actually began their march, when intelligence arrived to the Colonel, that Arowsick was attacked by a great number of Indians. He immediately sent an express with orders to the forces to return, and acquainted the governor with his proceedings. The council advised to keep the whole forces for the defence of our own inhabitants, and to suspend acting upon the offensive until winter, which they judged a more proper season for the expedition; and the men, in consequence of this new advice, were employed in marches on the borders of the frontiers. But the house were dissatisfied, and sent a message to the governor "to desire him to order, by express, Col. Walton to appear forthwith before the house, to render his reasons why the orders relating to the expedition had not been executed." This was not only to take Walton from the command, as long as the house should think fit to detain him, but the orders, "relating to the expedition," might be understood to mean the orders which had been given by the house, and not what he had received from the captain general. The governor told the committee that he would take no notice of the message from the house unless it was otherwise expressed; besides he and the council were well satisfied, and he thought every body else was. He added, that he intended the officers should give an account "to him" of their conduct. The next day (Nov. 20),

they sent another message to him to desire him to inform the house, whether he would send for Walton as they had desired. He then told the committee, he would send his answer to the house when they thought proper. Upon this, they seem to have appointed a messenger to go to the eastward, upon what occasion does not appear, and the next day passed the following extraordinary vote: "Whereas this house did, on Thursday last, appoint a committee to wait on his excellency the governor, praying his orders for Col. Walton's appearance before the house, and renewed their request to him yesterday, and his excellency has not yet seen cause to comply with that vote, and the denial of Col. Walton's being sent for has extremely discouraged the house, in projecting any further schemes for carrying on the war, under any views of success. And this house being zealously inclined to do what in them lies to bring this people out of the calamities and perplexities of the present war, and to spare no cost and charge to effect so great a good, were some things at present remedied: We do, therefore, once more, with the greatest sincerity and concern for our country's good, apply to your excellency for your speedy issuing your orders concerning Col. Walton, to be dispatched by the messenger of this house going into those parts." The governor did not like to be so closely pressed, and when the committee came to his house, he told them he would not receive the vote, and, as it was inserted in the report and journal of the house, "he went his way." They then appointed their speaker and eight principal members, a committee to wait upon the governor and desire him to return to the chair, "on some important affairs which lay before the house," but he refused to see the committee, and directed his servant to tell them he would not then be spoke to by any body.

Walton was a New Hampshire man at the head of the forces, a small part only of which were raised in that government. This might prejudice many, but there was a private grudge against him, in some of the leading men of the house, and they never left pursuing him until they effected his removal.

The house, finding the governor would not comply, all their messages to him being exceptionable, as founded upon a supposed right in the house to call the officers out of the service to account before them whensoever they thought proper, and also to order the particular services in which the forces should be employed without leaving it in the governor's power to vary, they made some alterations in the form of their request, and (Dec. 4th) passed the following vote: "Whereas this house have been informed of divers miscarriages in the management of the war in the eastern country, voted that his excellency the governor be desired to express to Col. Walton, that he forthwith repair to Boston, and when he hath attended upon his excellency, that he would please to direct him to wait on this house, that they might examine him concerning his late conduct in prosecuting the war, more especially referring to the late intended expedition to the fort of Penobscot." This being more general, and not confined to the laying aside the expedition, which was known to be in consequence of orders, the governor was willing it should be construed favourably and sent for Walton.

The council having steadily adhered to the governor, he took this opportunity to recommend to the house, to act jointly with the council in messages to him of general concern, and at the same time, in a verbal message to the secretary, endeavoured to

soften the temper of the house. "Mr. Speaker, his excellency commands me to acquaint this honourable house, that he has taken into consideration the several messages relating to Col. Walton, and thinks it most agreeable to the constitution, and what would tend to keep up a good agreement between the council and house of representatives, for all their messages, of a public nature and wherein the whole government is concerned, to be sent up to the council for their concurrence, and not immediately to himself; however, that he will give order for Col. Walton's coming up to town, and when he has received an account of his proceedings, the whole court shall have the hearing of him if they desire it." In this way, the governor intended to guard against any undue proceeding, there being no danger of the council's condemning a measure to which a little while before they had given their advice and consent; but the house improved the hint to a very different purpose, and on the 5th of December voted "that a committee, to consist of eleven members of the two houses, seven of the house of representatives and four of the council, shall meet in the recess of the court, once in fourteen days, and oftener if occasion shall require, to concert what steps and methods shall be put in practice relative to the war, and having agreed upon any projections or designs, to lay them before his excellency for his approbation, who is desired to take effectual care to carry them into speedy execution." In affairs of government, of what nature soever, this was an innovation in the constitution; but in matters relative to the war it was taking the powers from the governor, which belonged to him by the constitution, and vesting them in a committee of the two houses. The council unanimously nonconcurred the vote, and an altercation ensued between them and the house, but the council persevered. In the mean time the governor was engaged in the house with new disputes.

The committee of the house, which had been sent to the eastern frontiers, returned, and instead of making their report to the governor, which was the condition of his consent to their authority, and of his orders to the officers to submit to them, they made their report to the house. This was disingenuous. It would not do to urge that he had no right to make conditions to their votes, for he had given no consent, unless it was conditional, and without his consent they could have no authority. As soon as he heard of the report, he sent to the house for his original order, which he had delivered to the committee. They answered that they were not possessed of it, but the chairman of the committee had left an attested copy on their files, which he might have if he pleased, but he refused the copy and insisted upon the original. He then sent for John Wainwright, the chairman of the committee, to attend him in council, and there demanded the return of the original order. Wainwright, in general, was what was called a prerogative man, but the house had enjoined him not to return the order. He acknowledged he had the order in his possession, but desired to be excused from delivering it, the house having directed him to deliver no original papers. The original vote of the house and the governor's order were as follows:

"In the house of representatives, Nov. 11, 1712.
 "Whereas this house have been informed of repeated abuses and mismanagements among the officers now in pay, tending greatly to the dishonour and damage of the government, and are desirous to use all proper and suitable methods for the full dis-

covery thereof. And, to effect the same, have sent a committee from the house, to enquire into these rumours and report how they find things. We, the representatives, do most earnestly desire your excellency's orders, by the same committee, to the commanding officer and all others in command there, to pay all proper deference to the vote and order of this house respecting the matter.

"John Clarke, Speaker."
 "Boston, Nov. 17, 1722. } To the officer commanding in chief
 the 17th, 1722. } to the eastward.

"I do hereby give orders to the commanding officers and all other inferior officers, to pay deference to the committee, and do expect that the committee lay first before me their report as captain general, and, afterwards, upon the desire of the house of representatives, it shall be laid before them.

"Samuel Shute."
 The house expected the governor would complain of them for usurping a military power, and might refuse to part with the original votes or orders by which he had signified his consent to it, the condition not preceding the exercise of such power.

Soon after (Dec. 18th) Col. Walton came to town, and the house sent their committee to desire the governor to direct him to attend the house the next morning, but the governor refused to give such orders, and told the committee, that if his officers were to answer for their conduct, it should be before the whole court. They then sent their door keeper and messenger to Walton, and let him know the house expected his attendance. He went immediately, but refused to give any account of his proceedings, without leave from the governor. The next day, Walton was ordered to appear before the whole court, and the governor sent a message by the secretary, to acquaint the house, that they might then ask any questions they thought proper relative to his conduct; but they resolved, that their intent in sending for him was that he should appear before them. The next day, he sent another message to acquaint the house that Walton was then before the governor and council with his journal, and if the house inclined to it, he desired them to come up, and ask any questions they thought proper. They returned for answer, that they did not think it expedient, for they looked upon it not only their privilege, but duty, to demand, of any officer in the pay and service of the government, an account of his management, while employed by the public.

This perhaps, in general, was not the cause of dispute, but the question was, whether he was culpable for observing the orders which the governor had given contrary to the declared mind and order of the house. They then passed an order for Walton forthwith to lay his journal before the house. This was their last vote relative to this affair, whilst the governor was in the province. He had, without making it public, obtained his majesty's permission to leave the province and go to England. The prejudice, in the minds of the common people, increased every day. It was known to his friends, that as he sat in one of the chambers of his house, the window and door of a closet being open, a bullet entered through the window and door passages, and passed very near him. If some thought this a mere accident, yet as he knew he had many virulent enemies, he could not be without suspicion of a wicked design; but his principal intention in going home, was to represent the conduct of the house, to call them to answer before his majesty in council, and to obtain a decision of the points in controversy, and

thereby to remove all occasion or pretence for further disputes. His departure was very sudden. The Seahorse man of war, Captain Durell, lying in Nantasket, bound to Barbadoes, to convoy the Saltortugas fleet, the governor went on board her, Dec. 27th, intending to go from Barbadoes the first opportunity for London. Not one member of the court was in the secret, nor indeed any person in the province except two or three of his domestics. The wind proved contrary for three or four days, during which, the owners of the ship *Ann*, Captain Finch, which was then loading for London, by employing a great number of hands, had her fitted for the sea and sent her to Nantasket, and offered the governor his passage in her, and he went on board and sailed the 1st of January.

Colonel Shute had the character of being humane, friendly, and benevolent, but somewhat warm and sudden upon provocations received, was a lover of ease and diversions, and for the sake of indulging his inclinations, in those respects, would willingly have avoided controversy with particular persons or orders of men in the government; but it was his misfortune to arrive when parties ran high, and the opposition had been violent. With great skill in the art of government, it might not have been impossible for him to have kept both parties in suspense, without interesting himself on either side, until he had broken their respective connections or the animosity had subsided; but, void of art, with great integrity, he attached himself to that party which appeared to him to be right, and made the other his irreconcilable enemies. His negating Mr. Cooke, when chose to the council, was no more than what he had an undoubted right to do by charter, but the refusal to accept him as speaker, perhaps, was impolitic, the country in general supposing it to be an invasion of the rights of the house, and it would have been less exceptionable to have dissolved them immediately, which he had a right to do, than to dissolve them after an unsuccessful attempt to enforce his negative, when his right was doubtful in the province, although not so with the attorney and solicitor general, who supposed the house of representatives claimed a privilege which the house of commons did not. The leading men in the house of representatives did not think so. That point had not been in question in England since the reign of King Charles the Second, when it was rather avoided than determined, and it was not certain that the house of commons in the reign of King George the First would more readily have given up the point than their predecessors in the time of King Charles. The house, in the other parts of the controversy, had less to say for themselves, and, with respect to the attempts upon his military authority, were glad to be excused by an acknowledgment of their having been in the wrong. The reducing his salary, which, at the highest, would no more than decently support him, was highly resented by him, and his friends said that he would have remained in the government, and waited the decision of the other points, if the two hundred pounds, equal to about fifty pounds sterling, the deduction made, had been restored.

Under an absolute monarch the people are without spirit, wear their chains despairing of freedom. A change of masters is the sum of their hopes, and, after insurrections and convulsions, they still continue slaves. In a government founded upon the principle of liberty, as far as government and liberty can consist, such are the sweets of li-

berty, that we often see attempts for a greater degree of it than will consist with the established constitution, although anarchy, the greatest and worst of tyrannies may prove the consequence, until the eyes of the people are opened, and they see the necessity of returning to their former happy state of government and order.

The lieutenant-governor took the chair, under the disadvantage of being obliged to maintain the same cause which had forced his predecessor out of it. Personal prejudice against the governor was the cause of assuming rights reserved by charter to the crown. The cause now ceased, but power once assumed is not willingly parted with. Mr. Dummer had conducted himself very discreetly. His attachment to the cause of the governor lost him some friends, and proved a prejudice to him and to his successors, for it had been usual to make an annual grant or allowance to the lieutenant-governor, in consideration of his being at hand, or as they expressed it, ready to serve the province, in case of the governor's absence, but, after the two or three first years from his arrival, they withheld it. Without any mention of the unhappy state of affairs, in a short speech to the two houses, he let them know that he would concur with them in every measure for his majesty's service, and the good of the province. An aged senator, Mr. Sewall, the only person alive who had been an assistant under the old charter, addressed himself to the lieutenant-governor with great gravity and simplicity, in a primitive style, which, however obsolete, may be worth preserving. "If your honour and the honourable board please to give me leave, I would speak a word or two, upon this solemn occasion. Although the unerring providence of God has brought your honour to the chair of government, in a cloudy and tempestuous season, yet you have this for your encouragement, that the people you have to do with are a part of the Israel of God, and you may expect to have of the prudence and patience of Moses communicated to you, for your conduct. It is evident, that our Almighty Saviour counselled the first planters to remove hither, and settle here, and they dutifully followed his advice, and therefore he will never leave nor forsake them, nor theirs; so that your honour must needs be happy in sincerely seeking their happiness and welfare, which your birth and education will incline you to do. *Difficilia quæ pulchra*. I promise myself, that they who set at this board will yield their faithful advice to your honour, according to the duty of their place."

The house thought it necessary to take immediate measures for their defence and vindication in England. The governor had mentioned nothing more to their lieutenant-governor than, that he was embarked, and intended to return to his government early in the fall. This, the lieutenant-governor communicated to the council, and the council to the house. They sent a committee immediately to the lieutenant-governor, to pray him to inform them what he knew of the governor's intended voyage; but he could tell them no more. They then appointed another committee "to prepare and lay before the house what they think proper to be done in this critical juncture, in their just and necessary vindication at the court at home," and a ship, Captain Clerk, then ready to sail for London, was detained until the dispatches were ready. Anthony Sanderson, a merchant of London, had been recommended by Mr. Popple, of the plantation office, in a letter to the speaker, as a proper person for the province agent. To him the

house sent their papers, to be improved as they should order.

(1723.) The house was loth, suddenly, to recede, and, the day after the governor sailed, they appointed a committee, to join with a committee of council, to consider of proper ways for carrying into execution the report of a committee of war. This was the province of the captain general, and the council refused a concurrence. The house then passed another vote, protesting against carrying on an offensive war, unless Walton, the colonel, and Moody, the major, should be removed, and other suitable persons appointed. Before the council passed upon this vote, the two obnoxious persons were prevailed upon to write to the lieutenant-governor, and desire a dismission, provided they might be paid their wages, and, the letters being communicated to the council, they passed another vote, desiring the lieutenant-governor to dismiss the officers, agreeable to the letters received from them. This vote the house non-concurred, and insisted upon their own vote, which the council then non-concurred. The house then passed a resolve, that, unless Walton and Moody were dismissed, they should be necessitated to draw off part of the forces, and sent their 'resolve to be laid upon the council table.' The lieutenant-governor, by a message, let the house know, that the king had appointed him general of the forces, and that he, only, had the power to draw them off, and added, that he expected all messages from the house should be properly addressed to him, otherwise he should pay no regard to them. The house were sensible they had gone too far, and appointed a committee to wait upon the lieutenant-governor, to desire they might have leave to withdraw their resolve, and declared that, however expressed, they intended only that they would not vote any further pay and subsistence. They persisted, however, in their refusal to provide for the pay of the two officers, whose dismission they required, nor would they make provision for further carrying on the war until other officers were appointed.

Among the other instances of additional power to the house they had, by degrees, acquired from the governor and council the keys of the treasury, and no monies could be issued without the vote of the house for that purpose. This is no more than some colonies, without charters, claim and enjoy; but by the charter, all monies are to be paid out of the treasury 'by warrant' from the governor, with advice and consent of the council. The right of the house to originate all acts and orders for raising monies from the people and to appropriate such monies to such services as they thought proper, was not disputed, but they went further, and would not admit that payment should be made for such services until they had judged whether they were well performed, and had passed a special order for such payment. Thus they kept every officer dependent, and Walton, because he had not observed their orders to go to Penobscot, but had conformed to the governor's orders, from whom he derived all the authority he had to march any where, was denied his pay. Other matters were alleged against Walton in the course of the dispute, but this seems to have been the principal.

The exposed state which the frontiers must have been in, if the forces had been drawn off, and they could not be kept there without pay, induced the lieutenant-governor to dismiss Walton, and to appoint Thomas Westbrook colonel and commander-in-chief, whereupon an establishment was settled by

the house, premiums were granted for Indian scalps and prisoners, and an end was put to the session.

The Indians, we have observed, were instigated by the French to begin the war. The old men were averse to it. Rallé, with difficulty, prevailed upon the Norridgewocks. The Penobscots were still more disinclined and, after hostilities began, expressed their desires of an accommodation. The St. Francois Indians, who lived upon the borders of Canada, and the St. John's, as also the Cape Sable Indians, were so remote, as not to fear the destruction of their villages by the English. They mixed with the Norridgewocks and Penobscots, and made the war general. In the latter part of July the enemies surprized Canso, and other harbours near to it, and took sixteen or seventeen sail of fishing vessels, all belonging to the Massachusetts. Governor Phillips happened to be at Canso, and caused two sloops to be manned, partly with volunteer sailors from merchant vessels, which were loading with fish, and sent them, under the command of John Eliot of Boston, and John Robinson of Cape Ann, in quest of the enemy. Eliot, as he was ranging the coast, observed seven vessels in a harbour called Winnepaug, and concealed all his men, except four or five, until he came near to one of the vessels, which had about forty Indians aboard, who were in expectation of another prize falling into their hands. As soon as he was within hearing, they hoisted their pennants and called out, 'strike, English dogs, and come aboard, for you are all prisoners.' Eliot answered, that he would make all the haste he could. Finding he made no attempt to escape, they began to fear a tartar, and cut their cable, with intent to run ashore, but he was too quick for them, and immediately clapped them aboard. For about half an hour they made a brave resistance; but, at length some of them jumping into the hold, Eliot threw his hand grenades after them, which made such havoc, that all which remained alive took to the water, where they were a fatal mark for the English shot. From this, or a like action, probably took rise a common expression among English soldiers, and sometimes English hunters, who, when they have killed an Indian, make their boast of having killed a black duck. Five only reached the shore.

Eliot received three bad wounds, and several of the men were wounded, and one killed. Seven vessels, with several hundred quintals of fish, and fifteen of the captives, were recovered from the enemy. They had sent many of the prisoners away, and nine they had killed in cold blood. The Nova Scotia Indians had the character of being more savage and cruel than the other nations.

Robinson retook two vessels, and killed several of the enemy. Five other vessels the Indians had carried so far up the bay, above the harbour of Malagash, that they were out of his reach, and he had not sufficient men to land, the enemy being very numerous.

The loss of so many men enraged them, and they had determined to revenge themselves upon the poor fishermen, above twenty of whom yet remained prisoners at Malagash harbour, and they were all destined to be sacrificed to the manes of the slain Indians. The powowing and other ceremonies were performing when Captain Blin, in a sloop, appeared off the harbour, and made the signal, or sent in a token, which had been agreed upon between him and the Indians, when he was their prisoner, should be his protection. Three of the Indians went

aboard his vessel, and agreed for the ransom both of vessels and captives, which were delivered to him, and the ransom paid. In his way to Boston he made prisoners of three or four Indians near Cape Sables, and, about the same time, Captain Southack took two canoes, with three Indians in each, one of which was killed, and the other five brought to Boston.

This Nova Scotia affair proved very unfortunate for the Indians. The Massachusetts frontiers afforded them less plunder, but they were in less danger. On the 16th of September, between four and five hundred Indians were discovered upon Arowsick Island, by a party of soldiers who were employed as a guard to the inhabitants while at their labour. They immediately made an alarm, by firing some of their guns, and the inhabitants of the island, by this means, had sufficient notice to shelter themselves in the fort or garrison house, and also to secure part of their goods before the enemy came upon them.

They fired some time upon the fort, and killed one man, after which they fell to destroying the cattle, about fifty head, and plundering the houses, and set fire to twenty-six houses, the flames of which the owners beheld from the fort, lamenting the insufficiency of their numbers to sally out and prevent the mischief.

These were the Indians who put a stop to the march to Penobscot. There were in the fort about forty soldiers, under Capt. Robert Temple and Capt. Penhallow. Capt. Temple was a gentleman who came over from Ireland, with an intent to settle in the country with a great number of families from the north of Ireland, but this rupture with the Indians broke his measures, and having been an officer in the army, Col. Shute gave him a command here. Walton and Harman, upon the first alarm, made all the dispatch they could, and before night came to the island in two whaleboats with thirty men more. With their joint force the English made an attempt to repel the enemy, but the disproportion in numbers was such that, in a bush fight or behind trees, there was no chance, and the English retreated to the fort. The enemy drew off the same night, and passing up Kennebeck river, met the province sloop, and firing upon her killed the master, Bartholomew Stretton, and then made an attempt upon Richmond fort, and from thence went to the village of Norridgewock, their head quarters.

A man was killed at Berwick, which was the last mischief done by the enemy this first year of the war.

When the general court met, in May, next year, no advice had been received of any measures taken by the governor in England. The house chose their speaker, and placed him in the chair without presenting him to the lieutenant-governor, which he took no notice of. They continued their claim to a share in the direction of the war, and insisted, that if any proposals of peace should be made by the Indians, they should be communicated to the house and approved by them. They repeated also a vote for a committee of the two houses to meet in the recess of the court, and to settle plans for managing the affairs of the war, which the lieutenant-governor was to carry into execution, but in this the council again nonconcurd. The lieutenant-governor's seal being affixed to a belt, given to the delegates from the Iroquois, who came to Boston to a conference, the house passed a resolve "that the seal be defaced, and that the seal of the province be affixed to the belt, as the

committee of the two houses have agreed," and sent the resolve to the council for their concurrence. The council, instead of concurring, voted, as well they might, that the resolve contained just matter of offence, and therefore they desired the house to withdraw it. This produced another resolve from the house still higher, "that the affixing a private seal, contrary to the agreement of a committee, was a high affront and indignity to them, and therefore they very justly expected the advisers and promoters thereof to be made known to the house." There was a double error in this transaction of the house, the lieutenant-governor having the unquestionable right of ordering the form of proceeding in treaties or conferences of this kind, and the house having no authority to direct the king's seal to be applied to any purpose, the governor being the keeper of the seal; and although, in common parlance, called the province seal, yet, properly speaking, it was the king's seal for the use of the province.

The lieutenant-governor took no public exception to any votes of the house this session, which we must presume to be owing to his apprehensions, that in a short time, a full consideration would be had in England of matters of the same nature during Col. Shute's administration. Before the next session of the general court (Oct. 23d), the agent, Mr. Sanderson, transmitted to the speaker a copy of the heads of complaint exhibited against the house, for encroaching upon his majesty's prerogative in seven instances.

1. In their behaviour with respect to the trees reserved for masts for the royal navy.
2. For refusing to admit the governor's negative upon their choice of a speaker.
3. Assuming power in the appointment of days for fasting and thanksgiving.
4. Adjourning themselves to a distant day by their own act.
5. Dismantling forts, and directing the artillery and warlike stores to other than the custody of the captain general, or his order.
6. Suspending military officers and refusing their pay.
7. Appointing committees of their own to direct and muster his majesty's forces."

The house voted the complaint groundless, and ordered one hundred pounds sterling to be remitted Sanderson, to enable him to employ counsel to justify the proceedings of the house. The vote being sent to the council was unanimously nonconcurrent.

The house then prepared an answer to the several articles of complaint, and an address to the king, to which they likewise desired the concurrence or approbation of the council; but they were disapproved and sent back with a vote or message, that "in faithfulness to the province, and from a tender regard to the house of representatives, the board cannot but declare and give as their opinion, that the answer is not likely to recommend this government and people to the grace and favour of his majesty, but on the contrary, has a tendency to render us obnoxious to the royal displeasure."

The house, however, ordered the answer and address to be signed by the speaker, and forwarded to Mr. Sanderson, to be improved as they should order.

The council thereupon prepared a separate address to his majesty, and transmitted it to the governor. The nonconcurrence of council with these measures of the house, was resented, and the house desired to know what part of their answer had a ten-

dency to render the government and people obnoxious. Here the council, very prudently, avoided engaging in controversy with the house. "It was not their design to enter into a detail, but only to intimate their opinion, that considering the present circumstances of affairs, some better method might be taken than an absolute justification." They had shewn their dissatisfaction with the conduct of the house, in every article which furnished matter for the complaint, except that of the speaker, and did all in their power to prevent them; but now this conduct was impeached, the arguments used by the council in a dispute with the house, might be sufficient to justify the council and set their conduct in an advantageous light, but they would strengthen and increase the prejudice against the country in general. This was an instance of public spirit worthy of imitation.

The house then resolved, "that being apprehensive that the liberties and privileges of the people are struck at, by governor Shute's memorial to his majesty, it is therefore their duty as well as interest, to send some suitable person or persons from hence, to use the best method that may be to defend the constitution and charter privileges." They had no power over the treasury, without the council, and therefore sent this vote for concurrence; but it was refused, and the following vote passed in council instead of it: "The liberties and privileges of his majesty's good subjects of this province being in danger, at this present critical conjuncture of our public affairs at the court of Great Britain, and it being our duty as well as interest to use the best methods that may be in defence of the same; and whereas Jeremiah Dummer, Esq., the agent of this court, is a person of great knowledge and long experience in the affairs of the province, and has greatly merited of this people, by his printed defence of the charter, and may reasonably be supposed more capable of serving us in this existence, than any person that may be sent from hence, voted, that the said Mr. agent Dummer be directed to appear in behalf of the province, for the defence of the charter, according to such instructions as he shall receive from this court." This vote plainly intimated, that by the late conduct of the house, the charter of the province was in danger, but the house seem to have overlooked it, and concurred with an amendment, "that Mr. Sanderson and a person sent from hence be joined with Mr. Dummer." The council agreed, that a person should be sent home, but refused to join Sanderson. Before the house passed upon this amendment, they made a further trial to obtain an independency of the council, and voted, that there should be paid out of the treasury, to the speaker of the house, three hundred pounds sterling, to be applied as the house should order. Near three weeks were spent in altercations upon this subject, between the council and the house; at length it was agreed that one hundred pounds should be at the disposal of the house, and two hundred to be paid to such agents as should be chosen by the whole court. The house were in arrears to Sanderson, which they wanted this money to discharge, and then were content to drop him.

The manner of chusing civil officers had been by a joint vote or ballot of council and house. This gave a great advantage to the house, who were four times the number of the board. But to be more sure of the person the majority of the house were fond of, they chose Mr. Cooke for agent, and sent the vote to the board for concurrence. The council

nonconcurred, and insisted on proceeding in the usual way, which the house were obliged to comply with. The choice, however, fell upon the same person, and he sailed for London the 18th of January.

Col. Westbrook with 230 men set out from Kenebeck, the 11th of February this year, with small vessels and a whale-boat, and ranged the coast as far east as Mount Desart. Upon his return, he went up Penobscot river, where, about thirty-two miles from the anchoring place of the transports, he discovered the Indian castle or fortress, walled with stockadoes, about seventy feet in length and fifty in breadth, which inclosed twenty-three well finished wigwams. Without, was a church sixty feet long and thirty broad, very decently finished within and without, and a very commodious house in which the priest dwelt. All was deserted, and all the success attending this expedition was the burning of the village. The forces returned to St. Georges, the 20th of March.

Captain Harman was intended, with about 120 men, for Norridgewock at the same time, and set out the 6th of February, but the rivers were so open and the ground so full of water, that they could neither pass by water nor land; and having with great difficulty reached to the upper falls of Amascoggin, they divided into scouting parties, and returned without seeing any of the enemy.

An attempt was made to engage the six nations and the Scatacook Indians in the war, and commissioners were sent to Albany empowered to promise a bounty for every scalp if they would go out against the enemy, but they had no further success than a proposal to send a large number of delegates to Boston.

The commissioners for Indian affairs in Albany had the command of the six nations, and would not have suffered them to engage in war if they had inclined to it. The Massachusetts commissioners were amused, and a large sum was drawn from the government in valuable presents to no purpose. No less than sixty-three Indians came to Boston, August the 21st, the general court then sitting. A very formal conference was held with them, in the presence of the whole court, but the delegates would not involve their principals in war; if any of their young men inclined to go out with any parties of the English, they were at liberty and might do as they pleased. Two young fellows offered their service, and were sent down to Fort Richmond, on Kenebeck river. Capt. Heath the commander, ordered his ensign (Coleby) and three of the garrison to go up the river with them. After they had travelled a league from the fort, they judged by the smell of fire that a party of the enemy must be near. The Mohawks would go no further until they were strengthened by more men, and sent to the fort for a whaleboat, with as many men as she could carry. Thirteen men were sent, and soon after they had joined the first party, about thirty of the enemy appeared, and after a smart skirmish fled to their canoes, carrying off two of their company dead, or so badly wounded as to be unable to walk, and leaving their packs behind. Coleby, who commanded the party, was killed, and two others wounded. The Mohawks had enough of the service and could not be prevailed on to stay any longer, and were sent back to Boston.

Small parties of the enemy kept the frontiers in constant terror, and now and then met with success.

In April they killed and took eight persons at Scarborough and Falmouth. Among the dead, was

the serjeant of the fort, Chubb, whom the Indians took to be Capt. Harman, and no less than fifteen of them aimed at him at the same time, and lodged eleven bullets in his body. This was lucky for the rest, many more escaping to the fort than would otherwise have done. In May, they killed two at or near Berwick; one at Wells, and two travelling between York and Wells. In June, they came to Roger Dering's garrison, at Scarborough, killed his wife and took three of his children as they were picking berries, and killed two other persons. In July, Dominicus Jordan, a principal inhabitant and proprietor of Saco, was attacked in his field by five Indians, but keeping his gun constantly presented, without firing, they did not care to close in with him, and after receiving three wounds recovered the garrison. In August, the enemy appeared westward, and on the 13th killed two men at Northfield; and the next day a father and four of his sons, making hay at a meadow at Rutland, were surprised by about a dozen Indians. The father escaped in the bushes, but the four sons fell a prey to the enemy. Mr. Willard, the minister of Rutland, being abroad, armed, fell into their hands also, having killed one and wounded another before he was slain himself. The last of the month, they killed a man at Cohecho, and killed or carried away another at Arundel. The 11th of October, about seventy of the enemy attacked the blockhouse above Northfield, and killed or wounded four or five of the English. Col. Stoddard marched immediately with fifty men from Northampton to reinforce Northfield, fifty men belonging to Connecticut having been drawn off the day before. Justice should be done to the government of Connecticut. Their frontiers were covered by the Massachusetts, and if they had not contributed to the charge of the war, it was not probable that the Massachusetts people would have drawn in and left Connecticut frontiers exposed. Nevertheless, they generally, at the request of the Massachusetts, sent forces every year during the summer, in this and former wars, and paid their wages, the provisions being furnished by this government.

In October, the enemy surprised one Cogswell, and a boat's crew, which were with him at Mount Desert. December 25th, about sixty Indians laid siege to the fort at Muscongus or St. George's. They surprised and took two of the garrison, who informed them the fort was in a miserable condition, but the chief officer there, Kennedy, being a bold, resolute man, the garrison held out until Colonel Westbrook arrived, with force sufficient to scatter the besiegers and put them to flight.

This summer, also, July 14th, the Indians surprised one Captain Watkins, who was on a fishing voyage at Canso, and killed him and three or four of his family upon Durell's Island.

Douglas, and other writers, applaud the administration for conducting this war with great skill. The French could not join the Indians, as in former wars. Parties of the English kept upon the march, backwards, and forwards, but saw no Indians. Captain Moulton went up to Norridgewock, and brought away some books and papers of the jesuit, Rallé, which discovered that the French were the instigators of the Indians to war, but he saw none of the enemy. He came off without destroying their houses and church. Moulton was a discreet, as well as brave, man, and probably imagined this instance of his moderation would provoke in the Indians the like spirit towards the English. August 25. A Nipinug Indian, John Quittamug,

came to Boston, and was entertained by several gentlemen, who accounted him a great prodigy. Forty years before he had been remarked as an old Indian, and must now have been above 112 years of age. He constantly affirmed, that in the year 1630, upon a message from the English that they were in want of corn, soon after their arrival, he went with his father to Boston, and carried from the Nipmug country a bushel and a half of corn all the way upon his back, that there was then only one cellar began in the town, and that somewhere near the common. He was in good health, his understanding and memory entire, and travelled on foot ten miles a day. He lived near the town of Woodstock. His journey to Boston proved as fatal to him as old Thomas Parr's journey to London, surviving it a very short time after his return home, having been feasted by some of the principal gentlemen here as Parr had been at London.

(1724.) The next year was unfavourable to the English in the former part of it, and the losses, upon the whole, exceeded those of the enemy; but a successful stroke or two against them, in the course of the year, made them weary of war, and were the means of an accommodation. The 23d of March they killed one Smith, serjeant of the fort at Cape Porpoise. In April one Mitchell was killed at Black Point, and two of his sons taken, and about the same time John Felt, William Wormwell, and Ebenezer Lewis, were killed in a saw mill on Kennebeck river, and one Thomson at Berwick met with the same fate in May, and one of his children was carried into captivity, another child was scalped, and left on the ground for dead, but soon after was taken up and carried home alive. In the same month they killed elder Knock, at Lamprey river, George Chapley, and a young woman, at Oyster river, as they were going home from public worship and took prisoners a man and three boys at Kingston. The beginning of June a scout of thirty men, from Oyster river, were attacked before they left the houses, and two men were shot down. The rest ran upon the Indians, and put them to flight, leaving their packs and one of their company, who was killed in the skirmish. One Englishman was killed and two taken prisoners at Hatfield; another, with a friend Indian, and their horses, were killed between Northfield and Deerfield.

This month, news was brought to Boston of the loss of Captain Josiah Winslow and thirteen of his company, belonging to the fort at St. George's river. There went out seventeen men in two whale boats, April 30. The Indians, it seems, watched their motions and waited the most convenient time and place to attack them. The next day, as they were upon their return, they found themselves, on a sudden, surrounded with thirty canoes, whose compliment must be an hundred Indians. They attempted to land, but were intercepted, and nothing remained but to sell their lives as dear as they could. They made a gallant defence, and the bravery of their captain was, in an especial manner, applauded. Every Englishman was killed. Three Indians, of those called the Cape Ann Indians, who were of the company, made their escape, and carried to the fort the melancholy news.

Encouraged by this success, the enemy made a still greater attempt, by water, seized two shallops at the Isle of Shoals, and, afterwards, other fishing vessels in other harbours, and, among the rest, a large schooner, with two swivel guns, which they manned and cruized about the coast. A small force

was thought sufficient to conquer these raw sailors, and the lieutenant-governor commissioned Doctor Jackson, of the province of Maine, in a small schooner, with twenty men, and Silvanus Lakeman, of Ipswich, in a shallop with sixteen men, to go in quest of them. They soon came up with them, and, not long after, returned, with their rigging much damaged by the swivel guns, and Jackson and several of his men wounded, and could give no other account of the enemy than that they had gone to Penobscot.

The Seahorse, man-of-war, Captain Durrell, being then upon the Boston station, the lieutenant, master, and master's mate, each of them took the command of a small vessel, with thirty men each, and went after the Indians, but, it is probable, they were soon tired of this new business, for they were not to be found, nor do we meet with any further intelligence about them. They took eleven vessels, with forty-five men, twenty-two of whom they killed, and carried twenty-three into captivity.

At Groton they killed one man, and left dead one of their own number. August 3d, they killed three, wounded one, and made another prisoner at Rutland. The 6th, four of them came upon a small house in Oxford, which was built under a hill. They made a breach in the roof, and, as one of them was attempting to enter, he received a shot in his belly, from a courageous woman, the only person in the house; she had two muskets and two pistols charged, and was prepared for all four, but they thought fit to retreat, carrying off the dead or wounded man. The 16th a man was killed at Berwick, another wounded, and a third carried away. The 26th, one was killed, and another wounded, at Northampton, and the 26th, the enemy came to the house of John Hanson, one of the people called quakers, at Dover, and killed or carried away his wife, maid, and six children, the man himself being at the friends' meeting. This unfortunate man, Hanson, went afterwards to Ganda and redeemed his wife, three of his children, and the maid. Two of his sons were killed, a daughter, of seventeen years of age, he was obliged to leave in their hands. The Indians would permit him to see and converse with her, but would not part with her upon any terms.

Discouraged with the ineffectual attempts to intercept the enemy, by parties of our forces marching upon the back of the frontiers, another expedition was resolved upon, in order to surprise them in their principal village at Norridgewock.

Four companies, consisting in the whole of 208 men, were ordered up the river Kenebeck, under Captain Harman, Captain Moulton, Captain Bourn, and lieutenant Bean. Three Indians, of the six nations, were prevailed with to accompany our forces. The different accounts given by the French and English of this expedition may afford some entertainment. Charlevoix, who was about that time in Canada, and might receive there or from thence the account given by the Indians themselves, relates it in this manner. "The 23d of August, 1724, eleven hundred men, part English, part Indians, came up to Norridgewock. The thickets, with which the Indian village was surrounded, and the little care taken by the inhabitants to prevent a surprise, caused that the enemy were not discovered, until the very instant when they made a general discharge of their guns, and their shot had penetrated all the Indian wigwams. There were not above fifty fighting men in the village. These took

to their arms, and ran out in confusion, not with any expectation of defending the place against an enemy who were already in possession, but to favour the escape of their wives, their old men and children, and to give them time to recover the other side of the river, of which the English had not then possessed themselves.

"The noise and tumult gave father Rallé notice of the danger his converts were in. Not intimidated, he went to meet the enemy, in hopes to draw all their attention to himself, and secure his flock at the peril of his own life. He was not disappointed. As soon as he appeared, the English set up a great shout, which was followed by a shower of shot, and he fell down dead near to a cross which he had erected in the midst of the village, seven Indians, who accompanied him to shelter him with their own bodies, falling dead round about him. Thus died this kind shepherd, giving his life for his sheep, after a painful mission of thirty-seven years. The Indians, who were all in the greatest consternation at his death, immediately took to flight, and crossed the river, some swimming and others fording. The enemy pursued them, until they had entered far into woods, where they again gathered together to the number of an hundred and fifty, men, women, and children. Although more than two thousand shot had been fired upon them, yet there were no more than thirty killed and fourteen wounded. The English, finding they had no body left to resist them, fell first to pillaging and then burning the wigwams. They spared the church, so long as was necessary for their shamefully profaning the sacred vessels and the adorable body of Jesus Christ, and then set fire to it. At length they withdrew, with so great precipitation that it was rather a flight, and they seemed to be struck with a perfect panic. The Indians immediately returned to their village, where they made it their first care to weep over the body of their holy missionary, whilst their women were looking out for herbs and plants for healing the wounded. They found him shot in a thousand places, scalped, his skull broke to pieces with the blows of hatchets, his mouth and eyes filled of mud, the bones of his legs fractured, and all his members mangled an hundred different ways. Thus was a priest treated in his mission, at the foot of a cross, by those very men who have so strongly exaggerated the pretended inhumanity of our Indians, who have never made such carnage upon the dead bodies of their enemies. After his converts had raised up, and oftentimes kissed the precious remains, so tenderly and so justly beloved by them, they buried him in the same place where, the evening before, he had celebrated the sacred mysteries, namely, where the altar stood, before the church was burnt."

Besides the great error in the number of the English forces, there are many embellishments in this relation in favour of the Indians, and injurious to the English. Not satisfied with the journal alone which was given in by Captain Harman, Captain Moulton's minute and circumstantial account of this affair has been compared with it. And the following is the result.

The forces left Richmond fort, on Kennebeck river, the 8th of August. The 9th, they arrived at Taconick, where they left their whaleboats, with a lieutenant and 40 of the 208 men to guard them. With the remaining forces, on the 10th, they began their march by land for Norridgewock. The same evening, they discovered and fired upon two Indian

women, one of them, the daughter of the well known Bomazeen, they killed, the other his wife, they took prisoner. From her they received a full account of the state of Norridgewock. The 12th, a little after noon, they came near to a village: it was supposed that part of the Indians might be at their corn-fields, which were at some distance, and it therefore was thought proper to divide this small army.

Harman, with about eighty men, chose to go by way of the fields, and Moulton, with as many more, were left to march straight to the village, which, about three o'clock, suddenly opened upon them. There was not an Indian to be seen, being all in their wigwams. The men were ordered to advance softly and to keep a profound silence. At length, an Indian came out of one of the wigwams, and, as he was making water, looked round him and discovered the English close upon him: he immediately gave the war whoop and ran in for his gun. The whole village, consisting of about sixty warriors, besides old men, women, and children, took the alarm, and the warriors ran to meet the English, the rest fled to save their lives. Moulton, instead of suffering his men to fire at random through the wigwams, charged every man not to fire upon pain of death, until the Indians had discharged their guns. It happened as he expected; in their surprise they overshot the English, and not a man was hurt. The English then discharged in their turn, and made great slaughter, but every man still kept his rank. The Indians fired a second volley, and immediately fled towards the river: some jumped into their canoes, but had left their paddles in their houses, others took to swimming, and some of the tallest could ford the river, which was about sixty feet over, and the waters being low, it was no where more than six feet deep. The English pursued, some furnished themselves with paddles and took the Indian canoes which were left, others waded into the river. They soon drove the Indians from their canoes into the river, and shot them in the water; and they conjectured that not more than fifty of the whole village landed on the other side, and that some of them were killed before they reached the woods.

The English then returned to the town, where they found the jesuit, in one of the wigwams, firing upon a few of our men, who had not pursued after the enemy. He had an English boy in the wigwam with him, about fourteen years of age, who had been taken about six months before. This boy he shot through the thigh, and afterwards stabbed in the body, but by the care of the surgeons he recovered. We find this act of cruelty in the account given by Harman upon oath. Moulton had given orders not to kill the jesuit, but, by his firing from the wigwam, one of our men being wounded, a lieutenant Jacques stove open the door and shot him through the head. Jacques excused himself to his commanding officer, alleging that Rallé was loading his gun when he entered the wigwam, and declared that he would neither give nor take quarter. Moulton allowed that some answer was made by Rallé which provoked Jacques, but doubted whether it was the same as reported, and always expressed his disapprobation of the action. Mog, a famous old chief among the Indians, was shut up in another wigwam, and firing from it killed one of the three Mohawks. His brother was so enraged that he broke down the door and shot Mog dead. The English, in their rage, followed and killed the poor squaw and two helpless children. Having cleared

the village of the enemy, they then fell to plundering and destroying the wigwams. The plunder of an Indian town consisted of but little corn, it being not far from harvest, a few blankets, kettles, guns, and about three barrels of powder, all which was brought away. New England puritans, of course, thought it no sacrilege to take the plate from an idolatrous roman catholic church, which was all the profane-ness offered to the sacred vessels. There were some expressions of zeal against idolatry, in breaking the crucifixes and other imagery which were found there. The church itself, a few years before, had been built by carpenters from New England. Beaver and other Indian furs and skins had paid for the church, and a zeal against a false religion destroyed the ornaments of it.

Harman and the men who went to the corn-fields did not come up till near night, when the action was over. Both parties lodged in the wigwams, keeping a guard of forty men; the next morning they found twenty dead bodies, besides that of the jesuit, and had one woman and three children prisoners. Among the dead were Bomazeen, Mog, Job, Carabesett, Wissememet, and Bomazeen's son in law, all noted warriors. They marched early for Taconick, being in some pain for their men and whale-boats, but found all safe. Christian, one of the Mohawks, was sent, or of his own accord returned, after they had began their march, and set fire to the wigwams and to the church, and then joined the company again. The 16th they all arrived at Richmond fort. Harman went to Boston with the scalps, and being the chief in command, was made a lieutenant for an exploit in which Moulton was the principal actor, who had no distinguishing reward, except the applause of the country in general. This has often been the case in much more important services. The Norridgewock tribe never made any figure after this defeat.

Encouraged by this success, Col. Westbrook was ordered to march with 300 men across from Kennebec to Penobscot, which he performed with no other advantage than exploring the country, which before was little known. Other parties were ordered up Amaseconti Amarecoggin, and a second attempt was made upon Norridgewock, but no Indians were to be found.

The frontiers, however, continued to be infested. September the 6th, an English party of fourteen went from Dunstable in search of two men who were missing. About thirty Indians lay in wait, and shot down six, and took three prisoners. A second party went out, and lost two of their number. The western frontier seems to have been better guarded, for, although often alarmed, they were less annoyed.

(1725.) The government increased the premium for Indian scalps and captives to one hundred pounds. This encouraged John Lovewell to raise a company of volunteers to go out upon an Indian hunting. January 5th, he brought to Boston a captive and a scalp, both which he met with above forty miles beyond Winnepesaukee lake. Going out a second time, he discovered ten Indians round a fire, all asleep. He ordered part of his company to fire, who killed three; the other seven, as they were rising up, were shot by the other part of the company reserved for that purpose. The ten scalps were brought to Boston 3d of March. Emboldened by repeated success, he made a third attempt, and went out with thirty three men. Upon the 8th of May they discovered an Indian upon a point of

and which joined to a great pond or lake. They had some suspicion that he was set there to draw them into a snare, and that there must be many Indians near, and therefore laid down their packs, that they might be ready for action, and then marched near two miles round the pond to come at the Indian they had seen. The Indian remained, although it was certain death to him, and when the English came within gun-shot, discharged his piece, which was loaded with beaver shot, and wounded Lovewell and one of his men, and then immediately fell himself, and was scalped. His name ought to have been transmitted, as well as that of Mutius Curtius, the Roman, who jumped into the gulf or chasm, upon less rational grounds, to save his country.

The Indians, who lay concealed, seized all the English packs, and then waited their return at a place convenient for their own purpose. One of the Indians being discovered, the rest, being about eighty, rose, yelled, and fired, and then ran on with their hatchets with great fury. The English retreated to the pond to secure their rear; and although so unequal in numbers, continued to fight five or six hours, till night came on. Captain Lovewell, his lieutenant, Farwell, and ensign, Robins, were soon mortally wounded, and, with five more, were left dead on the spot. Sixteen escaped, and returned unhurt, but were obliged to leave eight of their wounded companions in the woods without provisions: their chaplain, Mr. Fry, of Andover, was one, who had behaved with great bravery, and scalped one Indian in the heat of the action, but perished himself for want of relief.

One of the eight, afterwards, came into Berwick, and another to Saco. This misfortune discouraged scalping parties. But Indians, as well as English, wished to be at peace. After Rallé's death they were at liberty to follow their inclinations. The Penobscot tribe, however, being best disposed, were first founded. An Indian hostage and a captive were permitted, upon their parole, to go home in the winter of 1724, and they came back to the fort at St. George's the 9th of February, accompanied with two of the tribe, one a principal sachem or chief. They brought an account that, at a meeting of the Penobscots, it was agreed to make proposals of peace. The sachem or chief was sent back, with the other Indian, and promised to return in twenty-three days, and bring a deputation, to consist of several other chiefs, with him; but Captain Heath, having gone out upon a march from Kennebeck, across the country, to Penobscot, fell upon a deserted village of about fifty Indian houses, which he burned, but saw none of the inhabitants. The Indians who went from St. George's knew nothing of this action until they came home, and it seems to have discouraged them from returning according to their promise, and the treaty, by this means, was retarded. But upon new intimations, in June following, John Stoddard and John Wainwright, Esqs., were commissioned by the lieutenant-governor, and sent down to St. George's, to treat with such Indians as should come in there and settle preliminaries of peace.

A cessation of arms was agreed upon, and four delegates came up, soon after, to Boston, and signed a treaty of peace, and, the next year, the lieutenant-governor, in person, attended by gentlemen of the court and others, and the lieutenant-governor of New Hampshire, with gentlemen from that province, ratified the same at Falmouth in Casco-bay. This

treaty has been applauded as the most judicious which has ever been made with the Indians. A long peace succeeded it.

The pacific temper of the Indians, for many years after, cannot be attributed to any peculiar excellency in this treaty, there being no articles in it of any importance, differing from former treaties. It was owing to the subsequent acts of government in conformity to the treaty. The Indians had long been extremely desirous of trading houses to supply them with necessaries, and to take off their furs, skins, &c. This was promised by Governor Shute, at a conference, but the general court, at that time, would make no provision for the performance. Mr. Dummer promised the same thing. The court, then, made provision for trading houses at St. George's, Kennebeck, and Saco rivers, and the Indians soon found that they were supplied with goods upon better terms than they could have them from the French, or even from private English traders. Acts or laws were made, at the same time, for restraining private trade with the Indians; but the supplies, made by the province at a cheaper rate than private traders could afford, would have broke up their trade without any other provision, and laws would have signified little without that. Mr. Dummer engaged that the Indians should be supplied with goods at as cheap rate as they were sold in Boston. This was afterwards construed favourably for the government. The goods, being bought by wholesale, were sold to the Indians at the retail price, in Boston, and a seeming profit, by the commissary's account, accrued to the government; but, when the charge of trading houses, truckmasters, garrisons, and a vessel employed in transporting goods was deducted, the province was still tributary to the Indians every year. However, it was allowed to be a well-judged measure, tending to preserve peace, and was more reputable than if a certain pension had been every year paid for that purpose.

Delegates from all the tribes of Indians, particularly the Norridgewocks, not having been present at this first treaty, another was thought necessary the next year, when the former was renewed and ratified. It was most acceptable to the Indians to hold their treaties near their own settlement, and in a proper season of the year it was an agreeable tour to the governors or commanders in chief, and the gentlemen accompanying them.

To bring this war to a close, we have passed over the other affairs of the government for a year or two past. Soon after Mr. Cooke's arrival in London, Governor Shute exhibited a second memorial against the house of representatives, for matters transacted after he left the province. The principal articles of complaint were the several orders relative to the forts and forces, which, he said, the house had taken out of the hands of the lieutenant-governor, and the affront offered to the lieutenant-governor, in ordering his seal to be effaced upon the belt of wampum. Several other things seem to be brought in to increase the resentment against them, as their choosing Mr. Cooke, who had been at the head of all the measures complained of in the first memorial, for their agent; their refusing to confer with the council upon a money bill; their endeavouring by their votes to lessen the members of the council in the esteem of the people; their withholding his salary in his absence; and their assuming more and more the authority of government into their hands. The council, in this memorial, are also complained

of, they having put their negative to the vote for choosing Mr. Cooke, and yet, afterwards, joined in election with the house, when they had reason to suppose, by the great superiority of the house in number, that he would be the person.

Mr. agent Dummer, who was to act jointly with Mr. Cooke, made an attempt to reconcile the governor to him, but he refused to see him; and the attempt offended Mr. Cooke also, and occasioned a warm discourse between him and Dummer, which caused the latter to refuse to act in concert, especially as Mr. Cooke had shewn him a private instruction from the house, by which their defence against the charge of invading the royal prerogative was committed to Mr. Cooke and Mr. Sanderson, to the exclusion of Mr. Dummer.

After divers hearings upon the subject matter of the complaints, the reports of the attorney and solicitor general, of the lords committee, and finally the determination of his majesty in council, were all unfavourable to the house of representatives.

The several acts or votes of the house relative to the king's woods, and to the forts and forces, seem to have been generally deemed indefensible, the agents were advised to acknowledge them to be so, and it was so far relied upon, that they would be so acknowledged in the province, as that no special provision was thought necessary for the regulation of their future conduct, the charter being express and clear. But the governor's power to negative the speaker, and the time for which the house might adjourn, were points not so certain. What was called an explanatory charter was therefore thought necessary, and such a charter accordingly passed the seals. By this charter, the power of the governor to negative a speaker is expressly declared, and the power of the house to adjourn themselves is limited to two days. With respect to the latter, perhaps this new charter may properly enough be called explanatory, the governor having the power, by the principal charter, of adjourning the assembly, and yet, from the nature of the thing, it was necessary that the house, a part of that assembly, should have the power of adjourning themselves for a longer or shorter time; but the power of negating a speaker seems to be a new article, wherein the charter is silent; so that whatever right it might be apprehended the king had to explain his own patents, where there was ambiguity, yet when an alteration is to be made in the charter, or a new rule established in any point wherein the charter is silent, the acceptance of the people, perhaps, is necessary. This seems to have been the reason of leaving it to the option of the general court, either to accept or refuse the explanatory charter. It was intimated at the same time, that if the charter should be refused, the whole controversy between the governor and the house of representatives would be carried before the parliament. Had the two points mentioned in the explanatory charter, or the conduct of the house relative to them, been all that was to be carried into parliament, the general court, probably, would not have accepted this charter. They would have urged, that it was not certain that a house of commons would have determined that the king, by his governor, had a right to negative the speaker of a house of representatives in the colonies, especially as the attorney-general had inferred this right from the right of negating the speaker of the house of commons; but it was their misfortune that in the other articles of complaint the house was generally condemned in England, the ministry were highly

incensed, and it was feared the consequence of a parliamentary enquiry would be an act to vacate the charter of the province. The temper of the house was much changed, and although there were several members, who had been active in all the measures which brought this difficulty upon the country, still resolute to risk all, rather than by their own act give up any one privilege, yet the following vote was carried in the house for accepting the charter, and in such terms as would induce one to imagine it rather the grant of a favour than the deprivation of a right.

January 15, 1725.

"In the house of representatives.

"Whereas, his honour the lieutenant-governor has laid before this court, in their present session, for their acceptance, an explanatory charter received from his grace the Duke of Newcastle, with a copy of his majesty's order in council concerning the same, wherein his majesty has been pleased to confirm the charter granted by their late majesties, king William and queen Mary, in which former charter there being no express mention made relating to the choice of a speaker, and the house's power of adjourning, to both which points, in the said explanatory charter, his majesty has been pleased to give particular directions:

"We, his majesty's loyal and dutiful subjects, being very desirous to signalise our duty and obedience, which we at all times owe to his most excellent majesty, have and do hereby accept of the said explanatory charter, and shall act in conformity thereto for the future, not doubting but that we shall thereby recommend his majesty's loyal and dutiful subjects, the inhabitants of this province, to his further most gracious favour and protection.

"In council, read and concurred,

"Consented to. Wm. Dummer."

It has been said that the English are islanders, and therefore inconstant. Transplanted to the continent they are, nevertheless, Englishmen. When we reflect upon the many instances of frequent sudden changes, and from one extreme to the other, in ancient times in the parliament of England, we may well enough expect, now and then, to meet with the like instances in the assemblies of the English colonies. This was the issue of the unfortunate controversy with governor Shute, unless we allow that it was the occasion also of the controversy with his successor, which is not improbable.

The governor was offended with Mr. Dummer for receiving grants from the court, made to him for his service as commander in chief, it being expected that when the governor is absent, with leave, his salary should be continued, one half of which, by a royal instruction, is to be allowed to the lieutenant-governor; but the house took a more frugal method, and made grants of little more than one half the governor's usual salary, to the lieutenant-governor immediately, any part of which he could very ill afford to spare from his own support. His pacific measures, and accommodation or suspension of some of the controverted points, might be another cause of coldness, at least between the governor and him.

Another affair occasioned a mark of royal displeasure upon the lieutenant-governor. Synods had been frequent under the first charter, either for suppressing errors in principles, or immoralities in practice, or for establishing or reforming church government and order, but under a new charter no synod had ever been convened. A convention of ministers had been annually held, instead, at the time for election

of the council. This might have been, in many respects, useful, but it was thought could not have that weight for promoting any of the intended purposes which a synod convened would have, especially if their decrees were ratified by the government. There were many ancient members in both houses, who had not then lost their affection for these synods; and the following application was made by the ministers:—

"To the very honourable William Dummer, Esq., lieutenant-governor and commander in chief. To the honourable the counsellors. To the honoured the representatives in the great and general court of his majesty's province of the Massachusetts-bay, assembled, and now sitting. A memorial and address humbly presented.

"At a general convention of ministers, from several parts of the province, at Boston, May the 27th, 1725.

"Considering the great and visible decay of piety in the country, and the growth of many miscarriages, which we fear may have provoked the glorious Lord in a series of various judgments wonderfully to distress us. Considering also the laudable example of our predecessors, to recover and establish the faith and order of the gospel in the churches, and provide against what immoralities may threaten to impair them, in the way of general synods convened for that purpose, and considering that about forty-five years have now rolled away since these churches have seen any such conventions. It is humbly desired that the honoured general court would express their concern for the interests of religion in the country, by calling the several churches in the province to meet by their pastors and messengers in a synod, and from thence offer their advice upon that weighty case, which the circumstances of the day do loudly call to be considered,—'What are the miscarriages whereof we have reason to think the judgments of heaven, upon us, call us to be more generally sensible, and what may be the most evangelical and effectual expedients to put a stop unto those or the like miscarriages?' This proposal we humbly make, in hopes that, if it be prosecuted, it may be followed with many desirable consequences, worthy the study of those whom God has made, and we are so happy to enjoy, as the nursing fathers of our churches.

"Cotton Mather,

"In the name of the ministers assembled in their general convention."

This memorial was granted by the council, but the house did not concur. Afterwards, by a vote of both houses, it was referred to the next session, to which the lieutenant-governor gave his consent. Opposition was made by the episcopal ministers, but a doubt of success in the province caused them to apply in England, most probably to the bishop of London. The king being at that time at Hanover, an instruction came from the lords justices to surcease all proceedings, and the lieutenant-governor received a reprimand for "giving his consent to a vote of reference, and neglecting to transmit an account of so remarkable a transaction." A stop was put to any further proceeding in the affair, nor has any attempt for a synod been made since.

(1726.) The remainder of Mr. Dummer's short administration was easy to him. The war being over, the principal ground of dispute, the ordering the forces, ceased. Other affairs, relative to the treasury, the passing upon accounts and the form of supplies he suffered to go on according to the claim of the house. Mr. Cooke, the first election after his

return from England, May, 1726, was chose of the council. This was a mark of the house's approbation of his conduct in the agency, although it had not been attended with success. The lieutenant-governor did not think it convenient to offend the house by a negative. The small allowance made him as a salary, about two hundred and fifty pounds sterling per annum, he also acquiesced in for the sake of peace. The governor was expected by almost every ship for a year or two together, but by some means or other was delayed until the summer of 1727, when he was upon the point of embarking, but the sudden death of the king prevented. The principal cause of delay seems to have been the insufficiency of the salary which had been granted for his support, and the uncertainty whether the assembly would make an addition to it.

(1727.) Upon the accession of King George the Second, a gentleman, who, it is said, was in particular esteem with the king himself, was appointed governor of New York and the Jerseys, in the room of Mr. Burnet, whose administration had, in general, been very acceptable to those colonies, and approved in England. The bishop, his father, had likewise been a most steady friend to the house of Hanover. Governor Burnet's fortune being reduced in the general calamity of the year 1720, he parted with a place in the revenue of 1200*l.* per annum, and received commissions for these governments, with a view to his retrieving his fortune in a course of years. He thought it hard, in so short a time, to be superseded; for although Massachusetts and New Hampshire were given to him, yet he was to part with very profitable posts for such as, at best, would afford him no more than a decent support, an easy administration for one which he foresaw would be extremely troublesome. He complained of his hard fate, and it had a visible effect upon his spirits. Colonel Shute was provided for, more to his satisfaction than if he had returned to his government, a pension of 400*l.* sterling per annum being settled upon him, to be paid out of the $4\frac{1}{2}$ per cent. duty raised in the West India islands. The West Indians, who would perhaps have been content if it had been applied to one of their own governors who had been superseded, have taken exception to the payment of it to a governor of the northern colonies. The duties granted by Barbados and the leeward islands upon their own produce, to be disposed of by the crown, are the only instances of the kind in the colonies. Jamaica is exempt. It was said in parliament, in the reign of Charles the Second, that this duty was consented to, upon condition the planters should be released from a duty of forty cwt. sugar per head reserved when the king granted the lands. Jamaica was chiefly disposed of by Cromwell, free from any such burden or charge.

The earthquake on the 29th of October, 1727, although not confined to the Massachusetts, was so remarkable an event in providence, that we may be excused if we give a circumstantial account of it. About forty minutes after ten at night, when there was a serene sky, and calm, but sharp air, a most amazing noise was heard, like to the roaring of a chimney when on fire, as some said, only beyond comparison greater, others compared it to the noise of coaches upon pavements, and thought that of ten thousand together would not have exceeded it. The noise was judged by some to continue about half a minute before the shock began, which increased gradually, and was thought to have con-

tinued the space of a minute before it was at the height, and, in about half a minute more, to have been at an end by a gradual decrease. When terror is so great, no dependence can be placed upon the admeasurement of time in any person's mind, and we always find very different apprehensions of it. The noise and shock of this, and all earthquakes which preceded it in New England were observed to come from the west or north-west, and go off to the east or south-east. At Newbury, and other towns upon Merrimack river, the shock was greater than in any other part of Massachusetts, but no buildings were thrown down, part of the walls of several cellars fell in, and the tops of many chimneys were shook off. At New York it seems to have been equal to what it was in the Massachusetts, but at Philadelphia it was sensibly weaker, and, in the colonies southward, it grew less and less, until it had spent itself, or became insensible. The seamen upon the coast supposed their vessels to have struck upon a shoal of loose ballast. More gentle shocks were frequently felt in most parts of New England for several months after. There have seldom passed above fifteen or twenty years without an earthquake, but there had been none, very violent, in the memory of any then living. There was a general apprehension of danger of destruction and death, and many, who had very little sense of religion before, appeared to be very serious and devout penitents, but, too generally, as the fears of another earthquake went off, the religious impressions went with them; and they, who had been the subjects of both, returned to their former course of life.

The trade of the province being in a bad state, and there being a general complaint of scarcity of money, the old spirit revived for increasing the currency by a further emission of bills of credit. It would be just as rational when the blood in the human body is in a putrid corrupt state to increase the quantity by luxurious living, in order to restore health. Some of the leading men, among the representatives, were debtors, and a depreciating currency was convenient for them. A bill was projected for fortifying the sea ports. The town of Boston was to expend ten thousand pounds in forts and stores, and, to enable them to do it, thirty thousand pounds was to be issued in bills, and lent to the town for thirteen years. Salem, Plimouth, Marblehead, Charlestown, Gloucester, and even Truro, on the cape, were all to be supplied with bills of credit for the like purposes. After repeated nonconcurrence and long altercation, the council were prevailed upon to agree to the bill. When it came to the lieutenant-governor, he laid the king's instruction before the council, and required their opinion, upon their oaths, whether, consistent with the instruction, he could sign the bill, and they answered he could not. Not only the lieutenant-governor, but several of the council, were dependent on the house for the grant of their salaries, and this dependence was made use of as, in divers instances, it had been formerly. The house referred the consideration of allowance to the next session, and desired the court might rise. The lieutenant-governor let them know, by a message, that he apprehended his small support was withheld from him because he would not sign a bill contrary to his instructions. They replied, that he had recommended to them the making the provision for fortifying the province, and now they had passed a bill for that purpose he refused to sign it, and they were obliged, in prudence and faithfulness to their principals, to come into a vote, referring allowances and

other matters to another session, when a way may be found to enable the inhabitants to pay into the treasury again such sums as may be drawn out for gratuities and allowances. After a recess of about a fortnight, an expedient was found. Instead of a bill for fortifying, another was prepared, with a specious title, "An act for raising and settling a public revenue for and towards defraying the necessary charges of the government by an emission of 60,000*l.* in bills of credit." This was done to bring it within the words of the instruction, which restrained the governor from consenting to the issuing bills of credit, except for charges of government. The interest of four per cent on 2400*l.* was to be applied annually to the public charges, and gave colour for issuing the principal sum of 60,000*l.* The lieutenant-governor was prevailed upon to sign it, and, the same day, the house made the grant of his salary, and the usual allowance to the judges, most of whom were members of the council, and to the other officers of the government. This was afterwards alledged to be a compulsion of the lieutenant-governor and such members of the council as were salary men, to comply with the house of representatives, by withholding from them their subsistence. The eagerness of the body of the people for paper bills, more easily acquired in this way than the righteous way of industry and frugality, no doubt, facilitated a compliance.

The council, upon this occasion, declined answering, upon their oath, as counsellors, when the lieutenant-governor asked their advice. They swear, that to the best of their judgment they will at all times freely give their advice to the governor for the good management of the public affairs of the government. The lieutenant-governor proposed the following question to them in writing: "Gentlemen, I find it necessary, in order to my signing the bill entitled an Act for raising and settling a revenue, &c., which has passed both houses, to have your advice whether I can sign the said bill without the breach of the instruction of the lords justices of Great Britain, dated the 27th of September, 1720, and the order of the lords commissioners of trade and plantations, dated the 8th of February, 1726-7. W. Dummer, Feb. 17, 1727." Upon which, the council came to the following vote. "In council, Feb. 19, 1727, Read, and as the council have already, as they are one part of the general court, passed a concurrence with the honourable house of representatives upon the said bill, they cannot think it proper for them to give your honour any further advice thereupon, nor do they apprehend the oath of a counsellor obliges them thereto. At the same time, they cannot but think it will be for the good and welfare of the province, and the necessary support of the government thereof, if the bill be consented to by your honour."

J. Willard, Secretary."

They had given their advice or opinion, the same session, upon the bill for fortifying, after they had passed it, that it was contrary to the instruction, and instances of the like kind have been frequent before and since this time.

The lieutenant-governor had a further opportunity before Mr. Burnet's arrival, of meeting the assembly in May for election of counsellors.

The house discovered, in one instance, this session, a desire to amplify their jurisdiction. The council and house had made it a practice, ever since the charter, to unite in the choice of the treasurer, impost officer, and other civil officers, the appointment whereof is reserved to the general assembly.

The council, being in number less than a third part of the house, have by this means no weight in such elections, except when there are two or more candidates for an office set up by the house, and then the balance of power, if they are united themselves, may be with them. This seems to have been an old charter practice and handed down. The two houses, when parties to any petition or cause desire to be heard, often meet in one house, which no doubt also came from the old charter, but after they are separated, they vote separately upon the subject matter of the hearing. In this session, after a hearing of this sort, the house passed a vote, "that when a hearing shall be had on any private cause before both houses together, the subject matter shall be determined by both houses conjunctly." They might as well have voted, that after a conference between the two houses, the subject matter should be determined conjointly. The council were sensible this was taking from the little weight they had, and unanimously nonconcurred the vote.

The manner of chusing civil officers is a defect in the constitution, which does not seem to have been considered at the framing the charter; and, as by charter, officers must annually be elected, it was a defect which must be submitted to. In the early days of the charter, it had been made a question, whether in any acts of government the council had a negative voice, and were not rather to vote in conjunction with the house of representatives, and Constantine Phips gave his opinion that they had no negative. He seems to have considered, that the charter and the commissions to governors of other colonies, evidently intended a legislature after the pattern of the legislature of England, as far as the state and circumstances of the colonies would admit.

The government, under the old charter and the new, had been very prudent in the distribution of the territory. Lands were granted for the sake of settling them. Grants for any other purpose had been very rare, and ordinarily a new settlement was contiguous to an old one. The settlers themselves, as well as the government, were inclined to this for the sake of a social neighbourhood, as well as mutual defence against an enemy. The first settlers on Connecticut river, indeed, left a great tract of wilderness between them and the rest of the colony, but they went off in a body, and a new colony, Connecticut, was settling near them at that time. Rivers were also an inducement to settle, but very few had ventured above Dunstable, upon the fine river Merrimack, and the rivers in the province of Maine had no towns at any distance from the sea into which they empty. But on a sudden, plans were laid for grants of vast tracts of unimproved land, and the last session of Mr. Dummer's administration, a vote passed the two houses appointing a committee to lay out three lines of towns, each town of the contents of six miles square, one line to extend from Connecticut river above Northfield to Merrimack river above Dunstable, another line on each side Merrimack as far as Penicook, and another from Nichewanock river to Falmouth in Casco-bay.

Pretences were encouraged, and even sought after, to entitle persons to be grantees. The posterity of all the officers and soldiers who served in the famous Naraganset expedition, in 1675, were the first pitched upon; those who were in the unfortunate attempt upon Canada, in 1690, were to come next. The government of N. Hampshire supposed these grants were made, in order to secure the possession of a tract of country challenged by them as within their

bounds. This might have weight with some leading men, who were acquainted with the controversy, but there was a fondness for granting land in any part of the province. A condition of settling a certain number of families in a few years, ordinarily was annexed to the grants; but the court, by multiplying their grants, rendered the performance of the condition impracticable, there not being people enough within the province willing to leave the old settled towns, and the grantees not being able to procure settlers from abroad.

The settlement of the province was retarded by it; a trade of land jobbing made many idle persons; imaginary wealth was created, which was attended with some of the mischievous effects of the paper currency, viz., idleness and bad economy, a real expense was occasioned to many persons, besides the purchase of the grantees' title, for every township by law was made a propriety, and their frequent meetings, schemes for settlement, and other preparatory business, occasioned many charges. In some few towns houses were built and some part of the lands cleared. In a short time, a new line being determined for the northern boundary of the Massachusetts colony, many of these townships were found to be without it. The government of New Hampshire, for the crown, laid claim to some of them, and certain persons calling themselves proprietors under Mason, to others, and the Massachusetts people, after a further expence in contesting their title, either wholly lost the lands, or made such composition as the new claimers thought fit to agree to.

Mr. Burnet, the new governor, arrived on the 13th of July, and was received with unusual pomp. Besides a committee of the general court, many private gentlemen went as far as Bristol to wait upon him, and, besides the continual addition that was making in the journey, there went out of Boston to meet him at a small distance such a multitude of horses and carriages, that he entered the town with a greater cavalcade than had ever been seen before or since. Like one of the predecessors, Lord Bellamont, he urged this grand appearance, in his first speech to the assembly, as a proof of their ability very honourably to support his majesty's government; and, at the same time, acquainted them with the king's instruction to him to insist upon an established salary, and his intention firmly to adhere to it, as the following extract of his speech, of the 24th of July, will shew:—"It is not easy to express the pleasure I have had in coming among you. The commission with which his majesty has honoured me (however unequal to it), has been received in so respectful and noble a manner, and the plenty and wealth of this great province has appeared to me in such a strong light, as will not suffer me to doubt of your supporting his majesty's government by an ample, honourable, and lasting settlement. The wisdom of parliament has made it an established custom, to grant the civil list to the king for life; and as I am confident the representatives of the people here, would be unwilling to own themselves outdone in duty to his majesty by any of his subjects, I have reason to hope that they will not think such an example has any thing in it which they are not ready to imitate. I shall lay before you his majesty's instruction to me on this subject, which, as it shall be an inviolable rule for my conduct, will, without question, have its due weight with you." He had asked the opinion of a New England gentleman, who was then the minister of the presbyterian church at New York, whether the assembly would

comply with his instruction, and received a discouraging answer which caused him to reply, that he would not engage in a quarrel, or to that effect; but he either received different advice upon his arrival, or for some other reason altered his mind. The assembly seemed, from the beginning, determined to withstand him. To do it with better grace and a more reasonable prospect of success, the quantum of the salary, it was agreed, was not worth disputing. It bore no proportion to the privilege and right of granting it for such time as they thought proper. The same persons, therefore, who six or seven years before refused to make governor Shute, and perhaps the government, easy, by granting not more than five hundred pounds sterling a year, now readily voted for a thousand, or a sum which was intended to be equal to it. As soon as addresses from the council and house, the usual compliments upon the first arrival of a governor, had passed, the house made a grant of 1,700*l.* towards his support, and to defray the charge of his journey. In a day or two, the governor let them know he was utterly unable to give his consent to it, being inconsistent with his instruction. After a week's deliberation, a grant was made of three hundred pounds for the charge of his journey, which he accepted; and another of fourteen hundred pounds towards his support, which was accompanied with a joint message from the council and house, prepared by a committee, wherein they asserted their undoubted right as Englishmen and their privilege by the charter, to raise and apply monies for the support of government and their readiness to give the governor an ample and honourable support, but they apprehended it would be most for his majesty's service, &c., to do it without establishing a fixed salary. The governor was always very quick in his replies, and once when a committee came to him with a message, having privately obtained a copy of it, gave the same committee an answer in writing to carry back. The same day this message was delivered he observed to them, in answer, "that the right of Englishmen could never intitle them to do wrong, but their privilege of raising money by charter was expressed to be 'by wholesome and reasonable laws and directions,' consequently such as were hurtful to the constitution and the ends of government; but their way of giving a support to the governor could not be honourable, for it deprived him of the undoubted right of an Englishman, viz., to act his judgment, or obliged him to remain without support, and he appealed to their own consciences, whether they had not formerly kept back their governor's allowance until other bills were passed, and whether they had not sometimes made the salary depend upon the consent to such bills; that if they really intended from time to time to grant an honourable support, they could have no just objection to making their purposes effectual by fixing his salary, for he would never accept of a grant of the kind they had then made." We shall be convinced that Mr. Burnet was not a person who could be easily moved from a resolution he had once taken up.

Upon the receipt of this message and the peremptory declaration of the governor, the house found this was like to be a serious affair, and that they should not so easily get rid of it as they had done of the like demands made by Dudley and Shute, and again appointed a committee to join with a committee of council to consider of this message. The exclusive right of the house in originating grants they have often so far given up, as to join with the council

by committees to consider and report the expediency of them, the reports, generally, being sent to the house, there to be first acted upon. The report of this committee was accepted in council and sent to the house, but there rejected, and not being able to unite in an answer, the house tried the council with a resolve, sent to them for concurrence, the purport of which was, that fixing a salary on the governor or commander in chief for the time being, would be dangerous to the inhabitants and contrary to the design of the charter, in giving power to make wholesome and reasonable orders and laws for the welfare of the province. This vote, in so general terms, the council did not think proper to concur, and declared, August 19th, that, although they were of opinion it might prove of ill consequence to settle a salary upon the governor for the time being, yet they apprehended a salary might be granted for a certain time, to the present governor, without danger to the province, or being contrary to the design of the charter.

This occasioned a conference, without effect, both houses adhering to their own votes, and from this time the house was left to manage the controversy themselves. August 28th, they sent a message to the governor, to desire the court might rise. He told them, that if he should comply with their desire, he should put it out of their power to pay an immediate regard to the king's instruction, and he would not grant them a recess until they had finished the business for which the court was then sitting. They then, in a message to him, declared that, in faithfulness to the people of the province, they could not come into an act for establishing a salary on the governor or commander in chief for the time being, and therefore they renewed August 29th, their request that the court might rise.

Both the governor and the house seem to have had some reserve in their declarations. Perhaps a salary during his administration would have satisfied him, although he demanded it for the commander in chief for the time being; and the house did not say that it would not settle a salary for a limited time. Each desired that the other would make some concessions. Both declined, and both by long altercation were irritated, and, at last, instead of closing, as seemed probable at first, widened the breach until they fixed at the opposite extremes. The major part of the council and about a sixth part of the house were willing to settle a salary upon Mr. Burnet for a term not exceeding three years, possibly even some who were finally the most zealous in the opposition, would have submitted to this if they could have been sure of its being accepted, and they had been at liberty to act their judgment. Mr. Cooke had experienced the ill success of the controversy with governor Shute, and seemed desirous of being upon terms with his successor, who, upon his first arrival and until the province house could be repaired, lodged at Mr. Cooke's house, but a friendship could not long continue between two persons of so different opinions upon civil government. The language of the governor's messages was thought too dictatorial by the people, and particularly by the inhabitants of Boston, and he had been somewhat free in his jokes upon some of the shopkeepers and principal tradesmen who were, then, the directors of the councils of the town, and very much influenced those of the house. An intimation in the governor's next message that, if they did not comply with the instruction, the legislature of Great Britain would take into consideration the support of the government

and, perhaps, something besides, meaning the charter, increased the prejudices against him. The house, August 31, thought themselves obliged to be more particular than they had yet been, fully to assert their rights. This was what the governor desired, and, without any delay, September 2nd, he sent them an answer. As these two messages seem to begin, in earnest, the argument on each side of the question, we shall insert them.

"August 31st, 1728.

"The house of representatives sent the following message to his excellency the governor.

"May it please your excellency,

"The representatives in general court assembled, before they proceed to make reply to what they received from you on Thursday last, respecting their answer of that morning to your message of the 28th current, beg leave to recur to what the council and representatives, the 7th instant, in great truth and sincerity, among other things, laid before your excellency, viz. They humbly apprehend that his majesty's service in the necessary defence and support of the government and the protection and preservation of the inhabitants thereof, the two great ends proposed in the power granted to this court for the raising taxes, would be best answered without establishing a salary. Your excellency was pleased to let us know, that the answer of the house contained no reasons that appeared to you sufficient why his majesty's 23d instruction might not be complied with, since the same methods that are found no ways to prejudice the rights and liberties of the people of Great Britain, nor of other colonies, cannot prejudice those of the province. If the method practised in Great Britain is not prejudicial to the rights and liberties of the people there, it does not therefore follow, that fixing a salary will not prejudice the people of this province. The British constitution differing from ours in many respects; and other colonies coming into any particular method, we not knowing the motives inducing them thereto, nor the several constitutions of government they are put under, ought not to influence or prompt us to imitate them.

"May it please your excellency,

"The house, being heartily desirous to cultivate a good agreement and harmony with your excellency, take this opportunity to assure you, that we have, once and again, deliberately considered your message for fixing a salary, and do humbly conceive that it is against the good design of the powers vested and reposed in us by the royal charter, to pass acts pursuant to the instructions laid before us, for as much as passing such acts, as we apprehend, has a direct tendency to weaken our happy constitution; for that their late majesties King William and Queen Mary, of glorious memory, were graciously pleased to gratify the inhabitants here, and did grant to them certain powers, privileges, and franchises, to be used and employed for the benefit of the people; and, in the same grant, reserved other powers to be used and exercised by the crown or the governors sent by them, agreeable to the directions and instructions contained in said grant and their commissions, having reference for their better guidance and directions to the several powers and authorities mentioned in the said charter; if, therefore, the general assembly should at any time come into any act that might tend to infringe the prerogative or dissolve the crown, his majesty's governors have a negative voice on all such acts; furthermore, should any governor incautiously give his consent to such acts, his

majesty has reserved to himself a power to disallow the same, by the use and exercise of the other powers and privileges lodged in the general assembly, his majesty justly expects they will never make use of them in prejudice of the rights and liberties of the people, but at all times exert themselves in defence thereof. If we resemble the British constitution, as your excellency has done us the honour to declare, we humbly apprehend that no part of the legislature here should be entirely independent, as your excellency has very justly denoted to us, that the three distinct branches of the legislature, preserved in a due balance, forms the excellency of the British constitution, and if any of those branches should become less able to support its own dignity and freedom, the whole must inevitably suffer by the alteration. Your excellency is pleased to say, that a support given as has been usual here, cannot be honourable, because that implies no sort of confidence in the government. To which we humbly offer, that if your excellency would take notice of our grants, you would see that the very method itself is founded on nothing else, inasmuch as they always look forward and are given to enable the governor to go on and manage the public affairs. Thus, in this our first session at your excellency's first and welcome arrival, the assembly made a grant of 1400*l.*, to enable your excellency to manage the affairs of this province, fully confiding in your conduct. If your excellency intends that we do not put so much confidence in you as the parliament do in our most gracious sovereign, to whom the civil list is granted for life (which God long preserve) we freely acknowledge it. Is it reasonable or possible, that we should confide in any governor whatsoever, so much as in our gracious king, the common father of all his people, who is known to delight in nothing so much as in their happiness, and whose interest and glory, and that of his royal progeny, are inseparable from the prosperity and welfare of his people; whereas it is most obvious, that neither the prosperity nor adversity of a people affect a governor's interest at all, when he has once left them.

"Your excellency goes on, and declares that the support of the government in this manner visibly depends on an entire compliance with the other parts of the legislature. Had the governor no authority nor checks upon them, we must acknowledge this to be the case, but as both the other parts have a great dependence upon the governor's discretionary power, the council (as the practice usually is) for their very being, and both they and the representatives for every law and proper act of government, and for every penny put into and drawn out of the treasury, for their whole defence and security in every case of danger, as he is their captain general, besides other obvious particulars, needless and too numerous to be named, that if in this single instance the governor should have dependence on the assembly as to his support, according as they shall see the province able, the other things that they depend upon him for are so vastly more than a counterbalance, that it cannot be thought that the commander in chief can be hereby prevented acting according to his judgment, or remain without support. We assure your excellency that it is not any exception to your person or administration (which we hope other parts of our conduct have made evident) that determines us against fixing a salary as prescribed.

"May it please your excellency,

"Since we have so many times heretofore, and do now, in the most solemn manner, and after the

most strict scrutiny we are able to make in this important affair, manifest that in faithfulness to our country we cannot think it advisable for this house to be concerned in passing an act for fixing a salary as prescribed, we do therefore most ardently move your excellency, that you would permit us to repair to our several homes, and not keep us sitting here in order to our acting contrary to our native freedom and declared judgment, and so betraying the great trust and confidence our principals have reposed in us."

On the 3d of September the secretary carried down to the house the following message from his excellency the governor:—

"Gentlemen of the house of representatives,—It is not at all agreeable to my inclination to enter into disputes with your house, and, for that reason, I have endeavoured hitherto to be as short as the importance of the matters which I have recommended to you will allow me. But since you have thought fit to lay such stress on the reasons offered in your reply of Saturday, I cannot avoid, once more for all, entering into a particular examination of them, that not only yourselves, but those whom you represent, may be enabled to judge of the controversy between us.—You begin with reminding me that the council and representatives apprehended that his majesty's service, in the necessary defence and support of the government, and the protection and preservation of the inhabitants thereof, the two great ends proposed in the power granted to this court, would be best answered without establishing a fixed salary. It ought not to be forgotten, at the same time, that the council had altered the words *would be best* into *may be well*, though you prevailed with them to recede from the amendment, and that they made this addition, 'We esteem it a great unhappiness that his majesty should think our method of supporting the governors of this province a design of making them dependent on the people,' to which you agreed, though nothing to that effect had been asserted in your own draught. By these instances, the council appear, from the first, to have different apprehensions from you of the regard to be paid to his majesty's instruction, and of the weight of his displeasure, which last consideration (though the greatest part of my message) was not, it seems, thought by you to deserve any room at all in so long a reply. But supposing the council and you were agreed, that is to say, that two branches of the legislature thought it best to keep the third entirely dependent on them, (which would be a manifest piece of partiality and injustice) is this any reason why the third should be of the same opinion? Or rather, does it not confirm the too just suspicion his majesty has of a design so dangerous to his own authority? Two branches of legislature can bring nothing to effect without the third, and, consequently, if what seems best to them only cannot be consented to by the other, it becomes their duty to consider what next best thing can be done, in which all three can concur, for it does not follow that if what some imagine best cannot be done, therefore nothing should be done at all.—And so much for what you have said before you proceed to make reply.

"You may perceive from what I have already expressed, upon how many accounts the reasons of the house can never appear sufficient to me why his majesty's twenty-third instruction should not be complied with, and I am far from thinking, that you give any answer to my former reasons. You say, 'that if the method practised in Great Britain is not

prejudicial to the rights and liberties of the people there, it does not therefore follow that fixing a salary would not prejudice the people of this province.' Rights and liberties are words that have, naturally, the same meaning in all countries, and, unless you can shew me wherein the British rights and liberties are defective, (which you have not done,) I may conclude that they are not so, and, in that case, it is a natural consequence that the methods under which they have been so long safe and flourishing, are most likely to produce the same effects. But you say, 'the British constitution differs from yours in many respects.' I take the chief difference to have been in the use made of the constitution, which has been no ways to your advantage, for by Great Britain's keeping up to their constitution, public credit still continues at a height, notwithstanding the vast charges and debts of the nation, but with you credit has fallen lower and lower in an amazing manner, and this has proceeded plainly from the want of a sufficient check in the other branches of the legislature to the sudden and unadvised measures of former assemblies; so that if ever you come near the happiness of Great Britain, it must be by supporting those parts of the legislature which of late have been too much depressed, but are in themselves necessary to guard the liberties and properties of the inhabitants, as well as the house of representatives.

"As to the case of other plantations, I shall only say; if you enjoy larger privileges by the favour of the crown than they, and, by consequence, have more to lose by his majesty's displeasure, the arguments both of gratitude and interest plead stronger with you for a compliance with an instruction in itself so just and reasonable.

"I cannot see why you apprehend that passing acts pursuant to the instruction has a direct tendency to weaken your happy constitution, especially since you now acknowledge what I had formerly observed, 'that each branch of the legislature, and consequently the governor, ought to be enabled to support its own dignity and freedom,' which is all that is intended by the instruction.

"I had observed, 'that the usual way of supporting the government implied no sort of confidence in the governor.' You offer 'that if I would take notice of your grants I should see that the very method itself is founded upon nothing else, inasmuch as they always look forward, and are given to enable the governor to go on and manage the public affairs.' I can scarce believe that this is intended for a serious argument, since a time no longer ago than last winter session affords a plain proof to the contrary. The lieutenant governor informed the house, in answer to their message, expressing their desire of an adjournment, 'that he had consented to all the acts and votes passed the two houses, except the bill for emitting bills of credit, which he would have signed were it consistent with his majesty's instruction, which it was not, in the opinion of the council.' And he concludes with reminding them, 'that the proper and usual season for granting salaries is already outrun, and that he expects they will provide for the honourable support of the government before they rise.' The house entered into the consideration of the above message, and after some debate had thereon, the question was put, whether the house will now come to the consideration of allowances, it passed in the negative. Then the question was put, whether the consideration of allowances shall be referred to the next session of this court."

resolved in the affirmative. In this manner was this method of grants 'that always look forward' brought to look directly upon the present business, in order to compel a compliance or, if you like that better, to look backward by way of punishment for a denial; and so the public affairs were left to manage themselves for any care that was taken of them.

"Your next observation is not one jot a juster representation of the case before you. You say you are not for fixing a salary 'because it is not reasonable or possible you should confide in any governor whatsoever, so much as in our most gracious king.' As if this instruction to demand a salary came from a governor, and not from his majesty himself; and as if the salary was to be given directly to the governor, and not to his majesty, for the use of his governor or commander in chief; or as if upon just complaint his majesty could not or would not remove an ill governor, and, in short, as if your doing the thing would not be altogether upon confidence in his majesty, and not in any governor whatsoever. The words of respect here used to his majesty came with a very ill grace, and have not that gravity in them which would be more becoming, since in the same breath you are disregarding his own demand, and undervaluing his favour, and making light of his declaration, 'that if you do not pay an immediate regard to his instruction, he will look upon it as a manifest mark of your undutiful behaviour to himself.'

"You carry on the same kind of reasoning to the end of your paper, which seems much better adapted to amuse than to prove any thing.

"In the first place, you make a very pompous representation of the governor's authority, and of the great dependance the other parts of the general court have on his discretionary power, and call his support the single instance in which he has some dependance on the assembly; and, just after, you give an odious aspersion on an undoubted branch of the power lodged in the governor, which is 'to keep the general court together as long as he thinks the public affairs require it.' I am at a loss to know whether your insinuation, that I keep you here in order to compel you to act contrary to your native freedom and declared judgment, be more injurious to me or yourselves. You seem to allow the governor's powers only so far as he uses them according to your pleasure; but, in using your own powers, to take it very ill to be directed by any body. You said before, 'that the other things which the house depends on a governor for, are so vastly more than a counterbalance to his support, (you might have said subsistence, and then the irony would have appeared more openly,) that it cannot be thought that the commander in chief can be thereby prevented acting according to his judgment, or remain without support.' As if you were ignorant of the aforementioned proceedings of the last winter; and yet you are very ready to think, that to keep you sitting here is a compulsion to you to act contrary to your native freedom and declared judgment, and so betray the great trust your principals have reposed in you. But I persuade myself that your faithfulness to your country put you above any such temptation.

"And, as I am still of opinion that you have acted upon mistaken notions, I cannot give over the hopes of your coming to see things in that true light, in which, I flatter myself, I have stated the point in question; and as I am disposed to gratify you as far as is consistent with my duty and my honour, I hope you will consider what advances you can make towards a compliance, that so the present session may

not be a needless burden to the people, but still have a great issue to his majesty's and the country's service.

"W. Burnet."

Not long after the house, instead of any advances towards a compliance, which the governor wished to obtain, came to resolutions upon two questions which shewed still more fully their sense of the point in controversy. The first question was, Whether the house would take under consideration the settling a temporary salary upon the governor or commander in chief for the time being. This passed in the negative. Then this question was put:—Whether the house can, with safety to the people, come into any other method for supporting the governor or commander in chief for the time being, than what has been heretofore practised. This also passed in the negative, and was the first instance of the house's declaring they would make no advances, for in their message last preceding they only say, they do not think it advisable to pass an act for fixing a salary as prescribed. These votes caused the governor to put them in mind of a letter from their agent, in the year 1722, wherein he mentions that Lord Cartaret, in conversation, desired him to write to the assembly not to provoke the government in England to bring their charter before the parliament, for if they did, it was his opinion, it would be dissolved without opposition, and the governor advised them to take care their proceedings did not bring their charter into danger at that time. This caution did not prevent the house from preparing a state of the controversy between the governor and them, concerning his salary, to transmit to their several towns, in the conclusion of which they say that they dare neither come into a fixed salary on the governor for ever, nor for a limited time, for the following reasons:

"1. Because it is an untrodden path, which neither they nor their predecessors have gone in, and they cannot certainly foresee the many dangers that may be in it, nor can they depart from that way which has been found safe and comfortable.

"2. Because it is the undoubted right of all Englishmen, by magna charta, to raise and dispose of money for the public service, of their own free accord, without compulsion.

"3. Because it must necessarily lessen the dignity and freedom of the house of representatives, in making acts, and raising and applying taxes, &c., and consequently cannot be thought a proper method to preserve that balance in the three branches of the legislature, which seems necessary to form, maintain, and uphold the constitution.

"4th. Because the charter fully impowers the general assembly to make such laws and orders as they shall judge for the good and welfare of the inhabitants; and if they, or any part of them, judge this not to be for their good, they neither ought nor could come into it; for, as to act beyond or without the powers granted in the charter might justly incur the king's displeasure, so not to act up and agreeable to those powers might justly be deemed a betraying the rights and privileges therein granted; and, if they should give up this right, they would open a door to many other inconveniences."

This representation was prepared to be carried home by the several members, upon the rising of the court, in order to their towns giving their instructions; but, the house being kept sitting, it was printed and sent through the province. The governor sent a message to the house, a few days after, in which he takes their representation to pieces; and, in the close of his message, appeals to them

whether he had not answered all their objections, "except the unknown inconveniences to which a door would be opened," which could not be answered until they could tell what they were; and charges them with calling for help from what they had not mentioned, from a sense of the imperfection of what they had, and with sending to their several towns for advice; and declaring at the same time, that they did not dare follow it.

It would be tedious to recite at length the several messages which passed during the remainder of the controversy, from the chair to the house and from the house to the chair, which followed quick one upon the back of another; the sum of the argument, upon the part of the governor was, that it was highly reasonable he should enjoy the free exercise of his judgment in the administration of government; but the grants, made for a short time only by the house, were thus limited for no other reason than to keep the governor in a state of dependence, and with design to withhold from him the necessary means of subsistence, unless he would comply with their acts and resolves, however unreasonable they might appear to him: that in fact they had treated governor Shute in this manner, and no longer since than the previous year, the house had refused to make the usual grants and allowances, not only to the lieutenant-governor, but to other officers, until they had compelled him to give his consent to a loan of sixty thousand pounds in bills of credit; that a constitution which, in name and appearance, consisted of three branches was, in fact, reduced to one; that it was a professed principle in the constitution of Great Britain, to preserve a freedom in each of the three branches of the legislature; and it was a great favour shewn the province, when king William and queen Mary established, by the royal charter, a form of government so analogous to the government of Great Britain; a principle of gratitude and loyalty, therefore, ought to induce them to establish a salary for the governor of this province, in order to his supporting his dignity and freedom, in like manner as the parliament always granted to the king what was called the civil list, not once in six months or from year to year, but for life; that this was no more than other provinces which had no charters had done for their governors; that there was nothing in the province charter to exempt them from the same obligation which other his majesty's colonies were under, to support the government; and that they could have no pretence to greater privileges by charter, than the people of England enjoyed from magna charta, no clause of which was ever urged as an objection against granting to the king a revenue for life; and a power by charter to grant monies could not be a reason against granting them either for a limited or unlimited time.

On the part of the house, the substance of their defence against the governor's demand, and his reasons in support of it, was, that an obligation upon an assembly in the plantations could not be inferred from the practice of the house of commons in Great Britain; the king was the common father of all his subjects, and their interests were inseparably united, whereas a plantation governor was affected neither by the adversity nor prosperity of a colony when he had once left it; no wonder then a colony could not place the same confidence in the governor which the nation placed in the king; however, the grants to the governor always looked forward, and were made, not for service done, but to be done. It must be admitted, the governor is in some measure depend-

ent upon the assembly for his salary, but he is dependent in this instance only; whereas he has a check and controul upon every grant to any person in the government, and upon all laws and acts of government whatsoever; nor can an exact parallel be drawn between the constitution of Britain and that of the province, for the council are dependent upon the governor for their very being, once every year, whereas the house of lords cannot be displaced unless they have criminally forfeited the rights of peers; the house was not to be governed by the practice of assemblies in some of the other colonies, nor were they to be dictated to and required to raise a certain sum for a certain time and certain purposes; this would destroy the freedom which the house apprehended they had a right to in all their acts and resolves, and would deprive them of the powers given to them, by charter, to raise money and apply it when and how they thought proper.

The messages of the house, at first, were short, supposed to have been drawn by Mr. Cooke, who never used many words in his speeches in the house, which generally discovered something manly and open, though sometimes severe and bitter, and often inaccurate. In the latter part of the controversy they were generally drawn by Mr. Welles, another member from Boston, the second year of his coming to the house. These were generally more prolix, and necessarily so, from the length of the messages to which they were an answer. The house had justice done them by their committees who managed this controversy, and they were then willing to allow, that the governor maintained a bad cause with as plausible reasons as could be.

The contending parties, for a little while, endeavoured to be moderate and to preserve decorum, but it was impossible to continue this temper.

On the 4th of September, the house repeated to the governor the request they had formerly made, to rise; but he refused to grant it, and told them, that unless his majesty's pleasure had its due weight with them their desires should have very little weight with him.

The council, who had been for some time out of the question, now interposed and passed a vote "that it is expedient for the court to ascertain a sum as a salary for his excellency's support, as also the term of time for its continuance." This was sent to the house for concurrence. The council seem to have gone a little out of their line; but the house took no other notice of the vote than to nonconcur it. The house, being kept sitting against their will, employed part of their time in drawing up the state of the controversy which we have mentioned.

This was not occasioned by any doubt they had themselves, but to convince the governor that the people throughout the province were generally of the same mind with the house, and for this purpose they thought it necessary to obtain from their towns an express approbation of their conduct. It was well known, that not a town in the province would then have instructed their representatives to fix a salary upon the governor for the time being.

One of the king's governments (Barbadoes) was at this time warmly contending with its governor against fixing a salary. The assembly of that island, some years before, had settled a very large salary upon a governor, against whom they afterwards made heavy complaints, charging him with rapaciousness and grievous oppressions; and his successor having demanded the like settlement upon him, they resolved to withstand the demand, and the spirit seemed to be as high there as in Massachusetts.

This had no small tendency to strengthen and confirm the resolution of the people here, who supported their charter rather an additional privilege and security against this demand. There was a minor part, however, very desirous of an accommodation. The ill success of the controversy with governor Shute was fresh in their minds. Many amiable qualities in Mr. Burnet caused them to wish he might continue their governor, and employ those powers and that attention which were now wholly engaged in this single point, in promoting the general welfare and prosperity of the province.

About a third part of the house of representatives, and a major part of the council, would have been content to have granted a salary for two, or perhaps, three years. If we are to judge by his declarations, this would not have satisfied him, and it was far short of his instructions; but his friends were of opinion, that such a partial compliance would have produced a relaxation of the instruction, and issued in lasting agreement and harmony.

The house made what they would have the governor think a small advance towards it. Instead of a grant for the salary, supposed, though not expressed, for half a year, they made a grant (September 20th,) of three thousand pounds, equal to one thousand sterling, in order to enable him to manage the affairs of the province, and although it was not expressly mentioned, it was generally understood to be for a year. This was concurred by the council, but he let it lie without signing his consent, which caused the house to make at least a seeming farther advance; for on the 24th of October, they by a message intreated him to accept the grant, and added, "We cannot doubt but that succeeding assemblies, according to the ability of the province, will be very ready to grant as ample a support; and if they should not, your excellency will then have the opportunity of shewing your resentment." Still they had no effect; the governor knew how natural it would be for a future assembly to refuse being governed by the opinion of a former, besides the reserve "according to the ability of the province," left sufficient room for a further reason for reducing the sum whensoever a future assembly should think it proper.

A little before this message from the house, the governor had informed them that he was of opinion the act which passed the last year, issuing sixty thousand pounds in bills of credit by way of loan, would be disallowed, the lieutenant-governor having given his consent to it directly contrary to a royal instruction, and recommended to them, as the most likely way to obtain his majesty's approbation, to apply the interest of the money arising from the loan towards the governor's salary. This was one of those acts which have their operation so far, before they are laid before his majesty, that great confusion may arise from their disallowance. The house therefore, had no great fears concerning it; but it would have been a sufficient reason to prevent their complying with the proposal, that it would be a fixing the salary so long as the loan continued, and for this reason they refused it.

The country in general, as we have observed, was averse to a compliance with the king's instruction, but no part more so than the town of Boston. Generally, in the colonies, where there is a trading capital town, the inhabitants of it are the most zealous part of the colony in asserting their liberties when an opinion prevails that they are attacked. They follow the example of London, the capital of the nation. The governor had frequently said, that the

members of the house could not act with freedom, being influenced by the inhabitants of the town. Besides, the town, at a general meeting of the inhabitants for that purpose, had passed a vote, which was called the unanimous declaration of the inhabitants of the town of Boston, against fixing a salary upon the governor, and this vote they ordered to be printed. The governor was in great wrath, and called it "an unnecessary forwardness, an attempt to give law to the country." This seems to have determined him to remove the court out of town, and on the 24th of October he caused it to be adjourned to the 31st, then to meet at Salem, in the county of Essex, "where prejudice had not taken root, and where of consequence his majesty's service would in all probability be better answered." Jocosely, he said there might be a charm in the names of places, and that he was at a loss whether to carry them there or to Concord.

The house thought their being kept so long sitting at Boston a great grievance. In one of their messages, they ask the governor, "Whether it has been customary that the knights, burgesses, and other freemen of the land, should be told that they are met to grant money in such a peculiar way and manner, and so they should be kept till they had done it, and this in order to gain their good will and assent." In his reply, he tells them he would consider their question in all its parts: "1st, 'Whether freemen, &c. should be told they are met to grant money.' I answer, the crown always tells them so. 2d, 'In such a particular way and manner?' I answer, if you mean the way and means of raising money, the crown leaves that to the commons; but if you mean the purpose for which it is to be granted, the crown always tell them what that is, whether it is for an honourable support, the defence of the kingdom, carrying on a war, or the like. 3d, 'And so they should be kept till they had done it.' The crown never tells the parliament so, that I know of; nor have I told you any thing like this as an expedient to get the thing done. I have given you a very different reason for not agreeing to a recess, altogether for your own sakes, lest I should thereby make your immediate regard to his majesty's pleasure impossible."

The house could not easily be persuaded they were kept so long together merely for their own sakes, and thought this part of the governor's answer evasive of the true reason; and considered themselves as under duress whilst at Boston, and their removal to Salem to be a further hardship, and an earnest of what was still further to come, a removal from place to place until they were harassed into a compliance. The members of the general court privately lamented the measures which had driven away governor Shute, who would have been easy with a salary of about 500*l*. sterling, granted from year to year; and the same persons, by whose influence his salary was reduced, were now pressing Mr. Burnet to accept 1000*l*. in the same way, and could not prevail.

The house met, according to the adjournment, but immediately complained of their removal from Boston as illegal or unconstitutional, and a great grievance. The same, and the only reason which was now given, had been given before in the controversy with governor Shute. The form of the writ for calling an assembly, directed by the province law, mentions its being to be held at the town house at Boston; but this had been determined by the king in council to be, as no doubt it was, mere matter of form or example only, and that it did not limit the power which the crown before had of summoning

and holding assemblies at any other place. They prayed the governor, however, to adjourn them back to Boston, but without success.

They endeavoured to prevail upon the council to join with them, but the council declared they were of a different opinion. and urged the house to proceed upon business, which occasioned repeated messages upon the subject; but the whole stress of the argument on the part of the house lay upon the form of the writ for calling the assembly, which the board answered by saying, that the house might as well insist that all precepts to the towns should go from the sheriff of Suffolk, because the form of the precept in the law has "Suffolk ss."

The alteration of place had no effect upon the members of the house. Votes and messages passed, but no new arguments; the subject had been exhausted, and nothing remained but a determined resolution on both sides to abide by their principles, consequently, the house met and adjourned, day after day, without doing any business. The governor was the principal sufferer, not being allowed by the king to receive any thing towards his support, except in a way in which the assembly would not give it. The members of the court, in general, were as well accommodated at Salem as Boston, and the members of Boston, who had not been used to the expense and other inconvenience of absence from home, received a compensation from their town, over and above the ordinary wages of representatives. It was a time of peace without, and a cessation of public business, for that reason, was less felt.

The house, from an apprehension that their cause was just, and therefore that they were entitled to relief, resolved to make their humble application to his majesty. Francis Wilks, a New England merchant, in London, who had been friendly to Mr. Cooke in his agency, and who was universally esteemed for his great probity, as well as his humane obliging disposition, was fixed upon for their agent.

Mr. Belcher, who had been several years of the council, always closely attached to governor Shute, and, in general, what was called a prerogative man, by some accident or other became, on a sudden, the favourite of the house, and he was thought the properest person to join with Mr. Wilks. At the last election he had been left out of the council, by what was called the country party, but now declared against the governor's measures, and became intimate with Mr. Cooke and other leading members of the house. Such instantaneous conversions are not uncommon. A grant was made by the house to defray the charges of the agency, but this was nonconcurring by the council, because it was for the use of agents in whose appointment they had no voice. The want of money threatened a stop to the proceeding, but the public spirit of the town of Boston was displayed upon this occasion, and by a subscription of merchants and other inhabitants, a sum was raised which was thought sufficient for the purpose, the house voting them thanks, and promising their utmost endeavours that the sums advanced should be repaid in convenient time. The governor desired a copy of their address to the king, but they refused it.

The only argument or reason in the king's instruction for fixing a salary is, "that former assemblies have, from time to time, made such allowances and in such proportion as they themselves thought the governor deserved, in order to make him more dependent upon them." The house, in the first part of their memorial or address, declare they cannot

in faithfulness settle or fix a salary, because, after that is done, the governor's particular interest will be very little affected by serving or diserving the interest of the people. This was shewing, that they apprehended the reason given by his majesty for settling a salary was insufficient, and that the governor ought to be paid according to his services in the judgment of those who paid him, but in the close of the address they say, "we doubt not succeeding assemblies, according to the ability of the province, will come into as ample and honourable a support, from time to time, and should they not, we acknowledge your majesty will have just reason to shew your displeasure with them." It was remarked, that in order to make the last clause consist with the first, the ample and honourable support must be understood in proportion to the services of the governor in the judgment of the house, but in this sense it was saying nothing, and trifling with the king; for no case could happen, at any time, in which he would have just reason to shew his displeasure. It would always be enough to say that the house, in faithfulness to the people, had withheld part of the governor's support, because, in their judgment, he had neglected their interest and his duty.

It is curious to observe the progress of a spirit, which afterwards manifested itself in the entire emancipation of the colonies. At this time it was suggested that the people of the Massachusetts were aiming at independency, and in consequence of what was then deemed an aspersion, the following remark was made in the brief drawn up previous to the hearing before the committee in council: "From the universal loyalty of the people, even beyond any other part of his majesty's dominions, it is absurd to imagine they can have thoughts of independency; and, to shew the reverse, it is the custom for all persons coming from thence for London, though they and their fathers and grandfathers were born in New England, to say and always deem it coming 'home,' as naturally as if born in London, so that it may be said, without being ludicrous, that it would not be more absurd to place two of his majesty's beef-eaters to watch a child in the cradle, that it do not rise and cut his father's throat, than to guard these infant colonies to prevent their shaking off the British yoke. Besides they are so distinct from one another in their forms of government, in their religious rites, in their emulation of trade, and consequently in their affections, that they can never be supposed to unite in so dangerous an enterprise." The repeated opposition to instructions from the crown also tended to raise a jealousy in the minds of some, that there was danger of the colonies emancipating themselves. Col. Bladen, in particular, for many years one of the board of trade, often expressed to the agents and other persons who appeared for New England, his apprehensions of such designs. It is, nevertheless, certain, that such a scheme then appeared to the generality of the country to be altogether as wild and extravagant as the foregoing excuse represents it. The following paragraph in the report of the lords of trade to the lords committee of council, had been the immediate occasion of the matter being agitated: "The inhabitants, far from making suitable returns to his majesty for the extraordinary privileges they enjoy, are daily endeavouring to wrest the small remains of power out of the hands of the crown, and to become independent of the mother kingdom. The nature of the soil and product are much the same with those

of Great Britain, the inhabitants upwards of 94,000, and their militia, consisting of sixteen regiments of foot and fifteen troops of horse, in the year 1718, 15,000 men, and, by a medium taken from the naval officers' accounts for three years, from the 24th of June 1714 to the 24th of June 1717, for the ports of Boston and Salem only, it appears that the trade of this country employs continually no less than 3,493 sailors, and 492 ships, making 25,406 tons. Hence your excellencies will be apprised of what importance it is to his majesty's service, that so powerful a colony should be restrained within due bounds of obedience to the crown, and more firmly attached to the interests of Great Britain than they now seem to be, which we conceive cannot effectually be done without the interposition of the British legislature, wherein, in our humble opinion, no time should be lost."

The house had great encouragement given them by Mr. Wilks, that their address would obtain for them the wished for relief. He had been heard by counsel, Mr. Fazakerley and Doctor Sayes, before the board of trade, Mr. Belcher not being then arrived; but soon after they received letters from their joint agents, inclosing the report of the board of trade, highly disapproving the conduct of the house; and their agents let them know it was their opinion that if the house should persist in their refusal to comply with the king's instruction, the affair might be carried before the parliament; but, if this should be the case, they thought it better, a salary should be fixed by the supreme legislature than by the legislature of the province; better the liberties of the people should be taken away from them, than given up by their own act. The governor likewise communicated to the house his letters from the lords of trade approving his conduct.

All hopes of success from the agents seemed to be over, and their business in England would have been very short if the governor had not given occasion for further application. His administration for many months, except in this affair of the salary, had been unexceptionable. Indeed the members of the house thought themselves aggrieved, that he would not sign a warrant upon the treasury for their pay, and his reason for refusing it, viz. that one branch of the legislature might as well go without their wages as another, they thought insufficient. Being driven to pecuniary embarrassments, and obliged to his friends to assist him in the support of his family, he thought he might be justified in establishing a fee and perquisite which had never been known in the province before. At New York, all vessels took from the governor, a pass, for which there was no law, but the owners of vessels submitted to it, and it was said that they, "*volenti non fit injuria*," were willing it should not be deemed an injury, but this could be no justification of an arbitrary imposition.

The governor required all masters to take the same passes, against their will, and demanded 6s., or 2s. sterling for every vessel bound a foreign voyage, and 4s. for coasters. The stated fee, by law, for registers was 6s., but the bills having depreciated more than one half in value since the law was made, he required 12s. This was a rather different case from the other, but they were alike complained of as grievous and oppressive, and the governor's enemies were not displeased with the advantage he had given them against him, and, upon a representation made by the agents, notwithstanding the hardship of being restrained from receiving a salary in any

way except such as the assembly would not give it in, yet such was the regard to law and justice, that his conduct, so far as related to the passes, was immediately disapproved. There were other matters, besides that of the salary, to be settled before Mr. Burnet could be easy in his government, but this grand affair caused the lesser to be kept off as much as possible. One was the appointment of an attorney general. By the charter the election of the civil officers, except such as belong to the council and courts of justice, is in the general assembly. Until after governor Dudley's time it had generally been allowed that the attorney general was an officer of the courts of justice, and included in the exception; but lieutenant-governor Tailer, in the year 1716, consented to an election made by the two houses, and the choice had been annually made and approved ever since, not without notice from Mr. Shute of the irregularity of it, but he had so many other affairs upon his hands, that he waived this.

Mr. Burnet was determined not to part with the right of nomination, and the council were of the opinion he ought not, and refused to join with the house in the election. There was some altercation between the two houses upon it, and both adhered to their principles.

Another affair, of more extensive influence, would have been more strenuously insisted upon.

In governor Shute's administration, the house, after long disputes with the governor and with the council, carried the point as to the form of supply of the treasury, which differing, as we have already observed, from the former practice, and, as both governor and council insisted, from the rule prescribed by the charter, Mr. Burnet had determined to return to the first practice. The house passed a vote for supplying the treasury with twenty thousand pounds, which the council concurred, the practice having been the same for eight or nine years together, but the governor refused his consent, and assured them that he would agree to no supply of the treasury but such as was in practice before the year 1721. This declaration was made not long before his death. The settlement of the point in controversy remained for his successor.

The court was allowed a recess from the 20th of December to the 2d of April, (1729), and then sat until the 18th, at Salem again, without any disposition to comply.

The new assembly for the election of counsellors was held at the same place: there was a general expectation that a new set of counsellors would be chosen. The council, of the last year, had been of very different opinion from the house, in many points. They had no doubt of the governor's power to call, adjourn, or prorogue the assembly to any part of the province he thought proper, and, although they were not for a fixed salary, according to the instruction, yet they would willingly have consented to settle it for longer term than a year, and some of them, during Mr. Burnet's administration; but the house were most offended with the nonconcurrence of their grant of money to their agents. After all, only four new counsellors were elected. Immediately after the council was settled, the court was prorogued to the 25th of June, and, having sat until the 10th of July, he prorogued them again until the 20th of August, having made no speech at either of the sessions, or taken any notice of any business he thought proper for them to do. The reason of this omission appeared at the session in August. He had waited the final determination of his majesty in

council, upon the report of the lords committee. This he now communicated to the house, whereby they perceived that his conduct was approved, that of the house condemned, and his majesty advised to lay the case before the parliament. As this is a curious state document, and gives an idea of the tenets held by the English court, we shall preserve it in our history.

"At the Court at Kensington, the 22d day of May, 1729, present, the Queen's most excellent majesty, guardian of the kingdom of Great Britain, and his majesty's lieutenant within the same, in council, his Royal Highness the Prince of Wales, Archbishop of Canterbury, Lord Chancellor, Lord Privy Seal, Lord Steward, Lord Chamberlain, Duke of Somerset, Duke of Bolton, Duke of Rutland, Duke of Argyle, Duke of Montross, Duke of Kent, Duke of Ancaster, Duke of Newcastle, Earl of Westmorland, Earl of Burlington, Earl of Scarborough, Earl of Coventry, Earl of Grantham, Earl of Godolphin, Earl of Loudoun, Earl of Finlater, Earl of Marchmont, Earl of Ilay, Earl of Uxbridge, Earl of Sussex, Earl of Lonsdale, Viscount Cobham, Viscount Falkmouth, Lord Wilmington, Mr. Speaker, Mr. Chancellor of the Exchequer, Master of the Rolls, Sir Paul Methuen, Henry Pelham, Esq.;

"Upon reading this day at the board a report to his majesty from the lords of the committee of his majesty's most honourable privy council, dated the 22d of the last month, in the words following, viz.

"Your majesty having been pleased, by your order in council of the 1st of February, to refer unto this committee an address from the house of representatives of the province of the Massachusetts bay, offering the reason and grounds of their proceedings and conclusions against settling a fixed salary of one thousand pounds per annum on the governor of that province for the time being, according to your majesty's instructions to the present governor, and complaining against the governor for having adjourned the general court from Boston to Salem; the lords of the committee did, in obedience to your majesty's said order, proceed, the same day, to take the said address into their consideration; but being informed that the lords commissioners for trade and plantations had under their examination several letters from William Burnet, Esq. your majesty's governor of that province, relating to the behaviour of the said assembly in this affair, the lords of the committee did thereupon send a copy of the said address to the said lords commissioners, that they might have the whole matter before them, and directed them to report their opinion thereupon to this committee. And the said lords commissioners having accordingly considered the said several papers, and heard Mr. Attorney and Solicitor-general in support of your majesty's said instructions, and also counsel in behalf of the said assembly, have reported upon the whole. That they seemed entirely averse to settle a certain salary upon the present governor and those which shall succeed him, yet the said lords commissioners judge it absolutely necessary that the assembly should settle a fixed salary of 1000*l.* sterling per annum, at least, upon the governor, during the whole time of his government, it being absolutely necessary for your majesty's service that the independency of the governor upon the assembly should be preserved: And that as to the complaint against the governor for removing the assembly from Boston to Salem, his majesty in council, upon a former complaint of this nature against colonel Shute, had determined that point in favour of the governor, and, therefore, the lords commissioners were of opinion

the present governor had acted in this matter agreeable to that determination.

"The lords of the committee hereupon beg leave to acquaint your majesty, that notwithstanding the said lords commissioners for trade had fully heard all the reasons that were offered in behalf of the said assembly, yet the agents of the said assembly petitioned this committee the 19th instant, praying that they might be admitted to be heard before their lordships, who thought it proper to know upon what terms they would insist, that your majesty's attorney and solicitor-general might be prepared to answer the same, and they desiring to be heard upon the reasons they had to offer why the said assembly should not settle a fixed salary upon his majesty's governor of that province during the whole time of his government, their lordships appointed this day for hearing them thereupon; they having accordingly attended with their counsel, their lordships heard all that was offered on their behalf against settling such a fixed salary, and also heard Mr. Attorney and Solicitor-general in support of your majesty's said instructions recommending it to them: And do thereupon agree humbly to report to your majesty,

"That by the charter granted to the Massachusetts-bay, the legislative power is vested in a governor, council and assembly, of whom the governor alone is nominated by your majesty; that the assembly is chosen annually by the people, and that the council is likewise chosen annually by the assembly in conjunction with the members of the council; that by the reasons insisted on by the council for the assembly in refusing to settle a fixed salary, it appeared, the point contended for was to bring the governor appointed by your majesty over them into a dependence on their good will for his subsistence, which would manifestly tend to a lessening of his authority, and consequently, of that dependence which this colony ought to have upon the crown of Great Britain, by bringing the whole legislative power into the hands of the people.

"The power of raising taxes being by the charter granted to the general assembly, it was from thence argued, that they ought to be left at liberty for the doing or omitting it, as they shall think proper; but the words of the charter shew the intent of granting them this power to be, that they should use it for the service of the crown, in the necessary defence and support of your majesty's government of the said province, and the protection and preservation of the inhabitants; and that, therefore, the refusing or neglecting to make due provision for the support of your majesty's governor, who is so essential a part of the government, must be looked upon as acting contrary to the terms of the said charter, and inconsistent with the trust reposed in them thereby. That, besides the instruction given to the present governor by your majesty for this purpose, instructions have always been given by your majesty's predecessors to former governors, to recommend to the assembly the establishing a salary suitable to the dignity of that post; notwithstanding which the assembly have hitherto refused to comply therewith, although they have by act of assembly settled a fixed salary or allowance of six shillings a day on themselves, and ten shillings a day on the council. The present assembly have, indeed, offered your majesty's governor a salary equal to what was recommended by your majesty's instructions, for the time he has been with them; but it is apprehended this was done only to tempt him to give up your majesty's instructions for settling it for the whole time of his government

"And here their lordships cannot, in justice to Mr. Burnet, omit taking notice, that by his steady pursuit of your majesty's instructions and rejecting the temptations offered by the assembly, he has acted with the utmost duty to your majesty, and a just regard to the trust reposed in him as governor of that province.

"Upon a due consideration of all that has been offered on the part of the assembly in justification of their refusing to comply with your majesty's instructions, the lords of the committee cannot but agree in opinion with the lords commissioners for trade and plantations, that it is absolutely necessary for your majesty's service and for preserving that dependency which this colony ought to have upon Great Britain, and better securing a due execution of the laws for trade and navigation, that a salary of 1000*l.* sterling per annum should be settled upon the governor during the whole time of his government, and considering that the assembly of the province has shewn so little regard to your majesty's instructions or to those of your royal predecessors in this behalf, which the governors, from time to time, have been directed to lay before them, the lords of the committee do advise your majesty to lay the whole matter before the parliament of Great Britain.

"Her majesty, this day, took the said report into consideration, and was pleased, with the advice of his majesty's privy council, to approve thereof, and to order, as is hereby ordered, that one of his majesty's principal secretaries of state should receive the pleasure of the crown thereupon.

"A true copy, Temple Stanyan."

The house received with the foregoing order, a letter from their agents, who, it seems, had altered their opinions, and now intimated to the house, that notwithstanding the determination or advice of the privy council, it was not likely the affair would ever be brought before the parliament. This letter the house ordered to be printed. The governor in one of his messages characterizes it as "an undeniable proof of their endeavours to keep the people in ignorance of the true state of their affairs."

The governor having held several sessions at Salem, without any success, he adjourned the court, to meet the 21st of August, at Cambridge. This widened the breach, and the house grew warmer in their votes and messages, and complained that they were to be compelled to measures against their judgment, by being harassed and drove from one part of the province to another. The governor's friends observed the effect the controversy had upon his spirits. In a few days, he fell sick of a fever, and died at Boston the 7th of September. Some attributed his illness to his taking cold, his carriage oversetting upon the causeway at Cambridge, the tide being high, and he falling into the water. The resentment which had been raised ceased, with people in general, upon his death. Many amiable parts of his character revived in their minds. He had been steady and inflexible in his adherence to his instructions, but discovered nothing of a grasping avaricious mind; it was the mode, more than the quantum, of his salary upon which he insisted. The naval office had generally been a post for some relation or favourite of the governor, but Colonel Tai'er having been lieutenant-governor, and in circumstances far from affluent, he generously gave the post to him, without any reserve of the issues or profits. The only instance of his undue exacting money, by some, was thought to be palliated by the established custom of the government he had quit-

ted. This did not justify it. In his disposal of public offices, he gave the preference to such as were disposed to favour his cause, and displaced some for not favouring it, and, in some instances, he went further than good policy would allow. He did not know the temper of the people of New England. They ever had a strong sense of liberty, and were more easily led than driven. He disobliterated many of his friends by removing from his post Mr. Lynde, a gentleman of the house, esteemed by both sides for his integrity and other valuable qualities, and he acknowledged that he could assign no other reason except that the gentleman had not voted for a compliance with the instruction. However, an immoral or unfair character was a bar to office, and he gave his negative to an election of a counsellor, in one instance, upon that principle only. His superior talents, and free and easy manner of communicating his sentiments, made him the delight of men of sense and learning. His right of precedence in all companies facilitated the exercise of his natural disposition to a great share in the conversation, and at the same time 'caused it to appear more excusable.' His own account of his genius was, that it was late before it budded, and that, until he was near twenty years of age, his father despaired of his ever making any figure in life. This, perhaps, might proceed from the exact severe discipline of the bishop's family, not calculated for every temper alike, and might damp and discourage him. To long and frequent religious services at home, in his youth, he would sometimes pleasantly attribute his indisposition to a very scrupulous exact attendance upon public worship, but this might, really, be owing to an abhorrence of ostentation and mere formality in religion, to avoid which, as most of the grave serious people of the province thought, he approached too near the other extreme. A little more caution and conformity to the different ages, manners, customs, and even prejudices of different companies, would have been more politic, but his open, undisguised mind could not submit to it. Being asked to dine with an old charter senator, who retained the custom of saying grace sitting, the grave gentleman desired to know which would be more agreeable to his excellency, that grace should be said standing or sitting; the governor replied, standing or sitting any way or no way, just as you please. He sometimes wore a cloth coat lined with velvet. It was said to be expressive of his character. He was a firm believer of the truth of revealed religion, but a bigot to no particular profession among Christians, and laid little stress upon modes and forms. By a clause in his last will, he ordered his body to be buried, if he died at New York, by his wife, if in any other part of the world, in the nearest churchyard or burying-ground, all places being alike to God's all-seeing eye. The assembly ordered a very honourable funeral at the public charge.

Mr. Dummer reassumed the administration. He did not intend to enter into the controversy about the salary; no advantage could arise from it, no new arguments could be used, the king's instructions were to be his rule, and he would not depart from them by accepting any grant as lieutenant-governor; but the affair having been under consideration before his majesty in council, and further proceedings expected, he would wait for further intelligence and directions. The house were not willing to admit that the instruction had any respect to the salary of a lieutenant-governor, but if it had, they had given sufficient reasons against it, and were deter-

mined to come into no act for fixing a salary. Having continued the session at Cambridge until the 26th of September, he ordered an adjournment to the 29th of November, at Boston, which was a further indication that he did not intend to press the instruction; however, at their first coming together, he recommended to them a compliance with it, and, upon their assuring him, by a message, that, although they could not settle a salary, yet they were ready to give him an ample and honourable support, he desired them to lose no time about it, for he would accept of no support unless it should be exactly conformable to his majesty's instruction. The house, notwithstanding, made a grant of 750*l.* to enable him to manage the affairs of government. The council concurred with an amendment, adding, 'for the half year current;' but this being fixing a salary for half a year, the house refused it.

Upon the news of Mr. Burnet's death, Mr. Belcher applied with all his powers to obtain the commission for the government. Governor Shute might have returned, but he declined, and generously gave his interest to Mr. Belcher, who, fourteen years before, had given 500*l.* sterling, which was never repaid, to facilitate Colonel Shute's appointment. The controversy, which it was supposed a governor must be engaged in, caused fewer competitors, and the ministry were the more concerned to find a proper person. Lord Townshend asked Mr. Wilks, who had much of his confidence, whether he thought Mr. Belcher would be able to influence the people to a compliance with the king's instructions, he replied that he thought no man more likely. Their choosing him agent was a mark of their confidence in him, but it seemed natural to expect that they would be under stronger prejudices against him than against a person who had never engaged in their favour. Mr. Belcher's appointment occasioned the removal of Mr. Dummer from the place of lieutenant-governor. A young gentleman, with whose family Mr. Wilks was connected, (Mr. Thornton) Mr. Belcher had engaged to provide for, and he had no post in his gift, worth accepting, besides the naval office. To make a vacancy there, Colonel Tailor was appointed lieutenant-governor. The pleasure, if there was any, in superseding Mr. Dummer, who had superseded him before, could be no equivalent for the difference between a post of naked honour, and a post of profit, which gave him a comfortable living. Mr. Dummer's administration has been, justly, well spoken of. His general aim was to do public service. He was compelled to some compliances which appeared to him the least of two evils. It lessened him in Mr. Burnet's esteem, who thought he should have shewn more fortitude; but he retired with honour, and, after some years, was elected into the council, where, from respect to his former commission, he took the place of president; but, being thought too favourable to the prerogative, after two or three years, he was left out. He seemed to lay this slight more to heart than the loss of his commission, and aimed at nothing more, the rest of his life, than selecting for his friends and acquaintance men of sense, virtue, and religion, and enjoyed in life, for many years, that fame which, for infinitely wise reasons, the great Creator has implanted in every generous breast a desire of, even after death.

Colonel Tailor's commission was received and published before Mr. Belcher's arrival, and it gave him an opportunity of doing a generous thing for Mr. Dummer. A vote had passed the two houses,

granting him nine hundred pounds, which, from a regard to his instructions, he had not signed, nor had he expressly refused it, and the court having been adjourned only, not prorogued, the next meeting was considered as the same session, and Colonel Tailor ventured to sign it, not being a grant to himself, and not against the letter of his instructions; and it was really saving money to Mr. Dummer, the grant being intended for services to come as well as past, would not have been renewed, or in part only.

From the arrival of Governor Belcher, in 1730, to the reimbursement of the charge of the expedition against Cape Breton, and the abolition of paper money, 1749.

Mr. Belcher arrived the beginning of August, in the Blandford man of war, Capt. Prothero.

No governor had been received with a shew of greater joy. Both parties supposed they had an interest in him. For men to alter their principles and practice, according to their interest, was no new thing. A sketch of Mr. Belcher's life and character will in some measure account for his obtaining the government, for the principal events in its administration and for the loss of his commission.

Being the only son of a wealthy father, he had good prospects from the beginning of life. After an academical education in his own country, he travelled to Europe, was twice at Hanover, and was introduced to the court there, at the time when the princess Sophia was the presumptive heiress to the British crown. The novelty of a British American, added to the gracefulness of his person, caused distinguished notice to be taken of him, which tended to increase that aspiring turn of mind which was very natural to him. Some years after, he made another voyage to England, being then engaged in mercantile affairs, which, after his return home, proved, in the general course of them, rather unsuccessful, and seem to have suppressed or abated the ruling passion; but being chosen agent for the house of representatives, it revived and was gratified to the utmost, by his appointment to the government of Massachusetts-bay and New Hampshire, and discovered itself in every part of his administration. Before he was governor, except in one instance, he had always been a favourer of the prerogative, and afterwards he did not fail of acting up to his principles. A man of high principles cannot be too jealous of himself, upon a sudden advancement to a place of power. The council never enjoyed less freedom than in his time. He proposed matters for the sake of their sanction rather than advice, rarely failing of a majority to approve of his sentiments.

He lived elegantly in his family, was hospitable, made great shew in dress, equipage, &c. and although by his depreciation of the currency he was curtailed of his salary, yet he disdained any unwarrantable or mean ways of obtaining money to supply his expenses. By great freedom in conversation, and an unreserved censure of persons whose principles or conduct he disapproved, he made himself many enemies. In a private person, this may often pass with little notice, but from a governor it is sure to be remembered, and some never ceased pursuing him until they had him displaced.

The general court met the 9th of September at Cambridge, the small-pox being at Boston. The people waited with impatience the governor's first speech. Many flattered themselves that the instruction for a fixed salary was withdrawn; others, that

if it was continued, he would treat it rather as Dudley and Shute had done, than as his immediate predecessor; others, who did not expect a relaxation, were, from curiosity, wishing to know how he would acquit himself with the people who sent him to England to oppose the instruction. After premising that the honour of the crown and interest of Great Britain are very compatible with the privileges and liberties of the plantations, he tells the two houses that he had it in command from his royal master, to communicate to them his 27th instruction, respecting the governor's support; that whilst he was in England he did every thing, consistent with reason and justice, for preserving and lengthening out the peace and welfare of the province; that they were no strangers to the steps taken by his majesty with respect to the unhappy dispute between the late governor and them, and he hoped after such a struggle, they would think it for the true interest of the province to do what might be perfectly acceptable; that nothing prevented this controversy, and several other matters of dangerous consequence, being laid before the parliament, but his majesty's great lenity and goodness, which inclined him to give them one opportunity more of paying a due regard to what in his royal wisdom he thinks so just and reasonable. Had he stopped here, perhaps, less could not have been expected from him, but he unfortunately attempted to shew the similitude between the case of Cato shut up in Utica, and the Massachusetts-bay under the restraint of the royal instruction; commended the wisdom of Cato in making so brave a stand for the liberties of his country, but condemned his putting an end to his life when affairs became desperate, rather than submit to a power he could no longer resist; which instance he brought as some illustration of the late controversy, though he would not allow it to run parallel, Cæsar being a tyrant, and the king the protector of the liberties of his subjects.

It was said, upon this occasion, that the governor must allow that the Massachusetts assembly had done wisely hitherto in defending their liberties, for, otherwise, he had brought an instance of a case in no one respect similar to theirs; and if they had done so, it was because the instruction was a mere exertion of power, and then the parallel would run farther than he was willing to allow.

The instruction was conceived in much stronger terms than that to governor Burnet, and it is declared that in case the assembly refuses to conform to it, "his majesty will find himself under a necessity of laying the undutiful behaviour of the province before the legislature of Great Britain, not only in this single instance but in many others of the same nature and tendency, whereby it manifestly appears that this assembly, for some years last past, have attempted by unwarrantable practices to weaken, if not cast off the obedience they owe to the crown, and the dependance which all colonies ought to have on their mother country." And in the close of the instruction his majesty expects "that they do forthwith comply with this proposal as the last signification of our royal pleasure to them upon this subject, and if the said assembly shall not think fit to comply therewith, it is our will and pleasure and you are required immediately to come over to this kingdom of Great Britain, in order to give us an exact account of all that shall have passed upon this subject, that we may lay the same before our parliament."

The house proceeded just as they had done with

governor Burnet. They made a grant to Mr. Belcher of 1,000*l.* currency, for defraying the expense of his voyage to New England, and as a gratuity for services while in England: 500*l.* was also granted to the governor, for his services in England as agent for the house of representatives; and the sum of 1,503*l.* 1*s.* 1*d.*, which had been advanced by merchants in Boston and others and supplied the agents, was also granted to be paid out of the public treasury, and to the several persons respectively. The honour of the governor who had spent the money, as well as that of the house, was concerned. The council, although in general the same persons who had refused to consent to any grant of money, for the use of an agent in the choice of whom they had no share, were prevailed upon by the governor and the influence of a great number of the principal merchants of Boston, who had advanced the money, to consent to a grant for the repayment of it. The house, expecting the like difficulty might arise upon a like occasion in future time, took this favourable opportunity of passing a vote for the taking the sum of 500*l.* sterling out of the province treasury, and depositing it in the bank of England for the use of the house. To this vote the council gave their concurrence and the governor his consent. He repented of it afterwards, when he found the agent employed by the house and supported with this money was the principal promoter of the complaints against him which caused his removal from the government; and sometime after they voted him a sum equal to a thousand pounds sterling, to enable him to manage the public affairs, &c., but would fix no time. The council concurred in it with an amendment, viz., "and that the same sum be annually allowed for the governor's support." This, without a fund for the payment of it, was doing little more than the house had repeatedly done by their declarations, that they doubted not future assemblies would make the like honourable provision for the governor's support, according to the ability of the province; the amendment, notwithstanding, was not agreed to, and the house adhered to their own vote. This produced a second amendment, viz., "that the same sum should be annually paid during his excellency's continuance in the government and residence here;" but this also was nonconcurrent. The two houses then conferred upon the subject, the governor being present, which was unusual, at the conference. Mr. Shirley had been desirous of acquainting himself with the arguments on both sides, in some affair in controversy between the two houses, intimated to the council his inclination to be present. When the house came up the speaker, Mr. Cushing, seeing the governor in the chair, started back and remaining at the door of the council chamber, expressed his surprise at seeing his excellency in the chair, the conference being intended between the two houses only, but if his excellency intended to remain in the chair, only to hear the arguments, he imagined the house would have no objection to conferring in his presence: and Mr. Shirley remained, as in the present instance did Mr. Belcher, and made a long speech, expressing the great pleasure the council had given him in the part they had taken, and his concern and surprize at the conduct of the house, in running the risk of the consequences of their refusal to comply with the instruction, reminded them of the vast expense which their former unsuccessful disputes with their governors had occasioned to the province, but used no arguments to convince them of the reasonableness

of the demand, and its compatibility with their rights and privileges.

The small-pox being in the town of Cambridge, where the court sat, the house desired to rise; but the governor let them know he would meet them in any other town, and the same day ordered an adjournment to Roxbury, where a bill passed both houses for the support of the governor, but not coming up to the instruction, the governor could not consent to it. The country party in the house, as much a solecism as it was, was the most zealous for the prerogative; and, except a few prerogative men who were always willing to fix the salary, none went so great a length, at this time, towards fixing it, as those who opposed any one step towards it, under Mr. Burnet.

The people, in general, were well pleased with the governor. It is not improbable that he would have obtained the settlement of a salary during his administration, if it had not been, in effect, a settlement for his successors also, for such a precedent could not easily have been resisted. The two parties which had long subsisted in the government were vying, each with the other, in measures for an expedient or accommodation. The prerogative men were Mr. Belcher's old friends, who were pretty well satisfied that his going over to the other side was not from any real affection to the cause, and that he must, sooner or later, differ with those who adhered to it, and for this event they waited patiently. The other party, by whose interest he had been sent to England, adhered to him, expecting their reward. Accordingly, Mr. Cooke was soon appointed a justice of the common pleas for the county of Suffolk. To make way for him and another favourite, Colonel Byfield, to whom Mr. Belcher was allied, two gentlemen, Colonel Hutchinson and Colonel Dudley, were displaced. They were both in principle steady friends to government, and the first of them was a fast friend to the governor. Mr. Belcher would not have been able to advance so many of his friends as he did, if he had not persuaded the council that, upon the appointment of a new governor, it was necessary to renew all civil commissions. Having obtained this point, he took the most convenient time to settle the several counties. Before he settled the county of York, he recommended to the judges a person for clerk of the court. This officer the province law empowers the judges to appoint. Some of them sent their excuse, being well satisfied with the clerk they had, who was a faithful well approved officer; but the governor let the judges know, if he could not appoint a clerk he could a judge, and accordingly removed those who were not for his purpose and appointed others in their stead. There was an inconsistency in delaying appointments, with the principles he advanced. If new commissions were necessary, they were necessary immediately, and they might as well be delayed seven years as one.

It was said that when Mr. Belcher, some years after, was ordered by the king to remove his son-in-law, Mr. Lyde, from the naval office, the power of appointment to which office is, by act of parliament, given to the governor, he was advised to make an excuse, Mr. Lyde being an officer who gave general satisfaction; but Mr. Belcher replied, that although the king could not make a naval officer yet he could make a governor, and he was forced to give up his son-in-law. This was the first instance of an appointment made by the crown immediately to this office, and perhaps to any office in the province, the nomination to which is, by the charter and royal com-

mission, left to the judgment and discretion of the governor.

The commissions to civil officers being in the king's name and tested by the governor, the renewal of such commissions upon the appointment of a governor has not been practised since Mr. Belcher's time. It was proposed in council by his successor, but Mr. Read, a very eminent lawyer, and which is more, a person of great integrity and firmness of mind, being then a member of the council, brought such arguments against the practice, that the majority of the board refused to consent to it. Besides this general new appointment, Mr. Belcher, in the course of his administration, made more frequent removals of persons from office than any governor before or since. This was owing to the pusillanimity of the council. No appointment can be made without their advice. The governor, it is true, could refuse his consent, every year, to their election; but the emoluments of a Massachusetts counsellor were very small, and caused no great temptation to sacrifice virtue. It is said, that one of the judges of the superior court expecting to be removed, in the latter part of Mr. Belcher's administration, applied by a friend in England to lord chief justice Willes, who signified his resolution, that if any judge should be removed without good reason assigned, he would himself complain to his majesty against the governor. The freedom and independence of the judges of England is always enumerated among the excellencies of the constitution. The Massachusetts judges were far from independent. In Mr. Belcher's administration, they were peculiarly dependent upon the governor. Before and since they were dependent upon the assembly for their salary, granted annually, which sometimes was delayed, sometimes diminished, and rarely escaped being a subject of debate and altercation.

(1731.) Two or three sessions passed, when little more was done on the governor's part, than repeating his demand for a fixed salary, and intimating that he should be obliged to go to England and render an account of their behaviour to the king. The major part of the house were very desirous of giving satisfaction to the governor and to their constituents both, but could not. Mr. Cooke's friends in the town of Boston began to be jealous of him. A bill was prepared, which sets forth in the preamble, that settling a salary would deprive the people of their rights as Englishmen. After granting 3400*l.*, which was about equal to 1000*l.* sterling, it is further enacted, that as his majesty had been graciously pleased to appoint J. B., Esq. to be the governor, who was a native of the country, whose fortune was here, who, when a member of the council, as well as when in a private station, has always consulted the true interest of his country as well as the honour and dignity of the crown, therefore, it is most solemnly promised and engaged to his most excellent majesty, that there shall be granted the like sum for the like purpose, at the beginning of the sessions in May every year during the governor's continuance in the administration and residence within the province; provided, this act shall not be pleaded as a precedent, or binding on any future assembly, for fixing a salary on any succeeding governor. The bill is in Mr. Cooke's hand writing, and it is minuted at the bottom, that the governor approved of it. The governor could not imagine so evasive a thing could be approved in England. He might hope to improve it, as being a further advance than had been before made; and, by using this argument, that it

would be much more rational for the house to do what they now had fully in their power to do, than to make a solemn promise that another house should do the same thing, the performance of which promise they would not have in their own power. The scheme failed, the bill did not pass; and from that time Mr. Belcher, despairing of carrying his point, turned his thought to obtaining a relaxation of his instruction. Instead of applying himself, he advised to an address from the house, not for the withdrawal of the instruction, but that the governor might have leave to receive the sum granted. This was allowed; but it was to be understood, that he was to insist upon a compliance with his instruction as much as ever. Leave for consent to particular grants was obtained two or three years, and at length a general order of leave to receive such sums as should be granted. This was the issue of the controversy about a fixed salary. Until Mr. Belcher's arrival, Mr. Cooke had differed from most who, from time to time, have been recorded in history for popular men. Generally, to preserve the favour of the people, they must change with the popular air, and when we survey a course of action it will not appear altogether consistent. He had the art of keeping the people steady in the applause of his measures. To be careful never to depart from the appearance of maintaining or enlarging rights, liberties, and privileges, was all he found necessary. As soon as he was defective in this respect, and tried to secure his interest both with the governor and town of Boston, he had like to have lost both. In the election of representatives for Boston, in 1733 or 1734, the governor's party appeared against him; he had lost many of the other party by what they called too great a compliance, and he had a majority, after several trials, of one or two votes only in six or seven hundred.

(1732.) The dispute about the manner of issuing money out of the treasury, was settled unfavourably for the house. The charter provided, that all money should be issued by warrant from the governor, with advice and consent of the council. Until the year 1720 the money was brought into the treasury, by a vote or act originating in the house, and destined to certain purposes, and drawn out for those purposes by warrant from the governor, with advice, &c.; but after that, the house not only destined the money when put into the treasury, but provided that none of it, except some trifling sums for expresses and the like, should be issued without a vote of the whole court for payment. After such a vote they were willing the governor should give his warrant. This appeared to the king to render his governor contemptible, and entirely to defeat the provision in the charter, and there was no prospect of any relaxation of the instruction to the governor. When the servants of the government had suffered a long time for want of their money, the house passed a bill, which supplied the treasury in a way not materially differing from what had been in practice before 1720.

Mr. Belcher had another instruction, not to consent to the issuing any bills of credit for a longer term than those were to remain current which had before been issued, none of which extended beyond the year 1741. It would have been but a small burden upon the inhabitants to have paid the charges of every year, and the debt which lay upon such year besides; but, instead of that wise measure, they suffered one year after another to pass with light taxes, and laid heavy burdens upon distant years, and the last year, 1741, had more laid upon it than any four

or five preceding years; and although even this was far short of what has been paid in some succeeding years, yet it was deemed an insupportable burden, and it was generally supposed, the promises made by the acts of government to draw in the bills in that year would, by some means or other, be evaded or openly violated. Mr. Belcher seemed determined to adhere to his instruction, and there was an expectation of some great convulsion, which was prevented by his being superseded before that period arrived.

Captain Coram pursued the project for settling the eastern country, until he procured an order or instruction to Colonel Phillips, the governor of Nova Scotia, in 1730, to take possession of the land between St. Croix and Kennebeck, and thirty men, with an officer, were sent to the fort at Pemaquid, built by the Massachusetts. Colonel Dunbar, a gentleman out of employ, came over about the same time, took the command of the fort, and assumed the government of that part of the province. Mr. Belcher was applied to by the proprietors of the lands there, and the house of representatives asserted the right of the province. The governor, with advice of council, issued a proclamation, requiring the inhabitants to remain in their obedience and due subjection to the laws and government of the province. This seems to have been all that in prudence he could do. Some were for taking further measures to remove Dunbar, which, as he had a royal commission, however liable to exceptions, Mr. Belcher thought by no means warrantable. The minds of the people were inflamed, and when Dunbar came up to Boston he persisted in his claim to the country which, with reports of some not very decent expressions of the governor, raised the resentment of many. Persons of ill design perhaps might have been able to have caused a tumult. The lands indeed were claimed by a few particular persons, but it was spread abroad that when this country should be detached from the rest of the province the supplies of fuel to the sea-port towns would cease, or be burdened with heavy duties, and the poor oppressed. It happened that Mr. Samuel Waldo, a gentleman of good capacity, and who would not easily relinquish his right, undertook for the proprietors of the principal tract of the country claimed, and, upon representation to his majesty in council, the order to Phillips and the authority to Dunbar were revoked in 1732, and the government of the province afterwards thought it proper to place a garrison in their own pay at Fort Frederick, the name given by Dunbar to the fort at Pemaquid.

We shall take notice of two or three only, and those the most remarkable events during the rest of Mr. Belcher's administration.

(1733.) In 1733 there was a general complaint throughout the four governments of New England of the unusual scarcity of money. There was as large a sum current in bills of credit as ever, but the bills having depreciated, they answered the purposes of money so much less in proportion. The Massachusetts and New Hampshire were clogged with royal instructions. It was owing to them that those governments had not issued bills to as great an amount as Rhode Island. Connecticut, although under no restraint, yet, consisting of more husbandmen and fewer traders than the rest, did not so much feel the want of money. The Massachusetts people were dissatisfied that Rhode Island should send their bills among them, and take away their substance and employ it in trade, and many people wished to see the bills of each government curren

within the limits of such government only. In the midst of this discontent, Rhode Island passed an act for issuing 100,000*l.* upon loan, for about twenty years, to their own inhabitants, who would immediately have it in their power to add 100,000*l.* to their trading stock from the horses, sheep, lumber, fish, &c. of the Massachusetts inhabitants. The merchants of Boston therefore confederated, and mutually promised and engaged not to receive any bills of this new emission, but, to provide a currency, a large number formed themselves into a company, entered into covenants, chose directors, &c. and issued 110,000*l.* redeemable in ten years, in silver, at 19*s.* per oz. the then current rate, or gold in proportion, a tenth part annually. About the same time the Massachusetts treasury, which had been long shut, was opened, and the debts of two or three years were all paid at one time in bills of credit; to this was added the ordinary emissions of bills from New Hampshire and Connecticut, and some of the Boston merchants, tempted by an opportunity of selling their English goods, having broke through their engagements, and received the Rhode Island bills, all the rest soon followed the example. All these emissions made a flood of money, silver rose from 19*s.* to 27*s.* the oz., and exchange with all other countries consequently rose also, and every creditor was defrauded of about one third of his just dues. As soon as silver rose to 27*s.*, the notes issued by the merchants payable at 19*s.*, were hoarded up, and no longer answered the purposes of money. Although the currency was lessened by taking away the notes, yet what remained never increased in value, silver continuing several years about the same rate, until it took another large jump. Thus very great injustice was caused by this wretched paper currency, and no relief of any sort obtained; for, by this sinking in value, though the nominal sum was higher than it had ever been before, yet the currency would produce no more sterling money than it would have done before the late emissions were made. William Tailer, the lieutenant-governor, dying in 1732, in 1733 Spencer Phips, nephew by the sister, and adopted son to Sir William Phips, succeeded. Mr. Belcher used his interest for Adam Winthrop, Esq.: both Winthrop and Phips had been several years members of the council.

(1737.) In 1737 a controversy, which had long subsisted between the two governments of Massachusetts bay and New Hampshire was heard by commissioners for that purpose appointed by the crown. Various attempts had been made to settle this dispute, and it had been often recommended by the crown to the assemblies of the two provinces to agree upon arbitrators from neighbouring governments, and to pass acts which should bind each province to be subject to their determinations. Several such acts passed, but they were not exactly conformable one to the other, or the operation of them was by some means or other obstructed. The Massachusetts refused terms which, afterwards, they would gladly have accepted. They have done the like in other controversies. Long possession caused them to be loth to concede any part of the territory. New Hampshire took its name from the grants made by the council of Plymouth to Captain John Mason. Of these there had been four or five, all containing more or less of the same lands. Exceptions were taken to all of them, and that which was the least imperfect was dated after the grant of Massachusetts bay, so that the whole controversy

turned upon the construction of the Massachusetts' charters. The first charter made the northern boundary to be three miles to the northward of Merrimack river, or to the northward of any and every part thereof. After running westward about thirty miles from the sea, the river alters its course, and tends to the north, or, to speak with more propriety, having run from its crotch or the meeting of Pemigewasset river, and Winnepissauke pond, to the southward about fifty miles, it then tends to the eastward about thirty miles, until it empties into the sea. It was urged by the advocates for Massachusetts colony, that their boundary was to be three miles to the northward of the northernmost part of the river, and to extend east and west from the Atlantic to the South sea. This swallowed up all New Hampshire, and the greatest part of the province of Maine. At a hearing before the king in council, in 1677, the agents for Massachusetts, by advice, disclaimed all right of jurisdiction beyond the three miles north of the river according to the course, and it was determined they had a right as far as the river extended, but how far the river did extend was not then expressly mentioned. It seems, however, not to have been doubted, for although at the time of the grant of the first charter, it does not appear that the course was known any great distance from the sea, yet, soon after the government was transferred from Old England to New, it was as well known by the name of Merrimack as far as Penicook as it is at this day, and the tribe of Indians which dwelt there had a correspondence with the English, and in 1639 persons were employed by the government of Massachusetts to explore that part of the country, and there are still preserved the testimonies of divers persons declaring that they, before that time, always understood the river to be called by the same name, from the crotch to the mouth. If the first charter of the Massachusetts had continued, it is not probable any different construction would ever have been started; but in the new charter the boundary is thus expressed, "extending from the great river commonly called Monomack, alias Merrimack, on the north part, and from three miles northward of the said river, to the Atlantic or western sea, or ocean on the south part, &c. The whole, however, of the old colony being included in the new province, many years passed without any thought of a different construction of bounds in the two charters, and the disputes between New Hampshire and the Massachusetts have been, principally, concerning the towns of Salisbury and Haverhill, which, when first granted by the Massachusetts, were made to extend more than three miles from the river, and the part beyond the three miles remained under the jurisdiction by which they had been granted, which New Hampshire complained of. A new line, to begin three miles north of the mouth of Merrimack, and so run west to the south sea, was a modern construction. Some hints had been given of such a line, before or about the year 1726, and it was supposed by New Hampshire that the Massachusetts were induced thereby to make grants of townships between Merrimack and Connecticut river, in order to strengthen their title by possession, still there was a prospect of accommodation, and, in the year 1731, the committees from the assemblies of two provinces differed only upon the point of equivalents, the Massachusetts desiring to retain under their jurisdiction the whole of those towns which lay upon the river, and to give other lands as an equivalent for the property; but about

the same time the principal men of New Hampshire thinking, and perhaps justly, that they were not well treated by Mr. Belcher, determined to exert themselves to obtain a governor for that province, and to remain no longer under the same governor with the Massachusetts. They had but little chance for this unless they could enlarge their bounds. The very proposal of a distinct government, as it increased the number of officers of the crown, they thought would be a favourable circumstance in settling the controversy with Massachusetts.

The house of representatives of New Hampshire, Oct. 7, 1731, by a vote appointed John Ridge, Esq., a merchant there, who was bound to England, their agent to solicit the settlement of the boundaries. But their main dependence was upon Mr. Tomlinson, a gentleman who had been in New Hampshire, and was then a merchant of note in London, and perhaps was as capable of conducting their cause as any person they could have pitched upon. He had the friendship of Col. Bladen, who at that day had great weight in the board of trade, and had conceived very unfavourable sentiments of the Massachusetts in general, and did not like Mr. Belcher, the governor. He employed a solicitor, Ferdinando Paris, one of the first rate, and who had a peculiar talent at slurring the characters of his antagonists. Many of his briefs abound in this way. The first step in consequence of Mr. Rindge's petition was a question sent by the lords of trade to the attorney and solicitor-general for their opinion, "From what part of Merrimack river, the three miles from whence the dividing line between the province of New Hampshire and the province of the Massachusetts bay, is to begin, ought to be taken according to the intent of the charter of William and Mary." This was a plain intimation that if the point where to begin could be settled, nothing more was necessary, the west line claimed by New Hampshire was to follow of course. The Massachusetts agent (Mr. Wilks) by his council would say nothing upon the question, because it would not determine the matters in dispute. Report was made, however, that it ought to begin three miles north of the mouth of Merrimack river. It was then proposed that commissioners should be appointed to settle this controversy. This the Massachusetts were averse to, unless they knew who they were to be. They were at the same time afraid of its being determined in England, *ex parte*, if they should refuse to consent. A committee of the general court reported "that the agent should be instructed that the province would agree to commissioners to be appointed, to settle the controversy, here." This report was accepted, the house intending the commissioners should be agreed upon by the two governments, some of the committee intending the agent should understand his instructions, to consent to the appointment of commissioners provided they sat here, or in one of the two governments. A comma after the word 'appointed,' and after the word 'controversy,' would give the sense of the house, the last comma left out it might be taken in the sense of the committee; but as it is most probable the letter had no regular pointing, their meaning was to be guessed at.

This was treating the agent ill, and he was censured by the house for not observing his instructions. The committee privately excused themselves for this equivocal report as being necessary for the public service, the house not being willing to consent to an explicit submission. It was made a condition of the submission that private property should not be af-

fectured. The ministry in later instances have not waited for an express submission, but have appointed commissioners upon application from one party only.

The commissioners were all such as the New Hampshire agent proposed, five counsellors from each of the governments of New York, Rhode Island, and Nova Scotia. With the two former governments, the Massachusetts were then in controversy about lines. The latter it was said was disaffected to charter government. Connecticut, proposed by Massachusetts, was rejected because of a bias from their trade, religion, &c., which New Hampshire was afraid of. The place for the meeting of commissioners was Hampton in New Hampshire, the 1st of August.

The commissioners from Nova Scotia, with some of Rhode Island, met at the time appointed, and were afterwards joined by Mr. Livingstone, from New York, who presided. After many weeks spent in hearing the parties and examining their evidence, the only doubt in the commissioners minds was, whether the Massachusetts new charter comprehended the whole of the old colony. Not being able to satisfy themselves, and perhaps not being unwilling to avoid the determination, they agreed to make a special judgment or decree, the substance of which was, that if the charter of William and Mary grants to the Massachusetts-bay, all the lands granted by the charter of Charles the First, they then adjudge a curve line to begin three miles north of the mouth of the river, and to keep the same distance from the river as far as the crotch or parting at Pemigewasset and Winepesaukee, and then to run west towards the south sea until it meets with his majesty's other governments; but if the charter of William and Mary did not contain &c., then they adjudge a west line to begin at the same place three miles north of the mouth and to run to the south sea. This point in doubt they submitted to his majesty's royal pleasure.

The Massachusetts were sure of their cause. It was impossible, they thought, consistent with common sense, that the point in doubt should be determined against them. They thought it safest however to send to England a special agent, Edmund Quincy, Esq., one of the council, who had been one of the court's agents before the commissioners. He was joined with Mr. Wilks, and Mr. Belcher by his interest prevailed upon the assembly to add a third, his wife's brother, Richard Partridge. Exceptions, called an appeal, were offered to the judgment of the commissioners. Mr. Quincy died of the small pox by inoculation soon after his arrival in London, the other two knew little or nothing of the controversy. The commissioner, however, had rendered it as difficult to determine a line against the Massachusetts as if they had given a general judgment in their favour. The New Hampshire agent and solicitor thought of no expedient. In their brief they pray the lords committee to report "that all the lands lying to the northward of Merrimack river, which were granted by the charter of King Charles the First to the late colony of the Massachusetts bay, are not granted to the present province of the Massachusetts-bay by the charter of King William and Queen Mary." This never could have been done. At the hearing, it was thought proper to lay aside all regard to the judgment of the commissioners, and to proceed upon an entirely new plan. No doubt was made that the old colony was all included in the new province. The question was, what were

the northern bounds of the colony of Massachusetts-bay, which the council of Plymouth when they sold the territory to the patentees, and the king when he granted the jurisdiction, had in contemplation. This, it was said, must be a line three miles north of a river not fully explored, but whose general course was supposed to be east and west. So far therefore as it afterwards appeared that the river kept this course, so far it was equitable the line should continue; but, as on the one hand, if the river had altered its course and turned to the south, it would have been inequitable to have reduced the grant to a very small tract, so on the other hand, when it appeared to turn to the north it was inequitable to extend the grant and make a very large territory, and therefore defeat other grants made about the same time. The grant to Sir Henry Roswell and others, was March the 19th, 1627. That to Mason, was November 7th, 1619, and was to extend sixty miles from the sea. But the river Merrimack turning to the north after about thirty miles from the sea, if the Massachusetts bounds had continued three miles distant from the river to the crotch, it would comprehend more than half of Mason's grant. It was therefore determined that the northern boundaries of Massachusetts-bay, should be a line three miles from the river as far as Pantucket-falls, then to run W. 10 deg. N. until it meets New York line.

The Massachusetts thought themselves aggrieved. They submitted the controversy to commissioners to be appointed by the crown, and had been fully heard. The whole proceedings of the commissioners were set aside, and without any notice to the government, the controversy was determined by a committee of council, upon a new point on which their agent had never been instructed. And however there might be the appearance of equity in the principle upon which their lordships proceeded, yet the Massachusetts supposed, if their possession for one hundred years, together with the determination of the king in council, in 1677, and the acquiescence of all parties in this determination for about fifty years had been urged and duly weighed, the balance upon the sole principle of equity would have been in their favour. It increased their mortification to find that they had lost by this new line several hundred thousand acres more than the utmost claim ever made by New Hampshire; for Merrimack river from the mouth to Pantucket-falls tending to the south, it made a difference of four or five miles in breadth, the whole length of the line, between a line to run west from Pantucket falls, and a line west from the black rocks.

The dispute about the bounds of the province of Main, which lies on the other side New Hampshire, was upon the construction of the word north-westward. The Massachusetts urged, that it was the evident design of the grantors of the province of Main, to describe a territory about 120 miles square. At that day, this was probably the reputed distance from Newichawannock or Piscataqua river to Kennebeck, along the sea coast, the general course of which was north-east and south-west; after going up the two rivers to the heads, the lines were to run north-westward until 120 miles were finished, and then a line back parallel to the line upon the sea. The agents for New Hampshire, at the court of commissioners, insisted that every body understood north-westward to be north a little, perhaps less than a quarter of a point west. It not being possible to think of any reason for a line to run upon that course, the Massachusetts could scarce suppose the

New Hampshire agents to be serious, and imagined the commissioners would need no other reply, than that every body understood a line running westward to be a line from east to west; and by the same rule of construction, they supposed north-westward to be from south-east to north-west: that north-eastward being explained in the same grant to be as the coast lay, proved in fact to be from south-west to north-east. They were, however, surprised with the determination of the commissioners, that north-westward intended north two degrees west. Why not one degree or three degrees, as well as two? From this part of the judgment the Massachusetts appealed. The agents in England obtained the celebrated Doctor Halley's opinion, in writing under his hand, that in the language and understanding of mathematicians, a line to run north-westward is a line to run north-west; but this opinion did not prevail, and the judgment of the commissioners upon this point was confirmed by his majesty in council.

It behoved Mr. Belcher, the governor of both provinces, to carry an even hand. It happened, that the general court of the Massachusetts, whilst it sat at Salisbury on the occasion of this controversy, made him a grant of 800*l.* currency, in consideration of the deficiency of their former grants, for his salary and his extraordinary expense and trouble in attending the court at a distance from his house and family. Soon after this grant he adjourned the general courts of both provinces, in order to their determining whether to abide by the result of the commissioners or to appeal from it; but the court of New Hampshire was adjourned to a day or two after the Massachusetts court, and it was said they were prevented entering the appeal within the time limited. He did not care that either assembly should do any business when he was absent, and therefore intended first to finish the Massachusetts business, and immediately after proceed to New Hampshire.

This afforded matter of complaint from that province, which Mr. Belcher was called upon to answer, and it was determined the complaint was well founded; and it being urged that the 800*l.* was intended as a bribe to influence him to this measure, the Massachusetts thought their own honour concerned, and joined with him in his defence, which perhaps increased the suspicion of guilt and hastened his removal. That we may finish what relates to the controversy between the two provinces, we must take notice of the conduct of the Massachusetts upon receiving his majesty's order in council. The lines, by the order, were to be run by two surveyors, one on the part of each province; but if either province refused, the other was to proceed *ex parte*. New Hampshire, whose highest expectations were exceeded, proposed to join, but were refused by the Massachusetts; and thereupon appointed surveyors to run the lines of the Massachusetts and province of Main *ex parte*. Both lines were complained of as being run favourably for New Hampshire: that of the province of Main is a subject of new controversy, it having been suggested that the surveyor mistook the main branch of the river Newichewanock, which, if he had pursued, would have made five or six miles in breadth to the advantage of Massachusetts. This refusal to join, proceeded from the feeble irresolute state of the minds of the house of representatives. Unwilling by any act of their own to express their submission to what they called an unequal decree, they ran the risk of its being carried into execution still more unequally; and yet succeeding houses, by a subsequent long continued passive submission, as

effectually subjected the province as if it had been explicitly acknowledged at first.

After the controversy about the governor's salary and the supply of the treasury was finished, there seemed to be a general disposition to rest, and we hear little of a party in opposition to the governor for several years together. Whilst the controversy with New Hampshire was depending, all of every party engaged in defence of the right of the province. Besides, Mr. Cooke, who had been many years at the head of the popular party, was worn out with service; and having been some time in a declining state, died in the fall of the year 1737, and the town of Boston was so far from an apprehension of danger to their liberties, that they chose in his stead Mr. Wheelwright, the commissary-general, who depended upon the governor every year for his approbation after being elected by the council and house, and in 1738, three of the representatives of the town had the character of friends to government; but towards the end of the year a great clamour arose against the governor for adhering to his instruction about paper money, and against the three representatives for their pernicious principles upon the subject of paper money; and at the town election for 1739, three others were chosen in their stead, two of them professedly disaffected to the governor and promoters of popular measures, the third, although of great integrity, and for that reason desirous of a fixed currency, yet in his judgment against reducing the paper money, and a favourer of schemes for preventing its depreciation. Many country towns followed the example of Boston, and it appeared that a majority of the house were of the same principles with the town members. After Mr. Belcher's arrival, the house, as we have observed, had passed a vote for depositing 500*l.* sterling in the bank of England, to be used as they or their successors should think proper. This was concurred in council, and consented to by the governor. This money, it was said, could not be better applied, than in soliciting a relaxation of the governor's instruction concerning paper money; and Mr. Kilby, one of the Boston representatives, was chosen agent for the house, and a petition was by him presented from the house to his majesty in council, but it had no effect.

(1739.) A general dread of drawing in all the paper money without a substitution of any other instrument of trade in the place of it, disposed a great part of the province to favour what was called the land bank or manufactory scheme, which was began, or rather revived in this year 1739, and produced such great and lasting mischiefs, that a particular relation of the rise, progress, and overthrow of it, may be of use to discourage and prevent any attempts of the like nature in future ages. By a strange conduct in the general court, they had been issuing bills of credit for eight or ten years annually for charges of government, and being willing to ease each present year, they had put off the redemption of the bills as far as they could; but the governor being restrained by his instruction from going beyond the year 1741, that year was unreasonably loaded with thirty or forty thousand pounds sterling taxes, which according to the general opinion of the people it was impossible to levy, not only on account of the large sum, but because all the bills in the province were but just sufficient to pay it, and there was very little silver or gold, which by an act of government was allowed to be paid for taxes as equivalent to the bills. A scheme was laid before the general court by Mr. Hutchinson, the author of

the History of Massachusetts, then one of the representatives of Boston, in which it was proposed to borrow in England upon interest, and to import into the province a sum in silver, equal to all the bills then extant, and therewith to redeem them from possessors and furnish a currency for the inhabitants, and to repay the silver at distant periods, which would render the burden of taxes tolerable by an equal division on a number of future years, and would prevent the distress of trade by the loss of the only instrument, the bills of credit, without another provided in its place. But this proposal was rejected. One great frailty of human nature, an inability or indisposition to compare a distant though certain inconvenience or distress with a present convenience or delight, is said by some former visitors to that country, to be prevalent in America, so as to make it one of the distinguishing characteristics. Be that as it may, it is certain that at this time a great number of private persons alleging that the preceding general court having suffered the province to be brought into distress, from which it was not in the power of their successors to afford relief, the royal instruction being a bar to any future emissions of bills until all that were then extant should be redeemed, resolved to interpose. Royal instructions were no bar to the proceedings of private persons. The project of a bank in the year 1714 was revived (1740). The projector of that bank now put himself at the head of seven or eight hundred persons, some few of rank and good estate, but generally of low condition among the plebeians and of small estate, and many of them perhaps insolvent. This notable company were to give credit to 150,000*l.* lawful money, to be issued in bills, each person being to mortgage a real estate in proportion to the sums he subscribed and took out, or to give bond with two sureties; but personal security was not to be taken for more than 100*l.* from any one person. Ten directors and a treasurer were to be chosen by the company. Every subscriber or partner was to pay 3 per cent. interest for the sum taken out, and 5 per cent. of the principal; and he that did not pay bills, might pay the produce and manufacture of the province at such rates as the directors from time to time should set, and they should commonly pass in lawful money. The pretence was, that by thus furnishing a medium and instrument of trade, not only the inhabitants in general would be better able to procure the province bills of credit for their taxes, but trade, foreign and inland, would revive and flourish. The fate of the project was thought to depend upon the opinion which the general court should form of it. It was necessary, therefore, to have a house of representatives well disposed. Besides the eight hundred persons subscribers, the needy part of the province in general favoured the scheme. One of their votes will go as far in popular elections, as one of the most opulent. The former are most numerous; and it appeared, that by far the majority of the representatives for 1740 were subscribers to or favourers of the scheme, and they were long after distinguished by the name of the land bank house.

Men of estates, and the principal merchants in the province, abhorred the project, and refused to receive the bills, but great numbers of shopkeepers, who had lived for a long time before upon the fraud of a depreciating currency, and many small traders, gave credit to the bills. The directors, it was said, by a vote of the company, became traders, and issued just what bills they thought proper, without

any fund or security for their ever being redeemed. They purchased every sort of commodity, ever so much a drug, for the sake of pushing off their bills; and, by one means or other, a large sum, perhaps fifty or sixty thousand pounds, was abroad. To lessen the temptation to receive the bills, a company of merchants agreed to issue their notes or bills, redeemable by silver and gold at distant periods, much like the scheme in 1733, and attended with no better effect. The governor exerted himself to blast this fraudulent undertaking, the land bank. Not only such civil and military officers as were directors or partners, but all who received or paid any of the bills, were displaced. The governor negatived the person chosen speaker of the house, being a director of the bank, and afterwards negatived thirteen of the new elected counsellors, who were directors or partners in or reputed favourers of the scheme. But all was insufficient to suppress it. Perhaps the major part, in number, of the inhabitants of the province, openly or secretly, were well wishers to it. One of the directors afterwards acknowledged, that although he entered in the company with a view to the public interest, yet when he found what power and influence they had in all public concerns, he was convinced it was more than belonged to them, more than they could make a good use of, and therefore unwarrantable. Many of the most sensible discreet persons in the province saw a general confusion at hand. The authority of parliament to control all public and private persons and proceedings in the colonies was, in that day, questioned by no body. Application was therefore made to parliament for an act to suppress the company, which, notwithstanding the opposition made by their agent, was very easily obtained, and therein it was declared that the act of the 6th of King George the First, chapter the eighteenth, did, does, and shall extend to the colonies and plantations in America. It was said the act of George the First, when it passed, had no relation to America, but another act, twenty years after, gave it a force even from the passing it, which it never could have had without. This was said to be an instance of the transcendent power of parliament. Although the company was dissolved, yet the act of parliament gave the professors of the bills a right of action against every partner or director for the sums expressed with interest. The company were in amaze. At a general meeting some, it was said, were for running all hazards, although the act subjected them to a præmunire, but the directors had more prudence, and advised them to declare that they considered themselves dissolved, and met only to consult upon some method of redeeming their bills from the possessors, which every man engaged to endeavour in proportion to his interest, and to pay in to the directors, or some of them, to burn or destroy. Had the company issued their bills at the value expressed in the face of them, they would have had no reason to complain of being obliged to redeem them at the same rate, but as this was not the case in general, and many of the possessors of the bills had acquired them for half their value, as expressed, equity could not be done, and, so far as respected the company, perhaps the parliament was not very anxious, the loss they sustained being but a just penalty for their unwarrantable undertaking if it had been properly applied. Had not the parliament interposed, the province would have been in the utmost confusion, and the authority of government entirely in the land bank company.

Whilst Mr. Belcher, by his vigorous opposition to the land bank, was rendering himself obnoxious to one half the people of the province, measures were pursuing in England for his removal from the government. Besides the attempts which we have mentioned from New Hampshire, which had never been laid aside, there had always been a disaffected party in Massachusetts who had been using what interest they had in England against him. Lord Wilmington, president of the council, the speaker of the house of commons, and Sir Charles Wager, first lord of the admiralty, all had a favourable opinion of Mr. Belcher, so had Mr. Holden, who was at the head of the dissenters in England, and all, upon one occasion or another, had appeared for him.

The most unfair and indirect measures were used with each of these persons to render Mr. Belcher obnoxious and odious to them. The first instance was several years before this time. A letter was sent to Sir Charles Wager in the name of five persons, whose hands were counterfeited, with an insinuation that Mr. Belcher encouraged the destruction of the pine trees reserved for masts for the navy, and suffered them to be cut into logs for boards. Calumnies of this kind strike us with more horror than false insinuations in conversation, and perhaps are equally mischievous in their effects. The latter may appear the less criminal because abundantly more common.

An anonymous letter was sent to Mr. Holden, but the contents of it declared that it was the letter of many of the principal ministers of New England who were afraid to publish their names, lest Mr. Belcher should ruin them. The charge against him was a secret undermining the congregational interest, in concert with Commissary Price and Doctor Cutler, whilst at the same time he pretended to Mr. Holden and the other dissenters in England to have it much at heart. To remove suspicion of fraud the letter was superscribed in writing, either in imitation of Doctor Colman's hand, a correspondent of Mr. Holden, or, which is more probable, a cover of one of his genuine letters had been taken off by a person of not an unblemished character, to whose care it was committed, and made use of to inclose the spurious one. Truth and right are more frequently, in a high degree, violated in political contests and animosities than upon any other occasion. It was well known that nothing would more readily induce a person of so great virtue as the speaker to give up Mr. Belcher than an instance of corruption and bribery. The New Hampshire agents therefore furnished him with the votes of the Massachusetts assembly, containing the grant of 800*l*. and evidence of the adjournment of New Hampshire assembly, alledged to be done in consequence, nor was he undeceived until it was too late.

Mr. Wilks, the Massachusetts agent, who was in great esteem with Lord Wilmington, and was really a person of a fair upright mind, had prevented any impressions to Mr. Belcher's prejudice, but it unfortunately happened that the land bank company employed Richard Partridge, brother by marriage to Mr. Belcher, as their agent. He had been many years agent for his brother, which fact was well known to his lordship, but, from an expectation of obtaining the sole agency of the province by the interest of the prevailing party there, engaged zealously in opposing the petitions to the house of commons, and gave out bills at the door of the house. It was said that all Mr. Belcher's opposition to the scheme, in the province, was mere pretence; had

he been in earnest, his agent in England would never venture to appear in support of it, and this was improved with Lord Wilmington to induce him to give up Mr. Belcher, and it succeeded. Still the removal was delayed one week after another, two gentlemen from the Massachusetts continually soliciting. At length, it being known that Lord Euston's election for Coventry was dubious, one of these gentlemen undertook to the Duke of Grafton to secure the election, provided Mr. Belcher might immediately be removed, and, to accomplish his design, he represented to Mr. Maltby, a large dealer in Coventry stuffs, and a zealous dissenter, that Mr. Belcher was, with the episcopal clergy, conspiring the ruin of the congregational interest in New England, and unless he was immediately removed it would be irrecoverably lost; that the Duke of Grafton had promised, if Lord Euston's election could be secured, it should be done; that letters to his friends in Coventry would infallibly secure it, that he could not better employ his interest than in the cause of God and of religion. Maltby swallowed the bait, used all his interest for Lord Euston, the two gentlemen spent three weeks at Coventry, and having succeeded, agreeable to the duke's promise, Mr. Belcher was removed a day or two after their return. This account was given by Mr. Maltby himself, who lamented that he had suffered himself to be so easily imposed on.

A few weeks longer delay would have baffled all the schemes. The news arrived of his negating thirteen counsellors, and displacing a great number of officers concerned in the land bank, and his zeal and fortitude were highly applauded when it was too late. Certainly, in public employments, no man ought to be condemned from the reports and accusations of a party, without a sufficient opportunity given him to exculpate himself, a plantation governor especially, who, be he without guile, or a consummate politician, will infallibly have a greater or lesser number disaffected to him.

Mr. Shirley, successor to Mr. Belcher, was a gentleman of Sussex, bred in the law and had been in office in the city, but having prospect of a numerous offspring, was advised to remove to Boston in the Massachusetts, where he had resided six or eight years and acquired a general esteem, and if there must be a change it was said to be as acceptable to have it in his favour as any person whatsoever. His lady was then in London, and had obtained the promise of the collector's place for the port of Boston and would have preferred it to the government, but a strong interest being made for Mr. Frankland, since Sir Henry Frankland, there was no way of providing for both, except by giving the government to Mr. Shirley.

The news came to Boston the first week in July. Mr. Shirley was, at Providence in Rhode Island government, counsel for the Massachusetts before a court of commissioners appointed to settle the line between the two governments. As the records of that time were burnt, we cannot give so particular an account of the proceeding of those commissioners as otherwise might have been. It is certain that for many years past, the only part in controversy between the two governments, was a small gore of land between Attleborough in the Massachusetts and the old township of Providence. A great part of the Massachusetts assembly wished it might be ceded to Rhode Island, but a few tenacious men, who do not always regard consequences, influenced a majority against it. Besides a settlement made by commis-

sioners in 1664 or 65, another settlement had been made, or the old one confirmed in 1708; but Rhode Island, encouraged by the ill success of the Massachusetts in the controversy with New Hampshire, applied to his majesty to appoint commissioners to settle the line between the two governments. The consent or submission of the Massachusetts to such appointment was not thought necessary, and if they would not appear, the commissioners were to proceed *ex parte*. The Massachusetts assembly thought proper to appear by their committee, having no apprehensions the controversy would turn, in the judgment of the commissioners, upon a point never before relied upon, viz., that the colony of New Plymouth having no charter from the crown, Rhode Island charter must be the sole rule of determining the boundary, although the patent from the council of Plymouth to Bradford and associates was prior to it. The colony of New Plymouth was a government *de facto*, and considered by King Charles as such in his letters and orders to them before and after the grant of Rhode Island charter, and when the incorporation was made of New Plymouth with Massachusetts, &c., the natural and legal construction of the province charter seems to be, that it should have relation to the time when the several governments incorporated respectively, in fact, became governments. A gentleman of the council of New York had great influence at the board of commissioners. The argument which had been made use of in former controversies, that Massachusetts was too extensive, and the other governments they were contending with, of which New York was one, were too contracted, was now revived. To the surprise of Massachusetts, a line was determined which not only took from them the gore formerly in dispute, but the towns of Bristol, Tiverton, and Little Compton, and great part of Swansey, and Barrington. All this country was conquered by Massachusetts and Plymouth from Philip, and to prevent dispute, was expressly granted to Plymouth by Charles the Second. An appeal was claimed and allowed to his majesty in council, where, after lying four or five years, the decree of the court of commissioners was confirmed. In the prosecution and defence of this title, it has been said, that some material evidence was never produced which would have supported the Massachusetts claim.

(1741.) Mr. Shirley found the affairs of the province in a perplexed state. The treasury was shut and could not be opened without some deviation from the royal instructions, the bills of credit were reduced and nothing substituted as a currency in their stead; the land bank party carried every point in the house, there seemed to be a necessity of securing them; the great art was to bring them over to his measures, and yet not give in to their measures so as to lose his interest with the rest of the province, and with the ministry in England. Some of the principal of them, who knew their own importance, were willing to have some assurance of favour from him, at the same time they engaged to do every thing to serve him. The first step on their part, was the advancement of the governor's salary to the full value of one thousand pounds sterling per annum. This had been most unjustifiably evaded all the latter part of Mr. Belcher's administration, by granting a sum in bills of credit without a due regard to their depreciation. Mr. Kilby, who had been very active for Mr. Shirley's interest, and against Mr. Belcher, in England, was chosen agent for the province in England; and Mr. Wilks, who

had been agent the whole of the last administration, was laid aside. Mr. Auchmuty, who had been one of the land bank directors, was joined with Mr. Kilby in the affair of the Rhode Island line. A grant of about 200*l.* sterling was made to John Sharpe, Esq., for his account of charge in defending Mr. Belcher against New Hampshire's complaint to the king in council. This had been repeatedly refused in Mr. Belcher's time, which gave great offence to Mr. Sharpe. It was thought extraordinary that Mr. Shirley should make it a point with the land bankers that this debt for his predecessor should be paid, but to take Mr. Sharpe off from Mr. Belcher and engage him for Mr. Shirley, the friends and solicitors for the latter in England had engaged, that if he was appointed governor Mr. Sharpe's account should be paid.

But the grand affair to settle was that of the bills of credit. The instruction was express not to consent to any act which should continue the bills beyond the time fixed for their being brought in. If this was complied with, a tax must have been made for the whole sum extant in that year 1741. This it was said would be a burden that the people would never bear. Mr. Shirley was sensible that the intent of his instruction was the prevention of a depreciating currency. No matter how large a sum in bills was current if their value could be secured. If the spirit of the instruction could be preserved, an exact conformity to the letter would not be required. Every scheme for fixing the value of the bills had failed. A new project was reported by a committee of the house, and accepted, and afterwards concurred by the council, and consented to by the governor. This was a scheme to establish an ideal measure in all trade and dealings, let the instrument be what it would. The act which passed the court declared that all contracts should be understood payable in silver at 6*s.* 8*d.* the ounce, or gold in proportion. Bills of a new form were issued, 20*s.* of which expressed in the face of the bill three ounces of silver, and they were to be received accordingly in all public and private payments, with this saving that, if they should depreciate in their value, an addition should be made to all debts, as much as the depreciation from the time of contract to the time of payment. How to ascertain the depreciation from time to time was the great difficulty in framing the act. To leave it to a common jury would never do. There was some doubt whether a house of representatives would be wholly unbiassed. At length it was agreed that the eldest council, in each county, should meet once a year and ascertain the depreciation. This is said to have been the scheme of Col. Stoddard, of Northampton, a gentleman of good sense and great virtue, who probably saw the defects, but hoped to substitute a lesser evil in the place of a greater.

This at best must have been a very partial cure. It did not prevent the loss from the depreciation of the bills in those persons' hands through which they were continually passing. All debts, which were contracted and paid between the periods when the value of the bills were fixed annually, could not be affected by such fixing; and unless in debts of long standing, which the debtor could not pay without an action at law, demand was not ordinarily made for depreciation; and what rendered it of little effect in all other cases, the counsellors appointed to estimate the depreciation, never had firmness enough in any instance to make the full allowance; but when silver and exchange had rose 20 per cent or more, an

addition was made of four or five only. The popular cry was against it; and one year when Nathaniel Hubbard, Esq., the eldest counsellor for the county of Bristol, a gentleman of amiable character, and who filled the several posts he sustained with applause, endeavoured to approach nearer to a just allowance than had been made in former years, he felt the resentment of the house, who left him out of the council the next election. In short, the act neither prevented the depreciation of the bills, nor afforded relief in case of it, and was of no other service than to serve as a warning, when an act passed for the establishing a fixed currency a few years after, to leave nothing to be done by any person or bodies of men, or even future legislatures, to give the act its designed effect, but in the act itself to make full provision for its execution in every part.

Even this act, which, with its fair appearance, justified Mr. Shirley in departing from his instruction, and afforded a supply of the treasury for the payment of debts and future support of government, could not have been obtained, if he had not prevailed with the land bank party, contrary to the inclinations of many of them, to join in promoting it.

He made them return, by consenting to any new elections that were made of any of them into the council, by restoring now and then one and another to the posts they had been deprived of; which, though it was done by degrees, caused many who condemned the land bank and all who were concerned in it, to be very free in their censures upon it.

But the great favour they expected, was relief from the severity of the act of parliament. This was to be touched with great tenderness and delicacy. Every person concerned was liable to the demands of the possessors of the bills. If large demands should be made upon any particular persons, it seemed but just that the rest should contribute their proportion; but no demand was given by the act to one partner against another in such case. A bill was therefore prepared, with a professed design to carry the act of parliament equitably into execution. Three commissioners were appointed by the bill, with power to tax all who had been concerned in the scheme in proportion to their interest in it, and with the monies thus raised to redeem the company's bills from the possessors; and after the redemption of the bills, to make an equitable adjustment between the members and the company. Great care was taken to avoid all opposition to the act of parliament; Mr. Shirley, however, did not think proper to sign the bill until he had sent a copy of it to England, and received directions concerning it. After it had passed both houses, to oblige the principal bankers, he continued the session of the court by long repeated adjournments many months, and before the expiration of the year gave his consent to the bill. Having thus secured a considerable party in the government, without losing those who had been in opposition to them, he rendered his administration easy, and generally obtained from the assembly such matters as he recommended to them.

From the Spanish war in 1740, a French war was expected every year to follow. Castle William, the key of the province, was not only effectually repaired, but a new battery of twenty 42-pounders, which takes the name of Shirley battery, was added to the works, with a larger magazine than any before, and a large supply of powder, all at the expense of the province. The cannon, mortars, shot, and other stores, were the bounty of the crown. The forts upon the frontiers were also put into good

order, and upon a representation from Mr. Mascarene, commander in chief at Annapolis, in Nova Scotia, of the defenceless state of that province and the danger they were in from the enemy, Mr. Shirley, in 1744, prevailed upon the Massachusetts assembly to vote, pay, &c. for 200 men which were sent there, and who were the probable means of saving that country from falling into the enemy's hands.

(1744.) But the great event in this administration was the siege and reduction of Louisburgh. Canso had been surprised and taken by 900 men under Duvivier from Louisburgh, before the war with France was known at Boston. With another party, Duvivier made an attempt the same summer upon Annapolis, but was disappointed. Many of our vessels had been taken by the French men-of-war and privateers, and carried into Louisburgh. The fishermen had no intention to go upon their voyages the next summer, and every branch of trade, it was supposed, must be carried on by vessels under convoy. It was the general voice, in the fall of the year, that Louisburgh must be taken, but nobody supposed that the united force of the colonies could take it; application must be made to his majesty for sea and land forces sufficient for the purpose. As winter approached, it began to be suggested that it was not improbable the place might be surprised or taken by a *coup de main*, the inhabitants and garrison being shut up within the walls. Some of the garrison of Canso, who had been prisoners, and who professed to be well acquainted with the fortifications and garrison at Louisburgh, favoured this opinion; and declared, that in winter the snow often lay in drifts or banks against a particular part of the wall, where there were no embrasures nor any cannon mounted; that the crust would bear a man's weight; and, in that part at least, the walls might be scaled, and perhaps by the help of ladders it would not be difficult in other parts; that the grand battery, intended for defence in case of an attack by sea, would not be capable of long resisting if attacked by land. Mr. Vaughan, who had been a trader at Louisburgh, was very sanguine also that the place might be taken by surprise; and it was generally agreed, that if they should be mistaken, yet it would not be possible for the enemy, who were scant of provisions, to stand a siege until the time the supplies usually arrive to them from France; and to prevent any chance vessels from entering, a sufficient naval force might be provided to cruise before the harbour. Whilst this was the conversation abroad, Mr. Shirley was diligently enquiring of those persons who had been traders, and of others who had been prisoners there, into the condition of the place, the usual time for the arrival of supplies from Europe, the practicability of cruising off the harbour, &c. He had before wrote to the ministry, and represented the necessity of a naval force early in the spring for the preservation of Annapolis. If this should arrive, he might be able to prevail with the commander to cover our forces with it. Commodore Warren was with several ships at the Leeward islands; it was possible, when he was acquainted with the expedition, he would come with or send part of his force to strengthen it. These were the only chances for a naval strength sufficient to cope with a single capital French ship that might be bound to Louisburgh in the spring. The ministry, indeed, would by express be immediately acquainted with the expedition, if engaged in; but Europe was at too great a distance to expect timely aid from thence. The plan of the expedition was, a land

force of 4000 men in small transports to proceed to Canso, and the first favourable opportunity to land at Chapeaurouge bay, with cannon, mortars, ammunition and warlike stores, and all other necessities for carrying on a siege; and, to prevent a supply of provision and stores to the enemy, several vessels were to cruise off the harbour of Louisburgh, as soon as the season of the year would permit. An estimate was made of all the naval force which could be procured in this and the neighbouring colonies, the largest vessel not exceeding 20 guns. With this land and sea force, it was said there was good chance for success; and if the men-of-war should arrive, which there was good reason to hope for, there was all imaginable grounds to depend upon the reduction of the place.

(1755.) The general court being sitting the beginning of January, the governor sent a message to the two houses, to let them know he had something to communicate to them of very great importance, but of such a nature that the publishing it might wholly defeat the design, he therefore desired they would lay themselves under an oath of secrecy for such time as each house should think proper. This they did, although it was the first instance in the house of representatives, without any scruple, and then he communicated to them his proposed plan of the expedition. Many of the members, who had heard little or nothing of the conversation upon the subject, were struck with amazement at the proposal. The undertaking was thought to be vastly too great, if there was a rational prospect of success. However, in deference to the recommendation of the governor, a committee of the two houses was appointed to consider the proposal. Here, the proposal was for several days deliberated and it was argued, "if Louisburgh be left in the hands of the French, it would prove the Dunkirk of New England; their trade had always been inconsiderable their fishery was upon the decline, and for several years past they had bought fish of the English at Canso cheaper than they could catch and cure it themselves; both trade and fishery they might well lay aside, and, by privateering, enrich themselves with the spoils of New England; and, to all these dangers, was added that of losing Nova Scotia, which would cause an increase of six or eight thousand enemies in an instant. The garrison of Louisburgh was disaffected, provisions were scant, the works mouldering and decayed, the governor an old man, unskilled in the art of war; this therefore was the only time for success, another year the place would be impregnable. We had nothing to fear from the forces at Louisburgh, before additional strength could arrive from France they would be forced to surrender. We had, it must be owned, no ships of strength sufficient to match the French men of war, unless, perhaps, a single ship should fall in by herself, and in that case five or six of ours might be a match for her; but there was no probability of men of war so early, and it was very probable English men of war from Europe, or the West Indies, would arrive before them. There was always uncertainty in war, a risk must be run, if we failed we should be able to grapple with the disappointment, although we should bear the whole expense, but if we succeeded, not only the coasts of New England would be free from molestation, but so glorious an acquisition would be of the greatest importance to Great Britain, and might give peace to Europe, and we might depend upon a reimbursement of the whole charge we had been at."

On the other hand it was replied, "that we had better suffer in our trade, than by so expensive a measure deprive ourselves of all means of carrying on any future trade; that we are capable of annoying them in their fishery as much as they could annoy us in ours; and, in a short time, both sides would be willing to leave the fishery unmolested; that the accounts given of the works and the garrison at Louisburgh could not be depended upon, and it was not credible that any part of the walls should be unguarded and exposed to surprise; that instances of disaffection rising to mutiny were rare, and but few instances were to be met with in history, where such expectation has not failed. The garrison at Louisburgh consisted of regular experienced troops who, though unequal in number, would be more than a match in open field for all the raw unexperienced militia which could be sent from New England; that twenty cruizers at that season of the year would not prevent supplies going into the harbour, it being impossible to keep any station for any length of time, and the weather being frequently so thick, that a vessel was not to be discovered at a quarter of a mile's distance; that there was no room to expect any men of war for the cover of our troops, that if only one sixty gun ship should arrive from France, or the French Islands, she would be more than a match for all the armed vessels we could provide, our transports at Chapeaurouge bay would be every one destroyed, and the army upon Cape Breton obliged to submit to the mercy of the French; that we should be condemned in England for engaging in such an affair without their direct approbation, and we should be no where pitied, our misfortunes proceeding from our own rash and wild measures." To these arguments were added the uncertainty of raising a sufficient number of men, or of being able to procure provisions, warlike stores, and transports, discouragement from the season of the year when, frequently, for many days together no business could be done out of doors. Money indeed could be furnished, or bills of credit in lieu of it, but the infallible consequence would be the sinking the value of the whole currency, to what degree no man could determine, but, probably, in proportion to the sum issued; and finally, if it should succeed, a general national benefit would be the consequence, in which the benefits of success would be far short of the vast expense of treasure, and perhaps of lives, in obtaining it, and if it failed, such a shock would be given to the province, that half a century would not recover the colony. After mature deliberation, a majority of the committee disapproved the proposal, and their report was accepted, and, for a few days, all thoughts of the expedition with the members of the court were laid aside. In the mean time the governor, who wished the proposal had been agreed to, but did not think it proper to press it any farther by message, or by privately urging the members, either directed or encouraged the carrying about a petition, which was signed by many of the merchants in the town of Boston, but principally by those of Salem and Marblehead, directed to the house of representatives, or to the two houses, praying, for reasons set forth, among others the saving the fishery from ruin, they would reconsider their vote, and agree to the governor's proposal of an expedition against Louisburgh. A second committee, appointed upon this petition, reported in favour of it, and, the 26th of January, their report came before the house, who spent the day in debating it, and, at night, a vote was carried in favour

of it by a majority of one voice only. Never was any affair deliberated upon with greater calmness and moderation, the governor indeed laid the affair before the court, but left the members free to act their judgment without any solicitation, and there appeared no other division than what was caused by a real difference in opinion, as to the true interest of the province.

The point once settled, there was immediately a union of both parties in the necessary measures for carrying the design into execution, those who had opposed it before being employed upon committees, and exerting themselves with zeal equal to that of the principal promoters. An embargo was laid upon every harbour in the province, and messengers were immediately dispatched to the several governments, as far as Pennsylvania, to entreat an embargo on their ports, and that they would join in the expedition. All excused themselves from any share in the adventure, except Connecticut, who agreed to raise 500 men, New Hampshire 300, and Rhode Island 300. Connecticut and Rhode Island also consented their colony sloops should be employed as cruizers. A small privateer sloop, about 200 tons, a snow of less burden, belonging to Newport, were hired there by the Massachusetts, a new snow, Captain Rouse, a ship, Captain Snelling, were taken into the service at Boston, which, with a snow, Captain Smethurst, and a brig, Captain Fletcher, three sloops, Captains Sanders, Donahew, and Bosch, and a ship of twenty guns, purchased on the stocks, Captain Tyng the commodore, made the whole naval force.

From the day the vote passed until the place was reduced, a series of favourable incidents contributed to success. They will be obvious enough in the course of the narrative, and will not require being specially remarked. The time for preparing was short. The winter proved so favourable that all sorts of out-door business was carried on as well, and with as great dispatch as at any other season of the year. In the appointment of a general officer, one qualification was considered as essential, that he should be acceptable to the body of the people, the inlistment depended upon this circumstance. It was not easy to find a person, thus qualified, willing to accept the trust: Col. Pepperell, having the offer from the governor, was rather pressed into the service than voluntarily engaged. Besides a very great landed interest, he was largely concerned in mercantile affairs, which must necessarily suffer by his absence, and this being generally known had no small influence, from the example, with inferior officers and even private soldiers, to quit their lesser affairs for a season for the service of their country. Many of the private soldiers were freeholders, and many more sons of wealthy farmers, who could have no other views in consenting to the inlistment of their children than the public interest.

Mr. Shirley had set his heart so much upon the expedition, that many points were conceded by him which he would not have given up at any other time, and the people of the province submitted to compulsory measures from the government, which, at another time, would have been grievous and not very patiently borne. Such officers were nominated by the governor as the people proposed or called for, because they were most likely to inlist men. Instead of a commissary general, an officer appointed by the governor, a committee of war was chosen by the two houses out of their own members. Nothing further was heard of the royal instruction against

bills of credit. Such sums as the service called for and to be redeemed at such periods as the house thought proper, were consented to by the governor. It soon appeared that these sums would vastly exceed what had been computed, and many declared that had a right estimate been made, they should never have voted for the expedition, but it was now too late to go back. It was found also, that transports and vessels of war could not be engaged unless the government would become insurers, which although it occasioned no additional expense at first, yet, in case of ill success, would greatly increase the public debt and distress. The committee of war were likewise convinced that a sufficiency of provisions, clothing, and warlike stores could not be procured within the province. Whosoever was possessed of any of these articles, by an act or order of government, his property was subjected to the committee, who set such price as they judged equitable; and upon refusal to deliver, entered warehouses, cellars, &c., by a warrant for that purpose to the sheriff, and took possession. In the course of the preparation many vessels unexpectedly arrived with more or less of each of these articles, and after all, the army was poorly enough provided. Ten cannon, eighteen pounders, were obtained upon loan, not without difficulty, from New York, otherwise Mr. Shirley himself seemed to doubt whether they could proceed. Some dependance was placed upon cannon from the grand battery, but this was too manifest a disposal of the skin before the bear was caught. By force of a general exertion in all orders of men, the armament was ready, and the general, on board the Shirley snow, Captain Rouse, with the transports under her convoy, sailed from Nantasket the 24th of March, and arrived at Canso the 4th of April. The Massachusetts land forces consisted of 3,250 men, exclusive of commission officers. The Hampshire forces, 304, including officers, arrived four days before. Connecticut, being 516, officers inclusive, did not arrive until the 25th. The deputy governor of the colony, Roger Walcott, had the command, and was the second officer in the army. Rhode Island waited until a better judgment could be made of the event, their 300 not arriving until after the place had surrendered. The 23d of March, an express boat sent to Commodore Warren in the West Indies, returned to Boston. As this was a provincial expedition, without orders from England, and as his small squadron had been weakened by the loss of the Weymouth, Mr. Warren excused himself from any concern in the affair. This answer must necessarily strike a damp into the governor, as well as the general, and Brigadier Waldo then next in command, who were the only persons in the army made privy to it before the fleet sailed. Several of the cruising vessels had sailed the middle of March, but they could be no protection to the army against two capital ships; if they intercepted small vessels it was the most that was expected. A blockhouse with eight cannon was built at Canso. Whether some good reason would not have been given for proceeding no further than Canso, if there had been a disappointment in the expected junction of men of war from the several quarters to which notice of the expedition had been sent, may well enough be made a question. Mr. Shirley hoped, if the reduction of Louisburgh was not effected, at least Canso would be regained, Nova Scotia preserved, the French fishery broke up, and the New England and Newfoundland fisheries restored. But on the 23d of April, to the great joy of the army, arrived at

Canso, the Eltham of forty guns, from New England, by order from Mr. Warren, and on the 23d the commodore himself, in the Superb of sixty guns, with the Launceston and Mermaid of forty each, arrived also. This gave great spirits to all who had the success of the expedition at heart, for although this was not a naval force to enter the harbour or annoy the forts, yet it was a cover to the army and equal to any expected force from France. It seems that, in two or three days after the express sailed from the West Indies for Boston, the Hind sloop brought orders to Mr. Warren, to repair to Boston with what ships could be spared, and to concert measures with Mr. Shirley for his majesty's general service in North America. Upon the passage to Boston, the commodore received intelligence that the fleet had sailed for Canso, and meeting with a schooner at sea he sent her to Boston, to acquaint Mr. Shirley that he would proceed to Canso, and, at the same time, sent orders to any ships which might be in these seas to join him. The Eltham was actually under sail with the mast fleet, when an express sent from Boston with the commodore's orders arrived at Portsmouth in New Hampshire, but being followed and overtaken by a boat, the captain ordered his convoy into port again and sailed for Canso. After a short consultation with the general, the men of war sailed to cruise before Louisburgh. The cruisers before this, had intercepted several small vessels bound in there with West India goods and provisions, and had engaged the Renommee, a French ship of thirty-six guns sent from France with dispatches, and who kept a running fight with our vessels for some time, being able with ease to outvail them, and after two or three attempts to enter the harbour, went back to France, to give an account of what had been met with. She fell in with the Connecticut troops, under convoy of their own and the Rhode Island colony sloops, both which she had strength enough to have carried, but after some damage to the Rhode Island sloop, she went her way. The forces landed at Chapeaurouge bay the 30th of April. The transports were discovered early in the morning from the town, which was the first knowledge of any design against them. The cruisers had been seen every fair day before the harbour, but these were supposed to be privateers in search after their trading and fishing vessels. The night before, it is said, there was a grand ball at the fort, and the company had scarce been asleep, when they were called up by an alarm. Bouladrie, a French officer, was sent with 150 men to oppose the landing, but the general making a feint of landing at one place, drew the detachment there, and this opportunity was taken for landing 100 men at another place without opposition, although they were soon after attacked by the detachment, six of which were killed on the spot, and about as many more with Bouladrie their leader, were taken prisoners, the rest fled to the town, or they would soon have fallen into the hands of the men, who were landing fast one upon the back of another.

The next morning after they landed, 400 men marched round to the north-east harbour, behind the hills, setting fire to all the houses and store-houses, until they came within a mile of the grand battery. Some of the store-houses having in them pitch, tar, and other combustibles, caused such a thick smoke, that the garrison were unable to discover an enemy, though but a few rods distant; and, expecting the body of the army upon them, they deserted the fort, having thrown their powder into a well, but leaving

the cannon and shot for the service of the English. A small party, of less than twenty English, first came up to the battery, and discovering no signs of men suspected a plot, and were afraid to enter; at length, it is said, a Cape Cod Indian went in alone and discovered the state of it to the rest of the party, just as some of the French were relanding in order to regain the possession of it.

The army found they had near two miles to transport their cannon, mortars, shot, &c. through a morass. This must be done by meer dint of labour. Such of the men who had been used to drawing pine trees for masts, and those who had the hardiest and strongest bodies, were employed in this service. Horses and oxen would have been buried in mud, and were of no use. Brigadier Waldo had the command of the grand battery. The French kept firing upon the battery from the town as well as from the island battery, but to little purpose, the town being near 2000 yards distant, and the island about 1600. A constant fire was kept from the grand battery upon the town with the 42-pounders. This greatly damaged the houses, but caused so great an expense of powder, that it was thought advisable to stop and reserve it for the fascine batteries. Five of these were erected, the last the 20th of May, called Tidcomb's battery, with five 42-pounders, which did as great execution as any. The men knew nothing of regular approaches, they took the advantage of the night, and when they heard Mr. Bastide's proposals for zig-zags and epaulements, they made merry with the terms and went on, void of art, in their own natural way. Captain Pierce, a brave officer, standing at one of these batteries, had his bowels shot away by a cannon ball, and lived just long enough to say, "Its hard to die."

Whilst our people were thus busy ashore, the men-of-war and other vessels were cruising off the harbour whenever the weather would permit; and, the 18th of May, the *Vigilant*, a French man-of-war of 64 guns, having 560 men on board, and stores of all sorts for the garrison, was met by the *Mermaid*, whom she attacked; but Captain Douglass, the commander, being of unequal force, suffered himself to be chased by her until he drew her under the command of the commodore and the other ships cruising with him, to whom, or as some say, to the *Mermaid*, she struck, because she had first met with her. This capture gave great joy to the army, not so much for the addition made to the naval force, as for the disappointment to the enemy. A proposal had been made a few days before, that the men-of-war should anchor in Chapeaurouge bay, and that the marines and as many sailors as could be spared, should land and join the army. The *Vigilant* would then have got in, and the siege would have been given over. Affairs were now in such a state, that the anxiety at Boston was much lessened. It was hoped the army might retreat with safety whenever it should be determined to give over the siege; for Bouldrie, who belonged to the town of Louisburgh, and the Marquis de la Maissonforte, commander of the *Vigilant*, who was well acquainted with the state of the place, when they came to Boston were sanguine that it would hold out; but soon after was received the news of a fruitless and perhaps a rash attempt upon the island battery of 400 men, 60 of whom were killed, and 116 taken prisoners. The Cæsar, Snelling, one of the ships in the provincial service, arrived at Boston with letters from the general, and an application for more men and a further supply of powder. The Massachusetts agreed, and

actually did raise 400 men, and sent all the powder that could be purchased, and Connecticut raised 200 men, but there were neither men nor powder arrived when the siege was finished.

The *Princess Mary* of 60, and the *Hector* of 40 guns, unexpectedly had arrived at Boston from England, and were immediately sent to join the commodore, pursuant to his general orders, and arrived before Louisburgh the 22d of May. This increase of naval force occasioned conjectures, some being of opinion, that rather than the siege should be raised, the ships would attempt to go in; but it was generally supposed the hazard would be too great. It was commonly reported that Colonel More, of the New Hampshire regiment, offered to go on board the *Vigilant* with his whole regiment and to lead the van, if, in case of success, he might be confirmed in the command of the ship. He had been an experienced sea captain, and had a very good character. It is certain, an attempt with the ships was not then thought advisable. A new battery about this time was erected upon the light-house point, which being well attended by Lieut.-Colonel Gridley of the artillery, did great execution upon the island battery, silenced many of the guns, and it was expected it would not be long tenable. Soon after, June 10th, arrived before Louisburgh, the *Chester*, a 50 gun ship, in consequence of the dispatches from Mr. Shirley, with an account of the expedition. The *Canterbury* and *Sunderland*, two 60 gun ships, sailed with her and arrived the 12th. Here was now a fleet of eleven ships, and it is said to have been determined the ships should make an attack by sea the 18th, while the army did the same by land. It was not certain that when the day should come, some sufficient reason would not have been found for a further delay. Those who give the most favourable accounts of the siege say, "the west gate was entirely beat down, the wall adjoining very much battered, and a breach made ten feet from the bottom; the circular battery of 16 cannon, and the principal one against ships almost ruined; the north-east battery of 17 cannon damaged and the men drove from the guns, and the west flank of the king's bastion almost demolished." Others say "the west gate was defaced, and the adjoining curtain, with the flank of the king's bastion were much hurt, but no practicable breach." Whether a general storm was really intended upon the 18th or not, it seems the French expected it from the preparations on board the men-of-war, and did not incline to stand it; and on the 15th sent a flag of truce to the general, desiring a cessation, that they might consider of articles to be proposed for a capitulation. Time was allowed for this purpose until the next morning, when such articles were offered as were rejected by the general and commodore, and others offered to the enemy in their stead, which they accepted of, and hostages were exchanged; and the next day, the 17th, the city was delivered up.

Many of the men had taken colds and many fallen into dysenteries, so that 1500 were taken off from duty at one time; but the weather proving remarkably fine during the forty-nine days siege, they generally recovered. The day after the surrender the rains began, and continued ten days incessantly, which must have been fatal to many, they having nothing better than the wet ground to lodge on, and their tents, in general, being insufficient to secure them against a single shower, but in the city they found barracks to shelter them. Captain Bennet, in a schooner, was sent immediately to Boston, and ar

rived with the great news the 3d of July, about one in the morning. The bells of the town were ringing by break of day, and the day and night following were spent in rejoicing. The news flew through the continent. The colonies which declined any share in the expense and hazard, were sensible they were greatly interested in the success. It was allowed every where, that if there had been no signal proof of bravery and courage in time of action, there having been only one sally from the town and a few skirmishes with French and Indians from the woods, in all which the Massachusetts behaved well; yet here was the strongest evidence of a generous noble public spirit, which first induced the undertaking, and of steadiness and firmness of mind in the prosecution of it, the labour, fatigue, and other hardships of the siege, being without parallel in all preceding American affairs. A shade was thrown over the imprudence at first charged upon the New Englanders. Considerate persons among themselves could not, however, avoid gratefully admiring the favour of divine providence in so great a number of remarkable incidents which contributed to this success. The best use to be made by posterity seems to be, not to depend upon special interpositions of providence because their ancestors have experienced them; but to avoid the like imminent dangers, and to weigh the probability and improbability of succeeding in the ordinary course of events.

The commodore was willing to carry away a full share of the glory of this action. It was made a question whether the keys of the town should be delivered to him or to the general, and whether the sea or land forces should first enter. The officers of the army say they prevailed. The marines took possession of one or more of the batteries, and sometimes the commodore took the keys of the city gates. The command however until orders should arrive from England was to be joint, and a dispute about precedence to be avoided as much as could be. The commodore dispatched Mr. Montague in the *Mermaid* to England with intelligence, and the general, the day after, sent the *Shirley* Galley, Captain Rouse. The *Mermaid* arrived first.

It was very happy that disputes arose to no height between sea and land forces during the siege. This has often proved fatal. This expedition having been begun and carried on under a commission from a provincial governor seems to be distinguished from ordinary cases, and to leave less room for dispute. Whether the land or sea force had the greatest share in the acquisition may be judged from the relation of facts. Neither would have succeeded alone. The army, with infinite labour and fatigue to themselves, harassed and distressed the enemy, and, with perseverance, a few weeks or days longer must have compelled a surrender. It is very doubtful whether the ships could have lain long enough before the walls to have carried the place by storm, or whether, notwithstanding the appearance of a design to do it, they would have thought it advisable to attempt it; it is certain they prevented the arrival of the *Vigilant*, took away all hopes of further supply and succour, and it is very probable the fears of a storm might accelerate the capitulation. The loss by the enemy and sickness did not exceed 101 men. The loss of the *Snow*, *Prince of Orange*, belonging to the province, and supposed to be overset, was a heavy blow upon the town of *Marblehead*, the captain and most of the crew belonging to that town, and it is a rare thing for a *Marblehead* man to die without leaving a widow and a number of children surviving.

As it was a time of year to expect French vessels from all parts to *Louisburgh*, the French flag was kept flying to decoy them in. Two *East India* and one *South sea* ship, supposed to be all together of the value of 600,000*l.* sterling, were taken by the squadron at the mouth of the harbour, into which they would undoubtedly have entered. The army, at first, supposed they had acquired a right to the island of *Cape Breton* and its dependencies, and, until they were undeceived by Mr. *Shirley*, were for dividing the territory among the officers and men. With greater colour they might have claimed a share with the men of war in these rich prizes. Some of the officers expected a claim would have been laid in, but means were found to divert it, nor was any part decreed to the vessels of war in the province service, except a small sum to the brig *Boston* packet, Captain *Fletcher*, who being chased by the south sea ship, led her directly under the command of the guns of one of the men of war. It seemed to be conceded that, as this acquisition was made under the commission of the governor of Massachusetts bay, the exercise of government there appertained to him, until his majesty's pleasure should be known. We know of no precedent in the colonies, except that of the conquest of *Nova Scotia* in 1690. It was necessary then to admit this principle, the acquisition could not otherwise have been retained. Mr. *Shirley* made a voyage to *Louisburgh*, took the government upon him, prevailed upon a great part of the army to consent to remain in garrison over the winter, or until regiments, which were expected, arrived, engaged that their pay should be increased, and clothing provided, and settled other matters to general satisfaction. *Pennsylvania* contributed 4000*l.*, *New York*, 3000*l.*, and *New Jersey*, 2000*l.*, some in money, others in provisions, for support of the troops.

Duivier had been sent to France the winter of 1744, to solicit a force not to defend *Cape Breton*, but to conquer *Nova Scotia*, and accordingly sailed the beginning of July with seven ships of war for that purpose, who were to stop at *Louisburgh*. This fleet took a prize bound from *Boston* to *London*, on board of which was *lieut.-governor Clark* of *New York*, and by this means they were informed of the conquest of *Louisburgh*, and the strong squadron there, otherwise some or all of them would also have probably fallen into the hands of the English. Upon this intelligence they went back to France. Thus *Nova Scotia* no doubt was saved by the Massachusetts expedition. There would not have been men of war sufficient to match this squadron.

(1746.) The reduction of *Louisburgh* by a British colony must have been a surprize to Great Britain and to France. It caused very grand plans of American measures for the next year with both powers. Great Britain had in view the reduction of *Canada*, and the extirpation of the French from the northern continent. France intended the recovery of *Louisburgh*, the conquest of *Nova Scotia*, and the destruction of the English sea coast from *Nova Scotia* to *Georgia*. Upon the English plan, eight battalions of regular troops, with the provincial forces to be raised in the four New England governments, were to rendezvous at *Louisburgh*, and, with a squadron under Admiral *Warren*, were to go up the river *Saint Lawrence* to *Quebec*, other provincials from *Virginia* and the colonies northward, including *New York*, were to rendezvous at *Albany* and go across the country to *Montreal*; the land forces to be under General *St. Clair*. No province

had a certain number assigned, it was expected there should be at least 5000 in the whole. The colonies voted to raise men in very unequal proportions. New Hampshire 500, Massachusetts, 3,500, Rhode Island, 300, Connecticut, 1000, New York, 1,600, New Jersey, 500, Maryland, 300, Virginia, 100. Pennsylvania raised 400, though not by an act of government. The whole number was 8,200. The Massachusetts forces were ready to embark by the middle of July, about six weeks after the first notice. The preparations making at Brest for America, were well known in England, and was ordered to block up that harbour. Notwithstanding all the caution used, the Brest squadron slipped out, and sailed to the westward, and it is certain no English squadron followed. Whilst they were impatiently waiting for news of the arrival of the fleet at Louisbourg, a fisherman went in, some time in August, with an account of his being brought to by four French capital ships not far from Chibucto, that he was required to pilot them there, that as he lay under the stern of one of them he read the word *le Terrible*, but a fog suddenly rising he made his escape. After that some days had passed without any further account, the fisherman's news was generally discredited. It appeared some months after, that these were four ships under M. Conflans, who had escaped an English squadron from Jamaica, and were bound to Chibucto, in order to join the Brest fleet, but after cruising some time, and meeting with storms and fogs, upon a coast they were unacquainted with, they returned to France.

The beginning of September, vessels arrived at Boston from Hull and Liverpool, with advice that the Brest fleet had sailed, and it was supposed for North America, and from the middle to the latter end of the month, frequent accounts were brought of a great fleet seen to the westward of Newfoundland, which might have been English as likely as French; but on the 28th, an express arrived from Louisbourg with certain advice these ships were the French fleet, which it was affirmed consisted of seventy sail, fourteen of which were capital ships, and that there were twenty smaller men of war, and the rest fire ships, bombs, tenders, and transports for eight thousand troops. The same day a vessel from Jamaica arrived with advice that the four men of war, who had engaged with commodore Mitchell, were intended to join the fleet, and it was now no longer doubted that these were the ships seen by the fishermen, and it was supposed soon after got into Chibucto. England was not more alarmed with the Spanish Armada, in 1588, than Boston and the other North American sea ports were with the arrival of this fleet in their neighbourhood. The firmest mind will bend upon the first advice of imminent danger to its country. Even the great De Witt swooned when he first opened a letter giving intelligence of England's confederating with France to enslave the Dutch, though the next moment he recovered his natural courage and vivacity.

Every practicable measure for defence was immediately pursued by the authority of the Massachusetts province, but the main dependance was upon a squadron from England sufficient, in conjunction with the ships then at Louisbourg, to overcome the French. It was impossible the ministry should be ignorant of the sailing of this fleet, and unless they were willing the colonies should be exposed to the ravages of the enemy, it was impossible an English squadron should not be soon after them. This was the general voice, but this dependence failed: how-

ever the probability of the arrival of the Massachusetts squadron was from day to day lessened, the apprehensions of danger from the enemy lessened also. At length there was such authentic account of the distresses of the French, that it was not only agreed that Admiral Townsend's ships at Louisbourg were more than a match for them, but if that should prove otherwise, the utmost they would be able to effect by their grand plan, would be the conquest of Annapolis and the whole province of Nova Scotia; and if the winter did not prevent a farther progress, their strength was not sufficient for an attempt upon Boston.

The misfortunes of this grand armament are really very remarkable. The loss of Cape Breton filled the French with a spirit of revenge against the British colonies. The duke d'Anville, a French nobleman, in whose courage and conduct great confidence was placed, was appointed to the command of the expedition. As early as the beginning of May the fleet was ready to sail, but detained by contrary winds until the 22d of June, when it left Rochelle, and then consisted of eleven ships of the line, thirty smaller vessels from ten to thirty guns, and transport ships with 3,130 land forces commanded by Monsieur Pommeret, a brigadier general. The French of Nova Scotia, it was expected, would join them, and Ramsay, a French officer, with 1,700 Canadians and Indians were actually in arms there ready for their arrival. To this force Conflans with four ships from the West Indians were to be added. It was the 3d of August before the fleet had passed the western Islands. The 24th, they were 300 leagues distant from Nova Scotia, and one of their ships complained so much that they burnt her. The 1st of September, in a violent storm, the Mars, a sixty-four gun ship, was so damaged in her masts and so leaky, that she bore away for the West Indies, and the Alcide, of sixty-four guns, which had also lost her topmast, was sent to accompany her. The 15th, the Ardent, of sixty-four guns, most of her crew being sick, put back for Brest.

The Duke d'Anville, in the Northumberland, arrived at Chibucto the 12th of September, with only one ship of the line, the Renommée and three or four of the transports. There he found only one of the fleet, which had been in three days; and after waiting three days and finding that only three more, and those transports, had arrived, the 16th, in the morning, he died, the French said of apoplexy, the English that he poisoned himself. In the afternoon, the vice admiral, d'Estournelle, with three or four more of the line came in. Mons. de la Jonquiere, governor of Canada, was aboard the Northumberland, and had been declared a chief d'escadre after the fleet left France, and by this means was next in command to the vice admiral. In a council of war, the 18th, the vice admiral proposed returning to France. Four of the capital ships, the Ardent, Caribou, Mars, and Alcide, and the Argonaute fire-ship they were deprived of, there was no news of Conflans and his ships, so that only seven ships of importance remained; more or less of the land forces were on board each of the missing ships, and what remained were in a very sickly condition. This motion was opposed for seven or eight hours by Jonquiere and others of the council, who supposed, that at least they were in a condition to recover Annapolis and Nova Scotia, after which they might either winter securely at Casco bay, or, at worst, then return to France: the sick men by the constant supply of fresh provisions from the Acadians, were daily recovering and would be soon fit for service.

The motion not prevailing, the vice admiral's spirits were agitated to such a degree as to throw him into a fever attended with a delirium, in which he imagined himself among the English, and ran himself through the body. Jonquiere succeeded, who was a man experienced in war, and although above sixty, still more active than either of his predecessors, and the expectations of the fleet and army were much raised. From this time Annapolis seems to have been their chief object. An account, supposed to be authentic, having been received at Boston of the sailing of Admiral Lestock, Mr. Shirley sent an express to Louisburgh to carry the intelligence. The packet boat was taken and carried into Chibucto, which accelerated the sailing of the fleet. Most of the sick had died at Chibucto, and but about one half of their number remained alive. They sailed the 13th of October, and the 15th, being near Cape Sables, they met with a violent cold storm, which, after some intermission, increased the 16th and 17th and separated the fleet, two of which only, a fifty and a thirty-six gun ship, were discovered from the fort at Annapolis, where the Chester man of war, Capt. Spry, then lay with the Shirley frigate and a small vessel in the service of the board of ordnance, who being discovered by the French to be under sail, they made off, and this was the last of the expedition. The news of the beginning of the misfortunes of the French having reached France by some of the returned vessels, two men of war were sent immediately with orders, at all events, to take Annapolis, but the fleet had sailed three or four days before they arrived.

Pious men saw the immediate hand of Divine Providence in the protection, or rather rescue, of the British colonies this year, as they had done in miraculous success of the Cape Breton expedition the former year.

When the summer had so far passed as to render it too late to prosecute the expedition against Canada, if the fleet had arrived, Mr. Shirley's enterprising genius led him to project an attempt upon the French fort at Crown-point, with part of the Massachusetts forces, in conjunction with those of the other colonies, but the alarm of the French fleet prevented until it was judged, by some concerned, to be too late. Fifteen hundred of the Massachusetts men were intended for Nova Scotia, upon the news of Ramsay's appearing there, and 400 actually went there, convoyed by the Chester, and late in the fall an additional number were sent thither. Those posted at Minas were surprised, the first day of January, by a body of French and Indians commanded by Le Corne, a French officer, and, after having 160 of their number killed, wounded, and taken prisoners, the rest capitulated, engaging not to bear arms against the French in Nova Scotia for the term of one year. De Ramsay, with his troops, soon after returned to Canada.

The troops raised for the Canada expedition continued in pay until September the next year, 1747. Some of them served for defence of the frontier, the rest were inactive. The inactive prosecution of the war in Europe on both sides indicated peace to be near, which the next year was effected.

(1747.) War had been declared in 1744 against the Cape Sable and St. John's Indians, and in 1745 against the Penobscots and Norridgewocks. The frontiers did not escape molestation. They suffered less than in any former wars. The Indians were lessened in number, and having withdrawn to the French frontiers, were sometimes detained for their

defence upon an apprehended invasion, and at other times engaged to be in readiness to join in the great designs against the English.

In 1747 (Nov. 17th) there occurred a tumult in the town of Boston equal to any which had preceded it. Mr. Knowles was commodore of a number of men of war then in the harbour of Nantasket. Some of the sailors had deserted. Deserters generally flee to some of the neighbouring ports, where they were out of danger of discovery. The commodore thought it reasonable that Boston should supply him with as many men as he had lost, and sent his boats up to town early in the morning, and surprised not only as many seamen as could be found on board any of the ships, outward bound as well as others, but swept the wharfs also, taking some ship carpenters, apprentices, and labouring land men. However such conduct might be tolerated in England, it was not to be borne in Boston. The people had not been used to it, and men of all orders resented it, but the lower class were beyond measure enraged, and soon assembled with sticks, clubs, pitchmops, &c. They first seized an innocent lieutenant, who happened to be ashore upon other business. They had then formed no scheme, and the speaker of the house passing by, and assuring them that he knew that the lieutenant had no hand in the press, they suffered him to be led off to a place of safety. The mob increasing, and having received intelligence that several of the commanders were at the governor's house, it was agreed to go and demand satisfaction. The house was soon surrounded, and the court, or yard before the house, filled, but many persons of discretion inserted themselves, and prevailed so far as to prevent the mob from entering. Several of the officers had planted themselves at the head of the stair way with loaded carbines, and seemed determined to preserve their liberty or lose their lives. A deputy sheriff attempting to exercise his authority, was seized by the mob, and carried away in triumph, and set in the stocks, which afforded them diversion, and tended to abate their rage, and disposed them to separate and go to dinner.

As soon as it was dusk, several thousand people assembled in King-street, below the town house, where the general court was sitting. Stones and brickbats were thrown through the glass into the council chamber. The governor, however, with several gentlemen of the council and house, ventured into the balcony, and, after silence was obtained the governor, in a well judged speech, expressed his great disapprobation of the impress, and promised his utmost endeavours to obtain the discharge of every one of the inhabitants, and at the same time gently reproved the irregular proceedings both of the forenoon and evening. Other gentlemen also attempted to persuade the people to disperse, and wait to see what steps the general court would take. All was to no purpose. The seizure and restraint of the commanders and other officers who were in town was insisted upon as the only effectual method to procure the release of the inhabitants aboard the ships.

It was thought advisable for the governor to withdraw to his house, many of the officers of the militia and other gentlemen attending him. A report was raised, that a barge from one of the ships was come to a wharf in the town. The mob flew to seize it, but by mistake took a boat belonging to a Scotch ship, and dragged it, with as much seeming ease through the streets as if it had been in the water, to the governor's house, and prepared

to burn it before the house, but from a consideration of the danger of setting the town on fire were diverted, and the boat was burnt in a place of less hazard. The next day the governor ordered that the military officers of Boston should cause their companies to be mustered, and to appear in arms, and that a military watch should be kept the succeeding night, but the drummers were interrupted, and the militia refused to appear. The governor did not think it for his honour to remain in town another night, and privately withdrew to the castle. A number of gentlemen who had some intimation of his design, sent a message to him by Colonel Hutchinson, assuring him they would stand by him in maintaining the authority of government, and restoring peace and order, but he did not think this sufficient.

The governor wrote to Mr. Knowles, representing the confusions occasioned by this extravagant act of his officers, but he refused all terms of accommodation until the commanders and other officers on shore were suffered to go on board their ships, and he threatened to bring up his ships and bombard the town, and some of them coming to sail, caused different conjectures of his real intention. Captain Erskine, of the Canterbury, had been seized at the house of Colonel Brinley in Roxbury, and given his parole not to go abroad, and divers inferior officers had been secured.

The 17th, 18th, and part of the 19th, the council and house of representatives, sitting in the town, went on with their ordinary business, not willing to interpose lest they should encourage other commanders of the navy to acts of the like nature, but towards noon of the 19th some of the principal members of the house began to think more seriously of the dangerous consequence of leaving the governor without support when there was not the least ground of exception to his conduct. Some high spirits in the town began to question whether his retiring should be deemed a desertion or abdication. It was moved to appoint a committee of the two houses, to consider what was proper to be done. This would take time, and was excepted to, and the speaker was desired to draw up such resolves as it was thought necessary the house should immediately agree to, and they were passed by a considerable majority, and made public.

"In the house of representatives, Nov. 19, 1747.

"Resolved—That there has been, and still continues, a tumultuous riotous assemblage of armed seamen, servants, negroes, and others in the town of Boston, tending to the destruction of all government and order.

"Resolved—That it is incumbent on the civil and military officers in the province to exert themselves to the utmost, to discourage and suppress all such tumultuous riotous proceedings whensoever they may happen.

"Resolved—That this house will stand by and support, with their lives and estates, his excellency the governor, and the executive part of the government, in all endeavours for this purpose.

"Resolved—That this house will exert themselves, by all ways and means possible, in redressing such grievances as his majesty's subjects are and have been under, which may have been the cause of the aforesaid tumultuous disorderly assembling together.

"T. Hutchinson, Speaker."

The council passed a vote, ordering that Captain Erskine, and all other officers belonging to his majesty's ships, should be forthwith set at liberty and

protected by the government, which was concurred by the house. As soon as these votes were known, the tumultuous spirit began to subside. The inhabitants of the town of Boston assembled in town meeting in the afternoon, having been notified to consider, in general, what was proper for them to do upon this occasion; and notwithstanding it was urged by many, that all measures to suppress the present spirit in the people would tend to encourage the like oppressive acts for the future, yet the contrary party prevailed; and the town, although they expressed their sense of the great insult and injury by the impress, condemned the tumultuous riotous acts of such as had insulted the governor and other branches of the legislature, and committed many other heinous offences.

The governor, not expecting so favourable a turn, had wrote to the secretary to prepare orders for the colonels of the regiments of Cambridge, Roxbury, and Milton, and the regiment of horse, to have their officers and men ready to march at an hour's warning to such place of rendezvous as he should direct; but the next day there was an uncommon appearance of the militia of the town of Boston, many persons taking their muskets who never carried one upon any other occasion, and the governor was conducted to his house with as great parade as when he first assumed the government.

The commodore dismissed most, if not all, of the inhabitants who had been impressed, and the squadron sailed, to the joy of the rest of the town.

By the expedition to Louisburgh, the preparations for the reduction of Canada, and the several supplies of men for Nova Scotia, the province had issued an immense sum in bills of credit, between two and three millions, according to their denomination in the currency. The greatest part of this sum had been issued, when between five and six hundred pounds was equal to one hundred pounds sterling, and perhaps the real consideration the government received from the inhabitants who gave credit to them, was near four hundred thousand pounds sterling; but by thus multiplying the bills they had so much depreciated, that at the end of the war, eleven or twelve hundred pounds was not equal to more than an hundred pounds sterling, and the whole debt of the province did not much exceed two hundred thousand pounds sterling. Thus the people had paid two hundred thousand pounds sterling in two or three years, besides a large sum raised by taxes each year, as much as it was supposed the people were able to pay; but to pay by the depreciation of the bills, although infinitely unequal, yet, as they were shifting hands every day, it was almost insensible; a possessor of a large sum for a few days, not perceiving the difference in their value between the time when he received them, and the time when he parted with them. The apprehension of their depreciation tended to increase it, and occasioned a quick circulation; and for some time, even for English goods, which ordinarily sell for the longest credit, nobody pretended to ask credit. They were constantly, however, dying in somebody's hand, though nobody kept them long by them. Business was brisk, men in trade increased their figures, but were sinking the real value of their stock; and what is worse, by endeavours to shift the loss attending such a pernicious currency from one to another, fraudulent dispositions and habits are acquired, and the morals of the people depreciate with the currency.

The government was soliciting for the reimbursement of the charge in taking and securing Cape

Breton; and by the address, assiduity, and fidelity of William Bollan, Esq., who was one of the agents of the province for that purpose, there was a hopeful prospect that the full sum, about 180,000*l*. sterling, would be obtained.

Some of the ministry thought it sufficient to grant such sum as would redeem the bills issued for the expedition, &c. at their depreciated value, and Mr. Kilby, the other agent, seemed to despair of obtaining more; but Mr. Bollan, who had an intimate knowledge of our public affairs, set the injustice of this proposal in a clear light, and made it evident that the depreciation of the bills was as effectually a charge borne by the people, as if the same proportion of bills had been drawn in by taxes, and refused all proposals of accommodation, insisting upon the full value of the bills when issued.

Mr. Hutchinson, who was then speaker of the house of representatives, imagined this to be a most favourable opportunity for abolishing bills of credit, the source of so much iniquity, and for establishing a stable currency of silver and gold for the future. About two million two hundred thousand pounds would be outstanding in bills in the year 1749. One hundred and eighty thousand pounds sterling, at eleven for one, which was the lowest rate of exchange with London for a year or two before, and perhaps the difference was really twelve for one, would redeem nineteen hundred and eighty thousand pounds, which would leave but two hundred and twenty thousand pounds outstanding, it was therefore proposed, that the sum granted by parliament should be shipped to the province in Spanish milled dollars, and applied for the redemption of the bills as far as it would serve for that purpose, and that the remainder of the bills should be drawn in by a tax on the year 1749. This would finish the bills. For the future, silver of sterling alloy at 6*s*. 8*d*. the ounce, if payment should be made in bullion, or otherwise milled dollars at 6*s*. each, should be the lawful money of the province, and no person should receive or pay within the province, bills of credit of any of the other governments of New England. This proposal being made to the governor, he approved of it as founded in justice, and tending to promote the real interest of the province; but he knew the attachment of the people to paper money, and supposed it impracticable. The speaker, however, laid the proposal before the house, where it was received with a smile, and generally thought to be an Utopian project, and rather out of deference to the speaker than from an apprehension of any effect, the house appointed a committee to consider of it. The committee treated it in the same manner, but reported that the speaker should be desired to bring in a bill for the consideration of the house. When this came to be known abroad, exceptions were taken, and a clamour was raised from every quarter. The major part of the people, in number, were no sufferers by a depreciating currency; the number of debtors is always more than the number of creditors, and although debts on specialties had allowance made in judgments of court for depreciation of the bills, yet on simple contracts, of which there were ten to one specialty, no allowance was made. Those who were for a fixed currency were divided. Some supposed the bills might be reduced to so small a quantity as to be fixed and stable, and therefore were for redeeming as many by bills of exchange as should be thought superfluous; others were for putting an end to the bills, but in a gradual way, otherwise it was said a *fatal shock* would be

given to trade. This last was the objection of many men of good sense. Douglass, who had wrote well upon the paper currency, and had been the oracle of the anti-paper party, was among them; and, as his manner was with all who differed from him, discovered as much rancour against the author and promoters of this new project, as he had done against the fraudulent contrivers of paper money emissions.

The bills it was said had sunk gradually in their value, and as by this means creditors had been defrauded, it was but reasonable they should rise gradually that justice might be done; but the creditors and debtors would not be the same in one instance in a thousand, and where this was not the case the injury was the same, to oblige any one to pay more as to receive less than was justly due. Others were for exchanging the bills at a lower rate than the then current price of silver. The inhabitants had given credit to the government, when silver was at 30*s*. the ounce, and ought to be paid accordingly. Two of the representatives of Boston urged their being exchanged at 30*s*., which would have given a most unreasonable profit to the present possessor, who had taken them at 55*s*. or 60*s*. To draw over some of this party concessions were made, and the bills were exchanged at 50*s*. the ounce, instead of 55*s*. as was at first proposed.

Some of the directors and principal promoters of the land bank scheme, being at this time members of the general court, unexpectedly joined with the party who were for finishing paper money, but the opposition was so great, that after many weeks spent in debating and settling the several parts of the bill, and a whole day's debate at last in a committee of the whole house upon the expediency of passing the bill, as thus settled, it was rejected, and the report of the committee accepted.

The house, although upon some occasions exceptions are taken to motions and proceedings which come before them, as not being in parliamentary form, yet are not strict in conforming to some of the most useful rules of parliament. A bill or motion is not only referred from one session to another, but a bill, after rejecting upon a second or third reading, is sometimes taken up and passed suddenly the same session. They have an order of the house, that when any affair has been considered, it shall not be brought before the house again the same session, unless there be as full a house as when it was passed upon. This, if observed, would still be liable to inconvenience, as any designing person might take an opportunity upon a change of faces, the number being as great as before, suddenly to carry any point; but even this rule, like many other of what are called standing orders, is too frequently by votes, on particular occasions, dispensed with, which lessens the dignity of the house.

It seems to be of no consequence to the prerogative whether the currency of a colony be silver or paper, but the royal instructions from time to time for preventing a depreciating currency, caused merely by a gracious regard to the interest of the people, had generally engaged what was called the country party, in opposition to them and in favour of paper. It was the case at this time. However, the next morning, two of the members of the house zealous adherents to this party, and who had been strong opposers of the bill, came early to the house to wait the coming of the speaker, and in the lobby let him know, that although they were not satisfied with several parts of the bill, yet they were alarmed with the danger to the province from the schemes

of those persons who were for a gradual reduction of the bills, and by that means, for raising the value of the currency without any provision for the relief of debtors, and therefore they had changed their minds; and if the bill could be brought forward again, they would give their voice for it, and others who had opposed it would do the same. The speaker who had looked upon any further attempt to be to no purpose, acquainted them that he did not think it proper to desire any of the favourers of the bill to move for a reconsideration of it, inasmuch as it had been understood, and agreed in the house the day before, that if upon a full debate had, the bill should be rejected, no further motion should be made about it. As soon as the house met, upon a motion by one of these members seconded by the other, the bill was again brought under consideration, and passed the house as it afterwards did the council, and had the governor's consent.

The provision made by this act for the exchange of the bills, and for establishing a silver currency, was altogether conditional, and depended upon a grant of parliament for reimbursement of the charge of the Cape Breton expedition. This being at a distance and not absolutely certain, the act had no sudden effect upon the minds of the people, but when the news of the grant arrived, the discontent appeared more visible, and upon the arrival of the money there were some beginnings of tumults, and the authors and promoters of the measure were threatened. The government passed an act with a severe penalty against riots, and appeared determined to carry the other act for exchanging the bills into execution. The apprehension of a shock to trade proved groundless, the silver took place instead of them; a good currency was insensibly substituted in the room of a bad one; and every branch of business was carried on to greater advantage than before. The other governments, especially Connecticut and Rhode Island, who refused, upon being invited to conform their currency to the Massachusetts, felt a shock in their trade which they were long in recovering from. The latter had been the importers, for the Massachusetts, of West India goods for many years, which ceased at once. New Hampshire, after some years, revived its business and increased the trade in English goods, which formerly had been supplied from the Massachusetts.

From the close of the war with France, to the end of Governor Pownall's administration, in the year 1760.

(1749.) The people of Massachusetts Bay were never in a more easy and happy situation, than at the close of the war with France. By the generous reimbursement of the whole charge incurred by the expedition against Cape Breton, the province was set free from a heavy debt, in which it must otherwise have remained involved, and was enabled to exchange a depreciating paper medium, which had long been the sole instrument of trade, for a stable medium of silver and gold; the advantage whereof, to all branches of their commerce, was evident, and excited the envy of the other colonies, in each of which paper was the principal currency.

They flattered themselves that Cape Breton would remain subject to Great Britain; and it was a mortification to them, that, what they called "their own acquisition," should be restored to France; but they had nothing to fear from it, so long as peace continued. The French fishery had failed before the war, and whilst the English could catch and cure

fish cheaper than the French, there was no danger of its revival.

The Indians upon the frontiers were so reduced, that new settlements were made without danger, which not only caused the territory settled to increase in value, but afforded materials for enlarging the commerce of the province.

There was but little subject for controversy in the general assembly. Governor Shirley's administration had been satisfactory to the major part of the people. There was an opposition, but it was not powerful; perhaps not more powerful than may, generally, be salutary. During the last seven years, no great change of counsellors had been made at any of the elections, and they were, in general, well affected to the governor. This prosperous state of the province was very much owing to the success of his active, vigorous measures; of which he wished to give an account in person, and for that purpose had obtained leave to go to England. He had further views. Soon after the peace was proclaimed in America, the French discovered a design of enlarging their territory on the back of New York, and of taking fresh possession of the country of Acadia; and it was a common report, that French settlements were begun east of Crown Point. By a hint from the governor to some of his friends, the council and house were brought to join in an address, praying him to represent to the king the necessity of building a strong fort near to Crown Point; and of settling and fortifying a town at Chibucto, or some other harbour in Nova Scotia. The governor of Canada had written to the Indians upon the eastern frontiers of New England, to dissuade them from a peace with the English, and a copy of the letter had been obtained by Mr. Shirley.

The contest about the bounds between the French and English in America, which was, by the treaty, to be left to commissaries, instead of being amicably settled, would probably be increased, and finally decided by the sword. It looked as if the peace could be of no long continuance. At such a time, he thought he could be of more service to himself, and to the public, in England, than in America. He sailed from Boston in September, 1749.

Soon after his arrival in England, he was appointed one of the commissaries for settling the American boundaries. He spent much time in France with little success. The documents produced by the commissaries on each side shewed that, on different occasions, different bounds had been assigned to the territory of Acadia. In the commission to the last French governor before the treaty of Utrecht, Acadia was made to extend to the river Kennebeck, and the whole was ceded, by the treaty, to the English. The French commissaries, notwithstanding, refused to agree to so great an extent, and confined Acadia, which they suppose in the treaty intended Nova Scotia, to the peninsula. They could no better agree upon the limits of Canada; and each party urged that their claims were strengthened by the evidence produced on this occasion.

When the Indians have taken part in a war with the French, or, by themselves have engaged in war against the English, a formal treaty of peace has always been thought expedient.

The necessary preparation for Mr. Shirley's voyage prevented his attending the treaty in person; and commissioners were appointed, who met some of the principal Indians, in the character of delegates from the several tribes, at Falmouth in Casco Bay; and, after several days spent in conference, agreed

with them upon terms of peace, between the provinces of Massachusetts Bay and New Hampshire, on the one part, and the several tribes of Indians situated between New England and Canada, on the other part.

The commissioners from Massachusetts Bay were Thomas Hutchinson, John Choate, Israel Williams, and James Otis, Esqrs. Sir William Pepperell had been appointed at the head of the commission, but sailed for England before the treaty took place. Theodore Atkinson and John Downing, Esqrs. were the commissioners from New Hampshire.

The Indians began the treaty with an act of pleasantry and good humour. Notice had been given, that they must bring in such English captives as were among them, and particularly a boy whose name was Macfarlane, and who was taken in the beginning of the war. They apologised for not bringing Macfarlane, and feigned some excuse, promising he should be sent when they returned home. The commissioners shewed great resentment, and insisted upon the delivery of the captive previously to their entering upon the treaty. Some time was spent in altercation. At length an old Sachem rose up, and took one of the handsomest and best dressed young Indians by the hand, and presented him to Mr. Hutchinson, the chairman of the commissioners, as the captive Macfarlane. This increased the resentment, and it was thought too serious an affair to be jested with. The young man then discovered himself, and (having spoken before nothing but Indian) in the English language, thanked the commissioners for their kind care in procuring his redemption. He had so much the appearance of an Indian, not only in his dress, but in his behaviour, and also his complexion, that nobody had any suspicion to the contrary. He had made himself perfectly acquainted with their language, and proved serviceable as an interpreter at the French house so long as he lived.

The treaty made by Mr. Dummer in 1726, was considered as the basis of this, and the same articles were renewed, those only, which concerned trade, being so explained, as to take away all those pretences for discontent, which had been at different times urged by the Indians.

This treaty was scarcely finished, when an affair happened which threatened a new war. While the commissioners were at Falmouth, they were informed that a bad spirit prevailed among many of the common people of New Hampshire, and of the eastern part of Massachusetts Bay; that many threatened revenge upon the Indians, notwithstanding the peace, for the depredations made during the war; and the latter end of November, or beginning of December, an Indian was killed, and two others dangerously wounded, by some of the English inhabitants of a place called Wiscasset, in the county of York. Two persons, Samuel Ball and Benjamin Ledyte, were committed to prison, and a proclamation was issued by Mr. Phipps, the lieutenant-governor, promising a reward for apprehending a third, Obadiah Alby; all supposed to be concerned in the murder. Agreeably to the provision in such case made by the laws of the province, a special court was summoned, and the persons, or some of them, brought upon trial. It was said, that a jury in the county of York, where the inhabitants had suffered so much from the Indians, let the case be ever so plain, would not convict an Englishman of murder for the death of an Indian. It was, therefore, moved in the general assembly, that a law should pass to empower the judges to summon a jury from another

county, but the motion did not succeed; and though one or more of the persons were brought upon trial, there was no conviction. Many good people, at this time, lamented the disposition, which they thought was discovered, to distinguish between the guilt of killing an Indian, and that of killing an Englishman, as if God had not "made of one blood all the nations of men upon the face of the earth."

The Indians were enraged at the murder; but by fair words and kind deeds, ordered by government, in relieving some distressed families among them, they were kept quiet; but, at length, despairing of justice upon the murderers, they resolved to revenge themselves upon the public, and made an attempt to surprise Richmond fort, on Kennebeck river. Failing of success, they fell upon the inhabitants near the fort, and made several of them prisoners; but were reduced to so small a number as to be incapable of much mischief; and, after a short time, the injury they received was forgotten.

(1750.) In the early days of the New England colonies, Massachusetts Bay had, by mere dint of power, compelled Connecticut and the other colonies, to give way to the decision of the Massachusetts assembly, in a way that could not well be justified. Connecticut, in its turn, now gave to Massachusetts much greater cause of complaint.

When the line between the two colonies was settled in 1713, it was agreed, that the towns of Woodstock, Somers, Suffield, and Enfield, though, according to that line, they fell within Connecticut, should remain under the jurisdiction of Massachusetts Bay, by whose inhabitants they had been settled; and an equivalent was given for the property, by the assignment of an equal quantity of uncultivated lands in the Massachusetts province. Connecticut had accepted the equivalent, had made sale of the lands, and had applied the produce to the use of that colony. The inhabitants of the towns thought themselves happy under the Massachusetts government, until they felt a greater proportion of burden from the charge of the war, than they would have done under Connecticut. At the expiration of the war, a much heavier debt also lay upon Massachusetts than Connecticut; and the relief from this debt by the grant which was afterwards made by parliament, was then uncertain. The inhabitants, thereupon, made application to the general assembly of Connecticut, and prayed to be received as under that government, and to be protected by them. Considerable sums, which had been assessed by the Massachusetts government, remained in arrear, and these they refused to pay. Notice was given by the governor of Connecticut to the governor of Massachusetts Bay, of the application, without expressing any resolution on the part of Connecticut to grant, or to refuse their request. It was reasonable to suppose that an agreement made with great formality, and conformed to for nearly forty years, would not be violated. The sheriffs and other officers of Massachusetts Bay, were at first opposed by the inhabitants of the towns, who resolved to stand upon their defence. The Massachusetts assembly having, but a few years before, succeeded so ill in their controversies with New Hampshire and Rhode Island, were more easily disposed to avoid this controversy, fearing that Connecticut also, if the boundary line should be again considered at large, would not only gain the particular territory in dispute, but a large addition to it. They, therefore, did not act with their usual spirit; but rather faintly went into measures for maintaining their authority. This encour-

raged the assembly of Connecticut; and it then appeared, that they countenanced the revolt. After a resolve to receive the towns into their jurisdiction, they proposed to the Massachusetts assembly, that commissioners should be appointed by each government to run the boundary line; but, in their proposal, had no respect to the settlement made in 1713, which left the towns to Massachusetts Bay. The proposal in this form, was rejected; but in lieu of it, an offer was made to treat upon ways and means, in general, for preventing a controversy between the two governments. This would not answer the purpose of Connecticut. The settlement in 1713, and the equivalent received for the towns, were both acknowledged; but it was urged, that the inhabitants had an unalienable right to the jurisdiction of Connecticut, by charter, which the legislature of Connecticut could not take from them, and which the act of the inhabitants in 1713 could not take from the inhabitants in 1749. No subject affords a larger field, not for mere cavils only, but for plausibility of exception, than that of government. Upon this feeble pretence, Connecticut supported its claim, and kept possession of their jurisdiction over the towns. It would, at least, have been decent in the Connecticut assembly, to offer to return the equivalent which their predecessors had received.

The aversion, in the common people, to a silver and gold currency, had occasioned several tumultuous assemblies in and near the town of Boston. The paper, they said, was not worth hoarding, but silver and gold would all fall to the share of men of wealth, and would either be exported or hoarded up, and no part of it would go to the labourer, or the lower class of people, who must take their pay in goods, or go without. In a short time experience taught them, that it was as easy for a frugal industrious person to obtain silver, as it had been to obtain paper; and the prejudice in the town of Boston was so much abated, that when a large number of people from Abington, and other towns near to it, came to Boston, expecting to be joined by the like people there, they were hooted at, and insulted by the boys and servants, and obliged to return home disappointed.

The assembly being then sitting, it was thought proper to pass an act for preventing riots, upon the plan of the act of parliament known by the name of the Riot Act, except that the penalty was changed from death, to other severe and infamous punishment.

This was a temporary act, but not suffered to expire; and continued in force until riots took place to prevent the execution of acts of parliament which were deemed grievous, and then it was discontinued.

From an aversion to a silver currency, the body of the people changed in a few months, and took an aversion to paper, though it had silver as a fund to secure the value of it. A sufficient quantity of small silver for change could not be procured in England, when the grant made by parliament was sent to America. The assembly, therefore, ordered a deposit to remain in the treasury, of three thousand pounds in dollars, and issued small paper bills of different denominations, from one penny to eighteen pence; and every person, possessed of them to the amount of one dollar or any larger sum, might exchange the bills at the treasury for silver upon demand. The whole sum was prepared, but a small part only was issued, and scarcely any person would receive them in payment, choosing rather a base coin imported from Spain, called *pistorines*, at 20 per cent more than the intrinsic value.

From the first introduction of paper money, it

had been the practice of government to issue bills for public charges, and to make a tax for the payment of the sum issued, in future years, into the treasury again. The bills being all exchanged by the silver imported from England, and provision made by law, that no bills of credit should ever after pass as money, there was a difficulty in providing money for the immediate service of government, until it could be raised by a tax. Few people were, at first, inclined to lend to the province, though they were assured of payment in a short time with interest. The treasurer, therefore, was ordered to make payment to the creditors of government in promissory notes, payable to the bearer in silver in two or three years, with lawful interest. This was really better than any private security; but the people, who had seen so much of the bad effects of their former paper money, from its depreciation, could not consider this as without danger, and the notes were sold for silver at discount, which continued until it was found that the promise made by government was punctually performed. From that time, the public security was preferred to private, and the treasurer's notes were more sought for than those of any other person whomsoever. This was the era of public credit in Massachusetts Bay.

Peace being restored, and the Indians upon the frontiers almost extinct, a more extensive view was opened for the enlargement of the colony. There were many judicious persons, who were content with the natural increase of the inhabitants, and with an extension of the *pomeria*, only in proportion as the interior parts became crowded, and pressed for enlargement. But there were many others, who were proprietors of large tracts of uncultivated land, which afforded no income, and some, who had obtained grants of land, which, unless cultivated within a limited time, were to revert to the grantors.

These persons endeavoured to represent the great benefit arising to the community from the speedy increase of population; and, not contented with the natural growth of a colony, which, it was then agreed, would double its number every twenty-five years, nor with such additions as might be made from other parts of the British dominions, they persuaded the general assembly to countenance and encourage their private endeavours to bring a large body of foreign protestants into the colony. They were intended not only for the frontiers, both east and west, as a barrier in case of any rupture with Indians or French, but some were to be placed within and near the principal sea ports and large inland towns, to introduce useful manufactures.

Mr. Waldo, a proprietor of a large tract of land upon the eastern frontiers, had carried on a correspondence with Mr. Crelleies, and had, by his means, procured many emigrants from Germany, to whom conditional grants had been made by Mr. Waldo. Another person, who seemed to be of more importance, Mr. Luther, a counsellor of law in Germany, by some means or other, became a correspondent with the general assembly, and they expressed to him their desire to introduce foreign protestants, and signified to him, in general terms, that his assistance to those persons who were entering into contracts for that purpose, would be kindly received. Mr. Luther, from this correspondence, considered himself as a sort of public person, and proposed many plans, and, probably, was at much pains, and some expense, to encourage the emigration. The expectations, neither of the emigrants which arrived, nor of the province, were answered.

Such as settled upon the frontiers suffered exceedingly, and many died the first winter, for want of necessary lodging, food, and clothing.

(1751.) An attempt was made to settle a manufacturing German town, a few miles from Boston, within the limits of the township of Braintree; but it never flourished. The private undertakers grew discouraged; the emigrants complained of being disappointed and deserted; the assembly first slackened their correspondence with Mr. Luther, and, after a year or two, ceased answering his frequent letters, which were filled with complaints of neglect, and hard usage. Mr. Phipps, the lieutenant-governor, was concerned for the honour of the government, and repeatedly recommended to the assembly a proper notice of Mr. Luther, and a consideration of his service and expense, but without any effect. The house had been brought into the correspondence, by the influence of a few persons who deserted the cause, and were under no apparent concern at the reproaches upon government. Some of the members, both of the council and of the house, earnestly endeavoured to persuade the general assembly to do as a collective body, that, which every individual would in honour have been bound, and perhaps by law might have been compelled, to do; but they could not prevail.

Possession had been taken of the harbour at Chibucto in Nova Scotia, by the British government, the year after the peace. A plan was laid for the settlement of a fortified town, by the name of Halifax, and the plan was vigorously executed; but it appeared that the French were more early in their measures, for, upon the arrival of Governor Cornwallis at Halifax, he found the French had taken possession of Chignecto, and had erected a fort there, and claimed the river St. John, and all Acadia, as far as Penobscot; which must cut off Nova Scotia from the rest of the British dominions upon the continent; and that many of the French Acadians, commonly called neutrals, who had acknowledged themselves subjects of the crown of Great Britain, ever since the surrender of Acadia to Nicholson in 1710, had now declared their revolt, and their adherence to the crown of France. Mr. Cornwallis wrote, in very pressing terms, to Mr. Phipps for aid; who recommended to the assembly the measures necessary on their part, to enable him to raise, and transport a proper force to Nova Scotia; but they declined it.

Mr. Shirley would have had a better chance of success; though the assembly urged, as an excuse, that they had enough to do in providing for their own security.

The lieutenant-governor had, about the same time, received information, to which he gave full credit, that the French had also taken possession of the river Lechock, within the province of Massachusetts bay, about five leagues east of Penobscot. Governor Clinton, also, wrote from New York, that the governor of Canada was endeavouring to draw over the Indians of the six nations, and urged a meeting of commissioners from the English colonies to counteract him.

The possession of Chibucto by the English, was perfectly agreeable to the last treaty, it being a part of the peninsula of Nova Scotia to which the French made no pretence; but Chignecto and the country of the six nations, were the territories in dispute, which, in pursuance of the last treaty, the commissioners at Paris were then litigating. Thus, before peace was fully settled, the French engaged in mea-

sures which had a direct tendency to renew the war

There was an affair, of some importance to the province, which came under consideration in the assembly, while Mr. Phipps was in the administration. Many of the province laws had become obsolete; others, by frequent additions and alterations, were perplexed and unintelligible, and had been differently understood and acted upon, at different times, and on different occasions.

(1752.) The case had been much the same in Virginia, where the assembly had made a general revival of their code of laws, except such as were personal, or of a private nature, and had framed, very successfully, a complete and well-digested body, which was well approved of by the government in England. This success was the occasion of an instruction from the lords justices, the king being in Hanover, to the governor of Massachusetts bay, to recommend to the assembly a like revival of their laws, to be passed, and sent to England for the royal approbation.

In consequence of a message from the lieutenant-governor to the two houses, the council appointed a committee to consider the proposal in conjunction with a committee of the house; but the house declined joining; and, though the lieutenant-governor repeated his recommendation, they neglected or refused to comply with it.

It was allowed that the laws were deficient, and it was evident that if any laws should be repealed by the assembly, and other provision be made by a new law, and the king should disallow the new law, he would also disallow the repeal, and the old law would remain in force; for the king could not disallow part of a law, and approve of other parts. This was a security for any favourite law, which the people might suspect the king wished they had not approved of. And, then, no new law could be imposed upon them; because no alteration could be made in England, but the whole must be allowed or rejected, as it originated in the province. Many acknowledged that there was the appearance of much benefit from the proposal, that they could not see any danger. A majority, however, were jealous of a latent design. They feared, that in the prosecution of the business, a way would be found to give a new construction to some of their laws, especially some which respected the ecclesiastical part of the constitution. It was also a part of the plan, and very necessary, that there should be a clause in every law, suspending the operation of it until the king's pleasure should be known. A prejudice had long lain upon the minds of the people against such a clause, though it is not easy to conceive of any inconvenience which could arise from it; and it was added, that, in the present state of the laws, the people were well satisfied; that the effect of alterations was uncertain, and that, therefore, it was best not to attempt them.

(1753.) Mr. Phipps's administration was short, and, as that of a lieutenant-governor had generally been, quiet. Mr. Shirley arrived in Boston from England, August the 6th, 1753. He made an ill-judged step when he was in France, which he had reason to repent of as long as he lived. At the age of three-score, he was captivated with the charms of a young girl, his landlord's daughter in Paris, and married her privately.

When he came back to England, he would have concealed his match. Lord Halifax had heard the report, but did not credit it, until some of her letters were shewn him, which had been privately taken

out of Mr. Shirley's desk, by persons who wished to defeat his design of obtaining a better government, and to oblige him to return to New England. This imprudence lessened him in Lord Halifax's esteem; and, though he had shewn himself to be very capable of his trust of commissary of France, as well as very faithful in the discharge of it, yet, as he failed of success, which more frequently than real merit entitles to reward, his private fortune was much hurt by his employment. His allowance being 4*l.* only per diem, he used to say, it did not cover his necessary expense in that public character. The rumour of his marriage came to New England before his arrival, and some who were not well affected to him, were ready enough to insinuate that his French connexions might induce him to favour the French cause, but his conduct evinced the contrary. He pronounced an accommodation desperate, that the sword must settle the controversy, that it ought to be done without delay, otherwise the French would make themselves too strong for all the force the English could bring against them.

A session of the general assembly was held soon after his arrival, September the 5th, in which the two houses politely thanked him for his services during his absence. This was a short session, not intended for the general business of the province.

In his speech at opening the next session, on the 4th of December, he set forth at large his services in England and France, which indeed were of general concern to the British Empire, but they respected the colonies, and particularly Massachusetts bay, more than any other parts, and he urged the assembly to make him an adequate consideration.

It has always been the expectation of the crown, that the salaries of the governors should be continued to them, whenever they are absent with leave, and that one-half should be allowed to the lieutenant-governors or commanders in chief in such absence; but the Massachusetts assembly would never allow a salary to a governor in his absence, and their grants to the lieutenant-governors never exceeded, and were often short of, one-half the usual salary to the governor.

The assembly, about three months before Mr. Shirley left the province, had made him a grant of his salary for a year to come; it seemed, therefore, to be the mind of a great part of the house, not to grant any further salary until nine months had passed after his return; but his friends carried a vote for 1,400*l.* lawful money, which was equal to 1,050*l.* sterling. This was more than they expected, and they wished he would be contented with it; but he delayed giving his assent to the grant, and by repeated messages, long and argumentative, one following on another, urged the increase of the sum; and insisted on a voyage to Cape Breton, at the request of the assembly 1745, for which a grant was made by the assembly of that day, of 300*l.* sterling, and which he then declined accepting, lest it should be a prejudice to him in England, from whence he expected a reward adequate to his services, but had been disappointed. The house excused themselves by observing, that if he had taken the grant at that time, it would have been added to the charge of the expedition to Cape Breton, and would have been reimbursed by parliament. He would not allow this to be a proper article of charge. He generally urged the measures which he proposed to the assembly, as far as he could without annoying them and putting them out of temper, and no further. He pressed them too hard in this instance, and they

sent him an angry message, and not only veremptorily refused to enlarge the grant, but gave this reason for it, that if his services and their payments since his appointment to the government could be fully stated, the balance would be in their favour.

He was hurt by this message, but though he wanted money, he had other views of more importance than a few hundred pounds, and it would not consist with those views to be upon ill terms with the assembly.

From the beginning of his administration, until the year before he went to England, he had been constantly employed in projecting and prosecuting plans, offensive or defensive, against the king's enemies. At this time it was the general opinion in England and in America, and we must suppose it was his opinion, that the French were engaged in such encroachments as would make a new war unavoidable, and the longer the encroachments should be permitted, the more difficult it would be to remove them. A regard, therefore, to the public interest, seemed to call upon him to promote a war. He had a fair prospect, in this way, of forwarding his private interest. Nine years only had passed since he commenced soldier. He stood forward, however, in the list of colonels in the army; and in case of war, expected a regiment, and to be made a general officer. He not only urged the necessity of opposing the French, and removing the settlements they were making in the controverted territory, but he recommended to the Massachusetts assembly to extend their own settlements into such part of this territory, as is included within their charter, that they might be beforehand, and put themselves on the defensive.

(1754.) In Acadia, the French had taken possession of the Isthmus, near Bay Vert, and had built a fort there, which secured their passage to Quebec without going upon the occasion. They had a blockhouse about thirteen miles distant from this fort, towards Chignecto, and three miles further they had a large and strong fort, within half a mile of the basin of Chignecto, at the bottom of the bay of Fundy. Up the river St. John's, they had also built two forts, before the peace of Utrecht. These they now repaired and fortified. Of all this, there was undeniable evidence.

There was also a rumour, that they had begun a settlement near the river Kennebeck, which is in Massachusetts' province, and so had secured the carrying place from that river, to the river Chaudiere. It soon obtained credit, though really there was no grounds for it.

They had forts upon the back of Virginia, Pennsylvania, and New York, before the year 1744. The journal of an English trader, who was taken prisoner upon the river Ohio, soon after that war began, mentions his being carried from fort to fort, until he arrived at Quebec, and gives an account of other forts, twenty or thirty miles distant one from the other, between the Ohio and the Mississippi. It is probable, they had built other forts since the last peace; besides one, which was more inconsiderable than the rest, to which they gave the name of Fort du Quesne, within the colony of Virginia. But a report, that they had built a fort eastward of, and not far distant from Crown Point, which was more alarming to the western part of Massachusetts bay, than any of the rest, was not well founded.

Thus stood affairs between the English and French in America, in the beginning of the year 1754, when government in England thought fit to recom-

mend a convention of delegates from the assemblies of the several colonies, to be held at Albany in the province of New York. The city of Albany is the place where the Indians of the six nations had generally been treated with, either by the governors of New York, or by governors or commissioners from any other colonies; and as large presents were to be made this year to the Indians, and the French were using every art to bring them over to the interest of France, it was thought proper at such a time, to have the joint council of all the English colonies.

Insinuations had been made, that there had not been a fair and full distribution of the former presents to the Indians, and this was said to be one reason why the distribution at this time was ordered to be made by all the colonies, and not left to New York alone, as had been usual. But the principal design of this meeting seems to have been, to unite the colonies in measures for their general defence, and to settle a quota of men and money, whenever they might be necessary against a common enemy.

The letter from the secretary of state by order from the king, was directed to the governor of New York, who was required to notify the governors of Virginia, Maryland, Pennsylvania, New Jersey, Massachusetts bay, and New Hampshire, by name, of the time of the meeting, and also to endeavour to prevail on any other colonies to join in the treaty.

Virginia, and New Jersey, though expressly named, did not send commissioners. Connecticut and Rhode Island were the only colonies which sent, of those who were not expressly named. This was an assembly the most deserving of respect of any which had been convened in America, whether we consider the colonies which were represented, the rank and characters of the delegates, or the purposes for which it was convened.

After "brightening the chain," to use the Indian metaphor, between the British colonies, and the six nations with their confederates, a representation to the king was agreed upon, in which were set forth the unquestionable designs of the French to prevent the colonies from extending their settlements, a line of forts having been erected for this purpose, and many troops transported from France; and the danger the colonies were in, of being driven by the French into the sea, was urged.

The commissioners then proceeded to the consideration of a plan for the union of the colonies. The king, in his instructions for this convention, proposed that a quota should be settled, and that, by acts of the respective assemblies, this should be established as the rule for raising men and monies. The plan for a general union was projected by Benjamin Franklin, Esq., one of the commissioners from the province of Pennsylvania, the heads whereof he brought with him.

A representation was proposed by delegates from each colony, to be chosen by its assembly. The president was to be appointed by the crown. The delegates to be newly elected once in three years. The president to have a negative upon all acts: the acts were to be sent to England for the king's allowance or disallowance; if not disallowed in three years, they were to be considered as if expressly allowed. This assembly was to have power to make peace with, or declare war against the Indians; to enact laws for the regulation of the Indian trade; to purchase from the Indians, for the crown, such lands as are not within the bounds of any colony, or which may not be within such bounds, when some

of the colonies shall be reduced to more convenient dimensions; to grant such lands upon quit-rents, to be paid into the general treasury of the colonies for the purpose of making settlements; to make laws for regulating such settlements, until the king forms them into governments; to raise and pay soldiers, and to erect forts for the defence of the colonies; to build ships of war for protection of trade on the ocean, as well as on the lakes; and for these purposes to impose and levy such imposts, duties, and taxes as may be just and reasonable. These were the capital parts of the plan.

Previously to any debate upon it, a doubt arose, whether an act of parliament was not necessary to establish such an union. The charters and commissions by which the powers of government were granted to the colonies, gave no authority to form one general government over the whole. It might be said, if the king could give and grant powers of government separately to each colony, he could do the like to the whole collectively; but this would be altering the powers given by charter, if a new government was appointed over the inhabitants for any purposes to which the government by charter was constituted; and, as the power of parliament had not then been called in question, an act of parliament was judged necessary for removing all exception, and made part of the plan.

Some of the delegates had very full powers, while others were limited, and held to make report to their constituents. This plan, therefore, though unanimously voted, was to be of no force until confirmed by the several assemblies.

Not one of the assemblies from Georgia to New Hampshire, when the report was made by their delegates, inclined to part with so great a share of power as was to be given to this general government.

The plan met with no better fate in England. It was transmitted, with the other proceedings of the convention, to be laid before the king. The convention was at an end; and no notice was afterwards publicly taken of the plan. To erect a general government over the whole, though in its original formation it might be limited to special purposes, was a matter of great importance, and of uncertain consequences, men in possession of power being generally inclined to amplify their jurisdiction; and some of the delegates who agreed to it in Albany, doubted whether it would ever be approved of by the king, the parliament, or any of the American assemblies.

Mr. Shirley seems to have been in favour of an assembly to consist of all the governors of the colonies, and a certain number of the council of each colony, with powers to agree upon measures for the defence of the colonies, and to draw upon the treasury in England for money necessary to carry such measures into execution; for the reimbursement whereof, a tax should be laid on each colony by an act of parliament. This plan was communicated by Mr. Shirley to Mr. Franklin, one of the delegates from Pennsylvania, who a few months after the convention ended, went to Boston. Mr. Franklin defended his own plan, and took exceptions to Mr. Shirley's in several ingenious letters. Upon this occasion, much was said in favour of an exemption of English subjects in the colonies from tax, unless by their representatives, of which they had none in parliament. The restrictions laid by parliament on the commerce of the colonies, were considered as "secondary" taxes, of which they did not complain, though they had no share in laying, or disposing of

them, and the benefit arising to the kingdom from these restrictions, was deemed a full equivalent to what was saved to the colonies, by an exemption from what might be called "primary" taxes, or such as should be laid in another form, and appropriated by parliament. Upon the whole, however, Mr. Franklin concluded in favour of a more intimate union with Great Britain by representatives in parliament, and he was of opinion that such an union would be very acceptable to the colonies, provided they had a reasonable number of representatives allowed them, and that all the old acts of parliament restraining the trade, or cramping the manufactures of the colonies, be at the same time repealed, and the British subjects there be on the same footing, in those respects, with the subjects in Great Britain, till the new parliament, representing the whole, shall think it for the interest of the whole, to re-enact some or all of them: not that he imagined so many representatives would be allowed the colonies, as to have any great weight by their numbers; but he thought they might be sufficient to occasion those laws to be better and more impartially considered, and perhaps to overcome the private interest of a corporation, or of any particular set of artificers or traders in England. He looked upon the colonies as so many counties gained to Great Britain, and all included in the British empire, which had only extended itself by their means; and it was of no importance to the general state whether a merchant, a smith, or a hatter, grew rich in Old or New England, any more than whether an iron manufacturer lived at Birmingham or Sheffield, or both, seeing they were still within its bounds, and their wealth and persons at its command.

This correspondence was carried on with great privacy. Mr. Shirley saw that his assembly had no disposition to adopt the Albany plan of union, and he took no public part, but left them to themselves.

The representation of the imminent danger to the colonies from the French encroachments, probably accelerated those measures in England which brought on the war with France.

While the convention was sitting, and attending principally to the frontiers of the colonies in the western parts, Mr. Shirley was diligently employed in the east, prosecuting a plan for securing the frontiers of Massachusetts Bay.

A rumour sometimes obtains credit, because the subject, from the nature of it, is probable. From the rumour of a French settlement between Kennebeck and Chaudiere, it was urged, that this must be a very fit place for a French settlement, or there would be no such rumour.

The Massachusetts assembly was influenced by the friends of the governor, to address him to raise a small army, and to order a detachment to this supposed settlement, and, if the rumour should be well founded, to break it up; and, at all events, to secure by forts the passes from Quebec, for New England, by the way of Kennebeck. The assembly also desired him to go into the eastern part of the province, and there to take upon himself the immediate direction of the affair. He accordingly made a voyage from Boston to Falmouth, in Casco Bay, and took with him a quorum of his council, and several principal members of the house, who, having by their advice, been instrumental in promoting his measures, would think themselves bound, upon their return, to promote a sanction of them in the general assembly.

He first held a treaty or conference with the In-

dian chiefs at Falmouth, to prevent their being alarmed from fear of hostilities against them; and then ordered the forces which he had raised, consisting of eight hundred men under the command of Mr. John Winslow, who had been a captain in the royal army at the siege of Carthage, and was on half pay, to the river Kennebeck. There they first built a fort, about three quarters of a mile below Tacomick falls, and about thirty-seven miles above Richmond fort. This new fort took the name of Halifax, out of respect to the then secretary of state. A number of persons who claimed a tract of land upon this river, under a long dormant and lately revived grant from the assembly of New Plymouth, obtained leave from the governor to erect another fort, eighteen miles below the first, at a place called Cushnock. This he called Fort Western, from a gentleman of his acquaintance in Sussex, in England, and in each fort a garrison was placed in the pay of the province.

Five hundred men then marched to what was called the carrying-place, and to a pond which they supposed to be half way over it, without finding any marks of French or Indian settlements, made or intended to be made; and then returned to Casco Bay.

Thus ended this expedition, which was very expensive; and though it was, in every part of it, the project of the governor, yet, as it had the appearance of originating in the assembly, there was no room for complaint. Besides, it was said by the governor, that the forts built on the Kennebeck, in the vicinity of this carrying-place, would be a check upon the Indians, who, in time of war passed over it.

The expense was to no beneficial purpose. Both French and Indians soon ceased from any thoughts of taking possession of the British territories, and their attention was taken up, in defending themselves against the vigorous measures of their provoked enemies.

Soon after governor Shirley's return to Boston from this expedition, in October or November, he received letters from the secretary of state, signifying his majesty's pleasure, that in concert with colonel Lawrence, lieutenant-governor and commander-in-chief of Nova Scotia, he should take the most proper measures for removing the subjects of the French king from the forts in that province; and, in the winter following, lieutenant-colonel Monckton came to Boston, with proposals from colonel Lawrence for raising two thousand men, to be employed in this service.

They were to be raised by enlistment, and though they were to be carried out of the province, it must be with their own consent. The charge also of raising, paying, transporting, &c., was to be paid by the crown. It seemed, therefore, that there was no occasion for meeting the general assembly. But the governor knew, that it would much forward the enlistment, if he could give the assembly a favourable opinion of the expedition. In a very long speech, he therefore laboured to set before them the danger to which the whole British interest in America, as he alleged, would be exposed, if these encroachments were suffered to continue; and that if this critical opportunity should be lost, it would be much more difficult to remove them hereafter. Mr. Shirley had one peculiar advantage for promoting his military schemes in the assembly. Many of the field officers and others who were at Louisbourg, and in other services, the last war, were now members of assembly, and the more readily fell in with his proposals. At this time, the assembly not only acquiesced in the

governor's proposals, but the members in the several parts of the province encouraged the enlistment, and the proposed number was complete sooner than expected; and sooner than otherwise it would have been, by assurances that the governor himself would take the command of the whole battalion, and that major-general Winslow would be the next officer; and Mr. Winslow was made to believe it also. It is not probable that Mr. Monckton, who had the rank of lieutenant-colonel in the army, ever intended to serve under Mr. Winslow, who had only the rank of captain. There was the appearance of discontent, on the part of Mr. Winslow, when colonel Monckton's claim to the superior command first transpired. Governor Shirley managed the affair very skilfully. The business of the province would not admit of his leaving it, and, though it was called his regiment, he could not take the command in person. A commission for the first battalion was given to Mr. Monckton, and Mr. Winslow was brought, upon such consideration as was thought fit, to be content with the command of the second.

The only inconvenience to the province from this expedition, was the loss of the men who enlisted, which increased the difficulty of raising men for further services. For, when the governor had brought the assembly to an acquiescence, and had secured the enlistment, he opened to them a further part of his plan; which would take both men and money from the province.

The rumours of a French fort near to Crown Point, it was now acknowledged, were groundless, but it was certain that there was a rocky eminence, which would command Crown Point fort, and the governor proposed, that whilst the expedition was going on against the French forts in Nova Scotia, which must draw the attention of the French in Quebec, to that province, possession should be taken of this eminence, and a strong fort be erected there, and well garrisoned. This would be a security to the frontiers of the English colonies against the inroads of French and Indians, and would be a good post from whence parties of English, and Indians in their interest, might issue to make depredations on the French; and, whenever it should be thought proper to make an attempt upon Crown Point by means of this post such attempt would be much facilitated.

The assembly thought favourably of the project. They did not, however, immediately resolve to make provision for the charge which must attend it, but desired the governor to carry it on at the charge of the crown, and gave their opinion, that he would run no risk in it. He, on the other hand, recommended to them to raise the money necessary for the purpose, and intimated to them, that they had no more reason now to distrust his majesty's paternal regard, in affording them relief, so far as they should overburden themselves, than they had when they engaged the last war, in the successful expedition against Louisburg. Many members, who would not otherwise have been in favour of the proposal, were made to believe that the charge would be repaid; and a majority of the house came to a resolve, to desire the governor to engage in an attempt to erect a fortress near to the French fort at Crown Point, and to repel and revenge any hostilities which might be offered to his majesty's forces, whilst they should be employed in that service. This they did, in humble trust that his majesty would be graciously pleased to relieve the province from the expense of this undertaking, though at all events, they would not leave the governor to suffer.

(1753.) Thus the assembly was brought, expressly to desire the governor to oppose the French by force, if they should interrupt the English; which looks as if he had some doubts whether he did not run a risk of the measures not being approved, and imagined such a desire would be of service to him in England.

Although he considered the Massachusetts as the leading colony, yet he designed to engage other colonies to take part with it. Less than five thousand men was deemed insufficient. The Massachusetts assembly resolved to make provision for the pay and subsistence of 1,200. It was proposed, that New Hampshire should raise 600, Rhode Island 400, Connecticut 1,000, and New York 800; and as the governor and Sir William Pepperell had, each of them, been ordered by the king to raise a regiment upon the establishment, it was part of the plan that those regiments should join.

New Jersey, it was expected, would make some addition, and Pennsylvania, which scrupled raising men, was desired to contribute to the charge by raising provisions. Commissioners were sent from Massachusetts to each of the other colonies to solicit a junction.

The governor was much at a loss for a proper general. Mr. Hutchinson, who had been one of the commissioners at Albany, proposed to him Colonel Johnson, one of the council at New York, who was also a commissioner at Albany. Governor Shirley approved of the proposal, but doubted whether the assembly would not dislike his appointing a general who lived in another province. The assembly were brought to acquiesce, by being informed, that no man had so great an influence over the Indians as Colonel Johnson, and that he would, undoubtedly, be the means of bringing several hundred to join in the expedition.

The commissions to the general officers then came to be considered. It was a new case, and it was judged necessary that each governor in the colony, where any forces of which the army consisted, were raised, should give commissions to the general officers, and that the regimental commissions for each colony should subject the regiments to such general command.

While preparations were making for the expeditions to Nova Scotia and Crown Point, General Braddock arrived in Virginia from England, and immediately gave notice to governor Shirley, and to several other governors, to meet him at Annapolis, in Maryland, in order to consult upon measures for his majesty's service. The place was afterwards changed to Alexandria.

At this meeting, the expedition to the west, under General Johnson, as well as that to Nova Scotia, under Colonel Monckton, was approved of: and it was determined, that another expedition should be formed against Fort du Quesne, upon the back of Virginia, with a force under General Braddock, consisting of two regiments which he brought with him from England, two independent companies which were posted at New York, and so many provincials, to be raised in the southern colonies, as should amount in the whole to 2,400 men. It was further determined that the two newly raised regiments of Shirley and Pepperell, with 500 men raised in New Jersey, and 300, of the 1,200 raised in Massachusetts, and which had been destined for the expedition to Crown Point, should be taken from that service, and employed under governor Shirley, in an attempt to dislodge the French who were posted at Niagara, in a fort there. Thus there were four

expeditions on foot at the same time, in three of which the Massachusetts had a share.

The success was various. That to Nova Scotia answered expectation. The French forts at Beau Sejour were taken; and, thereupon, those at the river St. John were abandoned.

That under General Braddock was entirely frustrated. In marching through the woods, when about ten miles distant from Fort du Quesne, the army was surprised by an attack, on every quarter, from an invisible enemy. A body of French and Indians having been posted, every man behind a tree, at a convenient distance, made a sudden fire upon them, and killed and wounded a great number. They could not see, but they could hear their enemies; and the yells of the savages, which of all noises is the most horrid, added much to the terror with which the army was seized. The fire was returned, but to little purpose. The general was mortally wounded; his secretary, eldest son to Governor Shirley, shot through the head. Sir Peter Halkett, and many of the officers were among the slain; Sir John Sinclair, and many others, among the wounded. The army retreated under the command of Lieut.-colonel Gage. General Braddock died in the woods soon after the action.

His body was buried in the most secret manner, to prevent indignities from the savages, if the place should be discovered by them: and thus ended this unfortunate expedition. There was not the least apprehension of a force in that quarter, equal to that of the English. Much confidence was placed in an experienced English general. All this tended to make the disappointment greater.

The main strength of the enemy was expected to oppose the army destined to Crown Point: neither the general, nor the greater part of that army, had ever seen service. Some part of the officers and men had been employed in the last war against Louisburg. The news of Braddock's defeat might well cause a general despair of Johnson's success.

Soon after, letters were received from him by lieutenant-governor Phipps, governor Shirley being absent, urging an immediate reinforcement of the army then under his command at or near lake George. He had not only received advice that the strength of the enemy was superior to what had been expected, but his own strength was inferior to what he had been made to believe he might depend upon, when he accepted of the command. It is doubtful whether Mr. Shirley ever intended that the two regiments of regular troops should serve under a provincial general; but the deduction of the Massachusetts and New Jersey forces he could not have in view. General Johnson was not only disappointed, but was much displeased; and it caused a breach between him and governor Shirley, to whom he supposed it to be owing, which was never made up.

At best, the issue of this expedition was very doubtful, and every man who had the interest of his country at heart was full of anxiety.

Such extraordinary incidents as had given success beyond all rational probability, to the expedition against Louisburg, and in as wonderful a manner had defeated the expedition under the Duke d'Anville, it was presumption to expect.

The Massachusetts assembly stood prorogued to the 24th of September. The lieutenant-governor was advised to order a special session, by proclamation, on the 5th. There had been no precedent for this in the province. Recourse was had to precedents in parliamentary proceedings. When the Dutch

threatened an invasion in 1667, King Charles II., having prorogued the parliament to October 10th, called, by proclamation, an intermediate session on the 25th of July. The Dutch did what mischief they could, and withdrew their ships. The parliament was again prorogued to the 10th of October, and, as no business was done, there was no room to call in question the validity of any proceedings.

The necessity of the case induced Mr. Phipps to comply with the advice given him, and the assembly having sat every day, Sunday included, from the 5th to the 9th, and made provision for raising two thousand men as an additional force, were prorogued to the 10th of October; when it was thought proper, by an act passed for that purpose, to establish all the proceedings of the intermediate session, and sufficient ground for a refusal to obey them, which might be of very bad consequence.

On the 15th of September, an express arrived from General Johnson with intelligence which relieved the people of Massachusetts bay from their fears.

The English army, which had marched near to lake George, formed a camp, which they fortified with the best breast-work the time would admit of, such as trees felled for that purpose.

Advice was soon received of an army of French and Indians, upon their march from South bay. Colonel Ephraim Williams, a Massachusetts officer, was ordered to march out with one thousand English and two hundred Indians, and to endeavour to ambush the enemy; but he was met by them sooner than he expected, and fell in the beginning of the action. The men fled back to the camp with great precipitation. Many of them were killed or badly wounded, and those who escaped came to the camp in tumultuous hurry, and struck terror into the whole army. The enemy, which consisted of regular troops, militia, and Indians mixed, came on in good order. The English within the camp lay flat upon the ground, until they had received the first fire, which was made at a great distance, and with muskets only, the enemy having no artillery. The cannon from the English camp did no great execution.

The baron Dieskau, general of the French army, soon received a wound, whether from the English, or from his own army, is uncertain. It was a fortunate stroke for the English, as it disabled him for any further service, cooled the ardour of the French, raised the spirits of the English, and caused both French and Indians to retreat, leaving their general a prisoner. In the action, and in their retreat, it was reported that the enemy lost one thousand men; but this was much too large a computation. Of the English, about one hundred and thirty were killed and mortally wounded; among whom was colonel Titcomb of the Massachusetts, who behaved with great bravery in the expedition against Louisburg. Hendrick also, a Mohawk chief, was slain. He had been influenced by general Johnson to join the English army, at the head of two or three hundred Indians of different tribes.

Johnson, it was allowed by all, discovered a firm, steady mind, during the action. He received a shot in one of his thighs, which he complained of as very painful, but not dangerous.

The enemy was so much dispirited by the loss of their general, and the garrison left at Crown Point was so weak, that it is probable it would have been an easy acquisition, if an immediate attack had been made; but the general did not think it advisable.

This repulse of the enemy caused great rejoicings in the several colonies, and it was represented in the most favourable light in England.

The Massachusetts assembly, though they could find no fault with the conduct of the general in the field, or as is related to the common interest with which he was intrusted, yet they were not pleased with his distinguishing New York in his correspondence; and, in a message to the lieutenant-governor, they desired he would acquaint general Johnson, that, as the Massachusetts province bore the greatest part of the charge and burden of the expedition, it ought to be considered the principal in all respects; and that all papers and advices of importance ought to be first sent to that province; and that the French general, and other prisoners of note, ought to be sent to Boston. General Johnson's correspondence was, notwithstanding, principally with the government of New York. Dieskau and the other prisoners were sent there; and it was most convenient for the wounded that they should be sent there also, it being nearest to the army, and the passage to it being by water.

Thus arose a coldness between the province and the general, which seemed to give him no great concern. All he could expect from the colonies bore no proportion to his expectations from government in England, which were fully answered. The king conferred on him the dignity of a baronet. The parliament made him a grant of 5000*l.*, or rather compelled the colonies to the payment of 5000*l.*, by deducting so much from the sum intended as a reimbursement to the colonies, and appropriating it to general Johnson's benefit.

Massachusetts assembly, by repeated votes, declared their sense of the expediency of proceeding upon the expedition without delay; and that, at least, an attempt ought to be made to remove the enemy from Ticonderara, where they had taken post; and commissioners were sent to Albany, and authorised to make all necessary provisions for that purpose. But it grew late in the year, and the army was disbanded without effecting any thing more than the repelling of an enemy, who, if this expedition had not been formed, would not have come out against the English, or not in this quarter.

The other part of the plan of measures for the present year fell short of what was intended.

After the consultation at Alexandria, governor Shirley returned to Boston, and having attended an assembly for the election of counsellors, and other ordinary business, he left Boston, and proceeded westward, in order to prepare for the expedition against Niagara. Upon general Braddock's death, the command of the forces devolved upon him. This did not hinder his proceeding to lake Ontario, where he spent the remainder of the summer and the autumn in building forts at Oswego; reserving the attempt upon Niagara for the next season. While he was at Albany, returning to Boston, he received a commission appointing him commander in chief of all his majesty's forces upon the continent of North America. At this moment, he was in his zenith. His friends saw the risk he was running, and wished he had contented himself with his civil station. The affairs of North America called for a general of the first military accomplishments. By his letters from Albany, he recommended to the assembly the appointment of commissioners to confer with commissioners from the other colonies upon measures for the further prosecution of the war. But being chagrined at so little effect from the ex-

pense of the last year, they received those recommendations very coldly, and declined a compliance, alleging, that "securing his majesty's territories is a design which his majesty only is equal to project and execute, and *the nation to support*; and that it cannot reasonably be expected that these infant plantations should engage as principals in the affair."

He went from Albany to New York, where he spent several weeks in consultations with the officers of the army upon the necessary preparations for the measures of the next year; and did not return to his own government until the middle of winter.

The French forts at Beau Sejour, Bay Verte, and the river St. John, in Nova Scotia, had been recovered. The state of that province was, notwithstanding, deemed very insecure; many thousand French inhabitants still continuing in it. They had been admitted by lieutenant-governor Armstrong, after that province was reduced in the reign of queen Anne, upon such a sort of oath, as to consider themselves rather in a neutral state between England and France, than in a subjection to either, and from thence they took the name of French neutrals. Being all Roman catholics, and great bigots, and retaining the French language, they were better affected to France than to England. In civil matters, they had been more indulged by the English than they would have been by the French, being in a manner free from taxes; and a great part of them were so sensible of it, that they wished to avoid taking part on the one side or the other. But the Indians, who were engaged on the part of the French, had constant intercourse with them, their houses being scattered, and where there were any number together to form a village, open to both French and Indians from Canada, without any sort of defence. And it was the general opinion, that, if any attempt should be made by the French to recover the province of Nova Scotia, the whole body of the Acadians, some from inclination, others from compulsion, would join in the attempt.

The commander-in-chief of his majesty's ships, then at Halifax, as well as the governor of the province, supposed that the principle of self-preservation would justify the removal of these Acadians; and it was determined to take them by surprise, and transport them all, men, women, and children, to the English colonies. A few days before the determination was executed, notice was given to the governors of the several colonies to prepare for their reception. Far the greatest part were accordingly seized by the king's troops, which had remained in the province, and hurried on board small vessels prepared to receive them, with such part of their household goods as there was room for; the remainder, with their stock of cattle, the contents of their barns, their farm utensils, and all other moveables, being left behind and never recovered, nor any satisfaction made for them.

In several instances, the husbands who happened to be at a distance from home, were put on board vessels bound to one of the English colonies, and their wives and children on board other vessels, bound to other colonies remote from the first. One of the most sensible of them, describing his case, said, "it was the hardest which had happened since our Saviour was upon earth."

About a thousand of them arrived at Boston, just in the beginning of winter, crowded almost to death. No provision was made, in case government should refuse to take them under its care. As it happened, the assembly were sitting when they arrived; but

several days were spent without any determination, and some aged and infirm persons, in danger of perishing, were received on shore in houses provided for them by private persons. At length the assembly passed a resolve, that they should all be permitted to land, and that they should be sent to such towns as a committee appointed for that purpose should think fit; and a law of the province was passed, to authorize justices of the peace, overseers of the poor, &c., to employ them in labour, bind them out to service, and, in general, provide for their support, in like manner as if they had been indigent inhabitants of the province.

Favour was shewn to many elderly people among them, and to others who had been in circumstances superior to the rest, and they were allowed support without being held to labour. Many of them went through great hardships, but in general they were treated with humanity. They fared the better, because the towns where they were sent, were to be reimbursed out of the province treasury, and the assembly was made to believe that the province would be reimbursed by the crown; but this expectation failed. It was proposed to them to settle upon some of the unappropriated lands of the province, and to become British subjects, but they refused. They had a strong persuasion, that the French king would never make peace with England, unless they were restored to their estates. A gentleman who was much affected with their sufferings, prepared a representation proper for them to make to the British government, to be signed by the chief of them in behalf of the rest, praying that they might either have leave to return to their estates, or might receive a compensation; and he offered to put it into the hands of a proper person in England to solicit their cause. They received the proposal thankfully, took the representation to consider of, and, after some days, returned it without having signed it. They were afraid of losing the favour of France, if they should receive or solicit for compensation from England. Despair of the free exercise of their religion, was another bar to every proposal tending to an establishment.

The people of New England had more just notions of toleration than their ancestors, and no exception was taken to their prayers in their families, in their own way, which, I believe, they practised in general, and sometimes they assembled several families together; but the people would upon no terms have consented to the public exercise of religious worship by Roman catholic priests. A law remained un repealed, though it is to be hoped it would never have been executed, which made it a capital offence in such persons to come within the province. It was suspected that some such were among them in disguise; but it is not probable that any ventured. One of the most noted families, when they were dissuaded from removing to Quebec, lest they should suffer more hardship from the French there than they had done from the English, acknowledged they expected it; but they had it not in their power since they left their country, to confess and to be absolved of their sins, and the hazard of dying in such a state, distressed them more than the fear of temporal sufferings.

When these unhappy persons despaired of being restored to their own estates, they began to think of a removal to places where they might find priests of their own religion, and other inhabitants of their own language. Many hundreds went from the New England colonies to Hispaniola, where, in less than

a year, by far the greatest part died. Others went to Canada, where they were considered as an inferior race of Frenchmen, and they were so neglected, that some of them wrote to a gentleman in Boston who had patronised them, that they wished to return. In 1763, Monsieur Bougainville carried several families of them, who had found their way to France, to the Malouines, or Falkland Islands, where they remained but a short time, being turned off by Mr. Byron. Bougainville says, "they are a laborious intelligent set of men, who ought to be dear to France, on account of the inviolate attachment they have shewn as honest but unfortunate citizens." Thus they were dispersed through the world, until they were in a manner extinct, the few which remained being mixed with other subjects in different parts of the French dominions.

The whole surviving force, employed by the colonies upon the expedition under general Johnson, returned before winter, except six hundred men, which remained to keep post at lake George, where a wooden fort was built, and at another station near Hudson's river, which took the name of fort Edward.

These, with some small vessels and a large number of boats on the lake, and works erected by Mr. Shirley at Oswego, where he had placed garrisons, and lodged large magazines of provisions and military stores, were all the strength of the English upon the western frontiers, at the close of the year 1755. The French had a strong fort at Crown Point, and works at Ticonderaga, another fort at Cataragui, upon or near lake Ontario, called Fort Frontenac, and another near the falls of Niagara.

During Mr. Shirley's absence from his government, he had held a conference with several Sachems of the six nations, and had promised to build forts in the countries of the Onandagoes, Oneidas, and Tuscaroras, and to provide garrisons for and to send men to the Cayugas, to protect and assist them in their husbandry, and he had received assurances from the other two nations, the Senekas and Maquas, that they would join him in the spring.

The year 1755 was rendered remarkable by an earthquake more violent than any other since the discovery of America. It seems to have been greater in Massachusetts than any other colony. In Boston, many chimneys and walls of houses were much shattered, but no house thrown down. A stack of chimneys, in one large house, was lifted off from the wall of the house, and brought so far upon the roof, that if it had been an inch or two more, that part of the stack which was above the roof must have fallen over, and made a passage through the house to the cellar. At Newport, on Rhode Island, it was less sensibly felt than on the main land near the island: no lives were lost. This was the third remarkable earthquake in New England, since the English arrived there.

Of the first, in 1638, we have but an imperfect account. The inhabitants were few in number. At the time of the second, in 1727, there was no remembrance nor tradition of the effect of the first upon the minds of the people. That, in 1727, was accompanied with a most tremendous noise, which greatly increased the terror, from the danger of the shock, which was not greater than this of 1755. Besides, the first great shock was followed by others less violent, the same night: and such smaller shocks were frequently felt for several weeks after. The places of public worship were then crowded, one day after another, in most parts of the country; and a strong and permanent religious impression was made upon the

minds of many people. This, in 1755, had less of that kind of effect. Public fasts were ordered by authority, but the terror was soon over, there being very few repetitions of the shock. A great part of the people remembered the earthquake in 1727, and there had been other less violent ones in a few years, which made them more familiar, and lessened the apprehension of danger in proportion.

(1756.) It was part of the plan for the year 1756, to remove the French from the lakes; and as soon as the governor returned to Boston, he called on his assembly to afford their assistance.

They were not in a temper suddenly to hearken to this call. Many of them were not satisfied, that a better use might not have been made of the repulse of the French the last year, than remaining altogether on the defensive. Accounts had been received that General Johnson was expected at Ticonderoga and Crown Point immediately after Dieskau's defeat, and that, if he had proceeded, both places would have fallen into his hands without defence.

At first they desired to be wholly excused: any further charge must ruin them. The treasure and power of France were likely to be employed against the English colonies. They hoped his majesty would graciously afford a sufficient force to oppose so powerful an enemy.

The governor, in his reply, said to them, that their furnishing a quota of men for the service of the next year would probably free them from future taxes, as it would remove that enemy which otherwise would make them to be necessary; and the most likely way to obtain a compensation for what they had already done would be by a further vigorous exertion. They assigned a further reason for their non-compliance. They had not been able to borrow money sufficient to pay the charges of the last year, and it was absolutely out of their power to provide for the charge of the next.

This objection he obviated too, by an offer to lend the province 30,000*l.* sterling, out of the monies which had been remitted for the king's troops, and to repay himself out of the grant which it was expected parliament would make to the province for last year's charges; but with this caution, that an act of assembly should pass for levying a tax in the years 1757 and 1758, of 30,000*l.* sterling, as a collateral security, the act to have no effect if the grant should be before made by parliament.

Declarations made to serve political purposes oftentimes will not bear a strict scrutiny.

The province was never in better credit than at this time. They could have borrowed enough to pay the charges of the past and present year: but this mode of proceeding induced many members of the assembly to come into the measure. They were made to believe it tended to facilitate the obtaining of a grant from parliament.

In this way the assembly was brought to agree to the governor's proposal, and to resolve to make provision "for raising 3,000 men, in order to remove the encroachments of the French from his majesty's territories at or near Crown Point; in humble confidence, that his majesty will be graciously pleased, hereafter, to give orders for defraying the expense of this expedition, and for establishing such garrisons as may be needed, in order to maintain the possession of that country." They intimated to the governor, that it would encourage men to enlist, if a gentleman belonging to the province might have the chief command; and this intimation was not disagreeable to him, as he could

with better grace decline making the offer to Sir William Johnson.

Mr. Shirley had formed a plan to raise 3,000 men in Massachusetts bay, as the proportion of that province to an army of 9,000, to be completed by Connecticut, New Hampshire, Rhode Island, and New York. Mr. John Winslow, who was second in command the last year at Nova Scotia, was appointed commander-in-chief in this service.

It was expected that a proper bounty would soon encourage the whole number to enlist; but the enlistment went on slowly, and an act of assembly passed to make up the deficiency by impressing men out of the militia; but this act was not seasonably executed; for the governor, who left the province the latter part of April, complains, in a letter of the 25th of May, that there was likely to be a deficiency of 500 men; and Winslow urged, not only to make up that number, but to raise an additional force. When the army arrived at Fort Edward, either Ticonderoga and Crown Point had been really made stronger than was expected, or appeared more formidable from some other cause; and men of judgment were under great concern, lest an unsuccessful attempt should be made by a body of raw, undisciplined militia, and they should be repelled, scattered, and cut to pieces.

On the other hand, it was painful to think of losing another year, by the continuance of the army in a state of inactivity.

Mr. Shirley had remained at Albany and New York, directing the necessary measures for the king's service upon lake Ontario, completing the armed vessels, whaleboats, batteaus, provisions, and warlike stores, necessary for strengthening Oswego, and carrying on an expedition against the French forts at Cataragui and Niagara.

While at New York in the month of June, he received despatches from the secretary of state, signifying that it was his majesty's pleasure that he should come to England, in order to his being consulted upon measures for carrying on the war; that Lord Loudoun would soon leave England, in order to take the command of his majesty's forces, which, in the mean time, Mr. Shirley was to leave to general Abercrombie. Though this had the appearance of letting him down tenderly, it was a mortifying stroke, and the more so, as it was altogether unexpected. It seems to have proceeded from a more mature consideration of his want of military knowledge, and his unfitness for so great a command. He was never charged with want of fidelity; and the state of his own affairs, after he had quitted the service shewed that he had paid more attention to the public, than to his private fortune. He was obliged to continue at New York many weeks to settle his accounts, which gave him much greater trouble, as the whole affairs of the army had been carried on by agents employed to purchase provisions, stores, &c., on the best terms they could, and not by contractors at certain rates. Here he had the further mortification of receiving news of the loss of Oswego, taken by Montcalm, the 14th of August, with all the shipping, stores, &c., of every kind, and of immense value. The garrison were prisoners of war. Colonel Mercer, chief in command, was killed by a cannon ball.

Mr. Shirley was charged with not giving a full information of the condition of the place to his successor in command. He denied the truth of the charge, and attributed the loss of the place to the want of skill, or courage, or both, in those with

whom the defence of it was entrusted. Neglect from many, who had been servile courtiers a short time before, convinced him of the truth of the old observation, "that you are to number your friends so long as you continue in prosperity, and no longer."

He wished to spend a little time with his family in Boston; but his successor, judging that he should be better able to transact business with the assembly after the governor had left the province, called on him repeatedly, by letters, to embark, and he sailed several weeks sooner than otherwise he would have done.

Mr Shirley made no doubt of his return to his government, if he could not obtain a better. Soon after his departure, private letters from England mentioned the high displeasure of the duke of Cumberland at his conduct, and some mark of it was feared by his friends. Before he arrived, a successor to his government was nominated. Considering how much of his life had been spent in public service, how small his emoluments had been, and especially considering the acquisition of Louisburg, and the preservation of Nova Scotia, in the former war, he seems to have met with hard treatment. He suffered, besides, by the delay in passing his accounts; and some persons employed under him in the service were great losers, by not having observed the forms required in the army; though, as he alleged, the whole expense of victualling the army, by his accounts, did not exceed four-pence per day for each man; and the government contract, under his successor, was at sixpence per day; the same articles of charge being contained in the first as in the last. There was no inquiry into his conduct. After long solicitations, he obtained the small government of the Bahama islands.

When Oswego surrendered to the French, a body of English troops were on their way from Albany in order to strengthen the garrison. The French force was represented to be very formidable, and it was expected, would come down to Albany; but while general Webb was employing the English troops in felling trees to fill up or stop the passage through Wood Creek, general Montcalm took the other route, and went back by the river St. Lawrence, in order to preserve Crown Point and Ticonderoga from the army under Winslow. This army consisted of seven or eight thousand men. If it was advisable for them to have proceeded at any time this season, it was when the army under Montcalm had marched against Oswego.

Just at this time the general command of the forces were changed, and all affairs seemed to be at a stand.

After Lord Loudoun had received information of the state of the army, and of the force, and success, of the enemy, it is probable that he laid aside all thoughts of acting upon the offensive for that campaign; though he did not make his resolutions public until October. In the mean time he received intelligence, that the enemy, flushed with success, had arrived at Ticonderoga. He therefore ordered such of the regular forces as could be spared, to join Winslow's army, which it was supposed would be attacked by Montcalm; and it is probable that the intelligence which was carried by scouting parties to Montcalm of this junction, diverted him from his design. As soon as the main body of the enemy went back to Canada, the provincial army broke up, and returned to the government in which it had been raised. Many had deserted, and more had died, while they lay encamped. Many died upon

the road, and many died of the camp distemper after they were at home.

The measures of this year were in every part unsuccessful. When the Massachusetts forces returned, no provision had been made by government for their pay. Three commissioners were appointed to apply to Lord Loudoun at Albany, to enable the government to discharge this debt, but without success, and provision was made by the assembly as usual. Lord Loudoun consulted with the commissioners at Albany, upon the expediency of his meeting the governors, with commissioners from the assemblies of the New England colonies, at Boston, in order to facilitate the measures of the next year; and intimated his intention to propose such a meeting. Whatever engagements were jointly made, he supposed might be depended on.

In former years, when each assembly was left to send what they thought fit, the number had always been short of expectation.

(1757.) Lord Loudoun came soon after to Boston, where, besides Mr. Phipps, lieutenant governor of Massachusetts, he found Mr. Fitch and Mr. Hopkins, the governors of Connecticut and Rhode Island, and commissioners from each of the assemblies and also from the assembly of New Hampshire.

The number of men proposed to be raised by the four governments was four thousand only. This being less than expected, met with no opposition; but it was as difficult to settle the proportion of each government, as if the number had been much larger. After ten days spent by the commissioners without agreeing, Lord Loudoun proposed to them a proportion, in which they acquiesced, and promised to recommend a compliance to the respective assemblies. Massachusetts, one thousand eight hundred; Connecticut, one thousand four hundred; Rhode Island, four hundred and fifty; New Hampshire, three hundred and fifty. Respect was had to the force employed by Massachusetts, both by sea and land, exclusive of this force.

Lord Loudoun offered to victual the men, and to furnish ammunition and artillery stores, and to admit into the king's hospital those whose cases required it. He would not say where they would be employed, lest the enemy should come to the knowledge of it; but, as he knew where the assemblies desired they should not be employed, he declared he had no intention to carry them there; and, as it had been the practice to raise men for one year only, he did not expect to detain them so long as that.

These proposals were very agreeable to the commissioners. The assembly of Massachusetts bay, which was then sitting, discovered a dislike to the demands which had been made by Lord Loudoun, for barrack articles and quarters for the king's troops, when they occasionally came into the province; but it proceeded to no length, and the demands were complied with.

Mr. Phipps, the lieutenant-governor, rejoiced in the success of this convention. His declining age and health would not admit of his giving close attention to it; but Lord Loudoun facilitated this measure by application to the commissioners, as a board, and to such of them personally, as had the greatest influence at the board, or in the assemblies. Much respect was shewn to his lordship, and there had been, at no time, a fairer prospect of a good harmony between the officers of the crown and the assemblies and people of the colonies, than there was at this time.

Though the plan of operations for the next year

was not made public, enough appeared, to make it probable that the principal object was the reduction of Louisburg, by a competent naval force, and the regular troops; and that the provincials, joined to such a number of regulars as should be judged proper, were to remain on the defensive, as guards and garrisons for the protection of the frontiers.

In all former wars between England and France, the Indians, upon the eastern frontiers, had taken part with the French. The poor creatures had lately been visited with the small pox, which is remarkably fatal to them, and they were reduced to so small a number that the French neglected them; and fearing they should irrecoverably lose the territory which remained to them, they desired to continue in peace, and made proposals for renewing the treaty. The lieutenant-governor, willing to take the advantage of this pacific disposition, had determined to meet the assembly the last of March, but, a few days before the time of meeting he fell sick, and died the 4th of April.

It fell to the council to act in a twofold capacity, as governor, and as the second branch of the legislature. Not judging it convenient to proceed on a treaty with the Indians, until a governor should arrive in the province, and little other business being necessary, after several votes for completing the levies, and an act for laying an embargo on all vessels in the several harbours, within the province, the assembly was dissolved. The design of this act was to prevent the discovery of the expedition against Louisburg. A flag of truce from thence was detained at Boston, and the people belonging to her put under confinement.

Before the session, in May 1757, for the election of counsellors, letters came to hand from Mr. Bolland, the province agent in England, informing the council that the king had been pleased to appoint Thos. Pownall, Esq., to be the governor of the province in the room of Mr. Shirley; and that the newly appointed governor was to embark for his government by way of Halifax, the next day after the date of the letters. The council, therefore, in a speech to the house, recommended to act only upon business of great necessity, and to defer all other matters until the governor's arrival. This was a compliment to the new governor, but did not prevent either house from going on with whatever business came before them as usual.

Among other matters, a bill was brought in and passed both houses, for making the district of Danvers a town, by which a right would be acquired of sending two members to the general assembly. By the king's instructions to the governor, he was strictly charged to consent to no act for making a new town, unless, by a clause in it, there should be a restraint of this power of sending representatives; and Danvers, a few years before, when it had been separated from the town of Salem, was made a district and not a town, because districts had not this power. Every governor and lieutenant-governor had observed this instruction; and it was thought by some of the council an ill-judged measure, to concur with the house in passing this bill, as it carried the appearance of influence by the house, on whom they depended for their election. The house had always disliked the instruction, as it prevented the increase of the number of members, which added to the importance of the house. The council should have approved of it, because, as the importance of the house increased, that of the council lessened in proportion; especially in all elections which were made by the joint votes of council and house. In earlier times of the consti-

tution, when the powers of the governor had devolved upon the council, they had been very scrupulous in maintaining the prerogative in every part, and considered themselves under as strong obligations to adhere to the observance of the royal instruction, as the governor or lieutenant-governor. There had not been any instance of a protest in form, in imitation of the practice in the house of lords. Upon this occasion, one of the council desired his dissent might be entered, and it stands upon record.

"The question, whether the bill entitled an act for erecting the district of Danvers into a township shall be enacted, having passed in the affirmative, I dissent for the following reasons:—

"First. Because it is the professed design of the bill to give the inhabitants, who now join with the town of Salem in the choice of representatives, a power of choosing by themselves; and the number of which the house of representatives may at present consist, being full large, the increase must have a tendency to retard the proceedings of the general court, and to increase the burden which, by their long session every year, lies upon the people, and must likewise give the house an undue proportion to the board of the legislature, where many affairs are determined by a joint ballot of the two houses.

"Second. Because, there being no governor nor lieutenant-governor in the province, it is most agreeable to his majesty's commission to the late governor, to the message of this board to the house, at opening the session, and, in itself, is most reasonable, that all matters of importance should be deferred until there be a governor or lieutenant-governor in the chair.

"Third. Because the board, by passing this bill, as the second branch of the legislature, necessarily bring it before themselves, as the first branch, for assent or refusal; and such members as vote for the bill in one capacity, must give their assent to it in the other, directly against the royal instruction to the governor, when the case is in no degree necessary for the public interest; otherwise their doings will be inconsistent and absurd.

"Council Chamber, Thomas Hutchinson,"
June 9, 1757.

A bill, receiving the assent of the governor contrary to the instructions given by the king, it is natural to suppose, would have been disallowed by the king; but the council kept no correspondence by letters with the king's ministers, and this bill, with others, received the royal allowance, probably without being observed to be contrary to the instructions; which would not have been the case, if there had been a governor or lieutenant-governor, it having been their constant practice to make their observations upon every act, when sent to England to be laid before the king.

The military operations for the year 1757 were carried on upon the plan which had been conjectured. The men raised in Massachusetts bay and the other colonies of New England, were posted at Fort William Henry, Fort Edward, and other places on the frontiers, under the command of an officer of the regular forces.

Lord Loudoun with the main body of the regular troops, under the convoy of one fifty-gun ship, one twenty, and two sloops, the whole fleet consisting of ninety sail, and the troops being in number 6,000, left New York the 20th of June, to proceed to Halifax. The fleet had lain ready for some time, expecting intelligence of the arrival of men of war and transports from England, destined also to Halifax; but it growing late, at length sailed without advi-

Soon after the news of the sailing of this fleet, intelligence was brought to Boston, of six French ships of the line and one frigate, seen off Cape Sable; which filled with anxiety every man who had the public interest at heart, until advice was received of the arrival of the English fleet at Halifax, ten days after it left New York.

Admiral Holburne, with the fleet and transports from England, joined those from New York, at Halifax, the 9th of July.

In this fleet came Mr. Pownall, the newly appointed governor for Massachusetts bay; and from Halifax he proceeded to Boston, where he arrived the 2nd of August. This was his third passage to America. In 1754, when Sir Danvers Osborne came over to the government of New York, Mr. Pownall was in his family, and brought with him, or received soon after, a commission as lieutenant-governor of New Jersey, the governor whereof, Mr. Belcher, was old and infirm; and in case of his death, Mr. Pownall would probably have been his successor. With a view to make himself acquainted with the affairs of the colonies, he was present at Albany while the commissioners held their meeting there, and, soon after, made a visit to Massachusetts bay; and Mr. Shirley appointed him, in conjunction with a gentleman of the council and another of the house, to solicit the aid of the colonies of Pennsylvania and New York, in carrying on the war. He also accompanied to Alexandria the governors, &c., who met General Braddock at that place. In 1755, he went back to England, and returned to America with Lord Loudoun in 1756, but continued there a few months only. Upon his arrival again in England, he was appointed to succeed Mr. Shirley. He had acquired great knowledge of the geography, history, and polity of the several American colonies, and came into office with many advantages.

Great part of the people of the province who had been attached to Mr. Shirley, were, in principle, friends to government, and disposed to support his successor in pursuing the ends of government. Many who had been inimical to him, and who kept up a strong party against him, though always the minority, had not the esteem of the people, any further than they acquired it by their opposition to government, and professions of maintaining liberty. These were the men who were most forward in offering incense to the new governor; and these he took most pains to secure to his interest, depending upon the principles of those who were in favour of government, without immediate respect to the person of the governor, to promote his measures for the public good. But besides these, there were many who were attached to Mr. Shirley, merely because he kept them in places, and, upon their recommendation, disposed of places to their friends, and also hearkened much to their opinion and advice, in many affairs which came before the general assembly. Between these persons, and many of those who had been in opposition to Mr. Shirley, there was great personal enmity; and it soon appeared impracticable to unite them in public measures. In a short time most of the chief friends to Mr. Shirley became opposers of Mr. Pownall, and most of Mr. Shirley's enemies became Mr. Pownall's friends. A part, however, of those who had been in favour of government from principle, continued to support the measures of government. In the latter part of his administration, they who had acquired the favour of the people by opposing Mr. Shirley, lost it by supporting Mr. Pownall, and were no longer able to do him any more service.

They failed of their elections into the assembly, where only they could be of use, and when he left the province, he observed himself, that he had very few friends remaining in the house.

The governor scarcely had time to inquire into the state of public affairs, before an express arrived from Major-General Webb at Fort Edward, informing him that a large army of French and Indians were in motion, in order to attack the forts under his command, and urging, that all possible assistance should immediately be afforded. The inhabitants of the province, by charter, cannot be carried beyond the limits of it except by their own consent, or by virtue of an act of the general assembly.

The governor with the council had, in many instances, since the charter for the public safety, done those acts, which, strictly and constitutionally, the general assembly only had power to do.

Upon this occasion the governor caused the council to be convened, and required their opinion, whether, in case of an attack made by the enemy upon his majesty's forts without the limits of the province, it would be a breach of duty in him to order the militia to march beyond those limits, the restriction in the charter notwithstanding.

The council considered the marching of the militia beyond the bounds of the province, to join the other forces there, as tending more to the defence of the province, than if the militia should wait within its limits, to meet the enemy there; and though an order for that purpose was not within the words, yet it was within the reason, of the charter; and, therefore, they gave their opinion, that he should require the militia to march.

In two or three days more, accounts arrived of the progress of the enemy, to the 4th of August, when they laid siege to Fort William Henry. The first step taken by the governor was the creation of a new officer not known in the province before; and Sir William Pepperell received a commission as lieutenant-general over all the militia throughout the province.

Orders were then issued by the governor, to the colonels of the several regiments through the province, to cause every man to be completely furnished with arms and ammunition according to law; to hold himself in readiness to march at a minute's warning; and to observe the orders of Sir William Pepperell.

Sir William repaired to the town of Springfield, to collect there a magazine of provisions and military stores, and to issue his orders from thence.

Soon after his arrival there, he received intelligence of the surrender of Fort William Henry on the 9th of August, and immediately communicated the same by express to the governor at Boston; earnestly urging that all the aid possible should be afforded.

The governor, by advice of council, issued orders, that the several troops of horse, and one-fourth part of all the regiments of foot, the counties of York, Nantucket, and Duke's county excepted, should be drawn out immediately for the protection of the province, and for the aid and assistance of his majesty's forces. A train of artillery was also ordered to be provided, and a regiment of artillery to be formed. The governor proposed to march himself, and to take the command of the force of the province; and his company of cadets had orders to be ready to attend him. Sir William Pepperell was ordered to require the inhabitants west of Connecticut river to destroy their wheel carriages, and to drive in their cattle. In case of the approach of the enemy, it

was proposed to make a stand on the east side of the river.

Several regiments, from the counties of Hampshire and Worcester, marched towards Fort Edward, into the unsettled country beyond Albany; but, before they reached the fort, they were stopped by orders from General Webb, who was convinced that the enemy was satisfied with the acquisition of Fort William Henry, and did not design to attack Fort Edward; and before the 18th of August, the governor received such intelligence as caused him to revoke his orders for raising the militia.

All that were upon the march, as soon as they came to the knowledge of General Webb's orders, returned home.

It is almost incredible, that 4 or 5,000 men, most of them Canadians and savages, should give such an alarm to so great a province.

Reports were spread among the people, that, after the surrender of the fort, the garrison had been massacred by the Indians, by the countenance and connivance of the French general; and it is certain, that, when a detachment of the French army was escorting the prisoners on their way to Fort Edward, the Indians, who had been disappointed in their expectations of plunder, fell upon the English, and stripped many of them. The two colonels, Munro and Young, with a great part of the prisoners, either had not left, or went back to the French army, and complained of this breach of the capitulation. About six hundred fled into the woods, some quite, and others almost, naked; and the first who came into Fort Edward reported the massacre of the rest. Some few were killed, or never heard of; the rest came in, one after another, many having lost their way in the woods, and suffered extreme hardships. The commander of the Massachusetts forces, colonel Frye, was thought to be lost; but, after wandering about some days, came in with no other apparel than his shirt. The prisoners acknowledged that the French strove to restrain the Indians, but were overpowered.

When the accounts of the charge attending this alarm were exhibited to the general assembly, it was then said by many to be more than necessary. The charge, however, was allowed. The men were paid at the same rate as the soldiers who had enlisted into the service, and were then on the frontier. The members of the assembly have always taken care that justice should be done to the soldiers in public service, whether they have been impressed without any promise of pay, or enlisted upon encouragement, or assurances given.

Upon the news of the loss of Fort William Henry, an express was sent to Lord Loudoun, at Halifax, to inform him of it, and of the probability that Fort Edward would meet with the same fate, and that the enemy would make advances towards New England and New York.

The express met his lordship, with the forces under his command, on his passage from Halifax to New York. He wrote to governor Pownall, that he proposed, as soon as he should come to land, to march directly to meet the enemy, and hoped to give a good account of them. He recommended to the governor, in the mean time, to harass and distress them, but not to hazard an engagement.

While the English fleet and army were at Halifax, preparing for a descent upon the island of Cape Breton, endeavours were used to obtain the fullest knowledge of the enemy's force there; but the accounts varied, and were uncertain. The English

troops were embarked, in order to proceed on the 1st of August. On the 4th of August, a French prize was brought into Halifax, having left Louisbourg a few days before. It appeared, by the examination of the prisoners, that there were seventeen ships of the line and twelve frigates then at Louisbourg, with four thousand regular troops, beside the garrison. The summer was far advanced. The troops, without great loss, might make good their landing at Chapeau-rouge bay; but there was no probability of carrying the town against so strong a land force, and a sea force superior to that of the English. A defeat would have exposed the English colonies to the ravages of the enemy, and would have been of fatal consequence to the British interest in America. It was therefore determined, in a council of war of the sea and land officers, by all but one voice, not to proceed.

The English fleet, however, remained waiting the motions of the French fleet, until the 25th of September; when, cruising off Louisbourg, a violent storm arose, in which the Tilbury, a sixty gun ship, was driven upon the rocks and lost; ten or twelve other ships were dismasted, and others damaged, and the whole fleet scattered, most of which returned to England.

The French fleet had an opportunity, the whole month of October, of laying waste the sea-ports of New England; and the people of Boston were not free from fears, until news arrived of its having sailed for Europe.

The return of Lord Loudoun, with his troops, freed the colonies from apprehensions of danger from any new inroads of French or Indian enemies; but winter was approaching, which caused all thoughts of offensive measures to be laid aside. Thus ended the third unsuccessful campaign in America.

When the governor arrived, the general assembly stood prorogued to the 16th of August.

Nothing memorable happened in this short session, except a proposal from the governor to the assembly, to pass an act, "to empower and require the civil magistrate to take up and assign quarters for such of the king's troops as should come into the province, under such regulations, that the troops might be well accommodated, and the province be burdened as little as possible."

The council and house, in a joint message to the governor, excused themselves, and supposed the barracks at the castle, which were intended to accommodate one thousand men, together with the barrack utensils, fire, and light, were all the provision proper to be made by the province.

The next session began the 23d of November. In the recess, recruiting parties arrived in Boston from Nova Scotia. They made application to the governor for quarters. He directed them to apply to the magistrates in Boston. They declined doing any thing. Upon representation to Lord Loudoun, at New York, he sent an express to the governor; made a demand, in form, of quarters in the town of Boston, alleging, that the act of parliament for quarters extended to the colonies, which made any provincial law unnecessary; complained of the magistrates in Boston for not complying with the act of parliament; and added, that he had ordered his messenger to wait forty-eight hours for answer, and if, within that time, his demand was not complied with, he would march one regiment which he had in Connecticut, another which was at Long Island, and a third at New York; and observed, that he had two more in Pennsylvania, and, if they began their

march, he would on no terms revoke them, until they arrived in Boston.

The assembly having met before this letter arrived, the governor laid the letter before them, and recommended it to their serious and immediate consideration.

It is probable that the governor himself was of opinion that the act of parliament did not extend to America; for, in three or four days, an act of the province passed the three branches of the legislature, making provision for quartering troops in public houses, as similar to the provisions made by act of parliament, as the difference between the circumstances of the kingdom and those of the province would admit. Upon transmitting a copy of this act to Lord Loudoun, he was dissatisfied, and would not allow that the assembly had any concern in the dispute; and added, "that in time of war, the rules and customs of war must govern."

This also was laid before the assembly, and produced a message to the governor, declaring the opinion of the assembly, that the act of parliament did not extend to the plantations, and that the rules and customs of war were not the rules which the civil magistrate was to govern himself by, but that a law of the province was necessary for his justification. The governor's letter, or perhaps further consideration upon the subject, abated the resentment of the general, and caused some change of sentiments. The answer which he wrote to it, being communicated to the assembly, produced a memorable message to the governor, which so fully expresses the sense which they then had of the constitutional authority of parliament, that it seems to be very proper to insert it at large.

"May it please your excellency,

"We are very glad to perceive by the letter from his excellency the earl of Loudoun, which you have been pleased to direct the secretary to lay before us, that the conduct of the general court is so well approved of, and that he has, thereupon, countermanded the orders which he had given for marching the troops to be quartered and billeted within this province.

"We thank your excellency for your good offices in our behalf, and for the care and pains which we are sensible you have taken to avert the troubles which seemed to be coming upon us. We doubt not, that future assemblies will act upon the same principles with this assembly; and that the Massachusetts province will always deserve the favourable opinion of the general of his majesty's forces.

"We wish to stand perfectly right with his lordship, and it will be a great satisfaction to us, if we may be able to remove his misapprehension of the spring and motive of our proceedings.

"His lordship is pleased to say, that we seem willing to enter into a dispute upon the necessity of a provincial law to enforce a British act of parliament.

"We are utterly at a loss what part of our conduct could give occasion for this expression. The point in which we were obliged to differ from his lordship was the extent of the provision made by act of parliament for regulating quarters. We thought it did not reach the colonies. Had we thought that it did reach us, and yet made an act of our own to enforce it, there would have been good grounds for his lordship's exception, but being fully persuaded, that the provision was never intended for us, what better step could we take, than, agreeable to the twentieth section in the articles of war, to regulate

quarters as the circumstances of the province require; but still, as similar to the provision made in England as possible? And how can it be inferred from thence, that we suppose a provincial act necessary to enforce an act of parliament?

"We are willing, by a due exercise of the powers of civil government, (and we have the pleasure of seeing your excellency concur with us,) to remove, as much as may be, all pretence of necessity of military government. Such measures, we are sure, will never be disapproved by the parliament of Great Britain, our dependence upon which we never had a desire, or thought of lessening. From the knowledge your excellency has acquired of us you will be able to do us justice in this regard.

"In our message to your excellency, which you transmitted to his lordship, we declared that the act of parliament, the extent of which was then in dispute, as far as it related to the plantations, had always been observed by us.

"The authority of all acts of parliament which concern the colonies, and extend to them, is ever acknowledged in all the courts of law, and made the rule of all judicial proceedings in the province. There is not a member of the general court, and we know no inhabitant within the bounds of the government, that ever questioned this authority.

"To prevent any ill consequences which may arise from an opinion of our holding such principles, we now utterly disavow them, as we should readily have done at any time past, if there had been occasion for it; and we pray that his lordship may be acquainted therewith, that we may appear in a true light, and that no impressions may remain to our disadvantage."

This address or message was drawn up by Mr Hutchinson, then a member of the council, and of the committee.

The expectation of favour from parliament, in the reimbursement of their expenses, induced the council and assembly to make and publish so explicit a declaration of their principles, lest the construction which the general had put upon their refusal to conform to the mutiny act might operate to their prejudice. They were nevertheless the real principles of those who made the declaration, and not merely pretended, to serve a purpose.

The governor, observing that his predecessor had suffered the house to take to themselves some share of that military authority, which the charter gives to the office of a governor, endeavoured to make a reform. In the grants of money for the defence of the province, the house, with whom all grants must originate, in several late instances, had appropriated the money granted, to the payment of such a number of men as should be posted in such places, or employed in such service, as the votes of the house expressed, and restrained the governor and council from drawing it out of the treasury for any other purpose. Mr. Shirley, to keep the house in good humour, and thereby to promote his general design, had submitted to this invasion. Mr. Pownall, for some days, suffered a grant, made in this form, to lie before him; and endeavoured to prevail on the house to depart from this irregularity; but they were tenacious of it, and he gave his assent, protesting against the vote as a breach of the constitution. No notice was taken of this in England, where there was no disposition to contend with the colonies, nor any apprehension of serious consequences from the advances made by the people upon the prerogative.

The Massachusetts assembly, which had been

used to take the lead, proposed to the other New England assemblies a meeting by commissioners, to agree upon measures for the defence of the New England colonies. New Hampshire and Rhode Island returned no answer to this proposal. Connecticut appointed commissioners, who met the Massachusetts commissioners at Boston, and a plan of measures was agreed upon, and New Hampshire and Rhode Island were invited to accede; but the whole affair dropped, by the neglect of the assemblies to act upon the report of the commissioners.

(1758.) Lord Loudoun, soon after, appointed a meeting of the governors of New York and of the New England colonies, or of commissioners from the colonies, together with such officers of the army as he thought fit, to be held at Hartford in Connecticut, 20th of February, where he intended to lay before them a plan of measures for the ensuing year. The governor of Massachusetts bay, New York, and Connecticut, and two commissioners from Rhode Island, met accordingly; but it soon appeared, that whatever might be the private opinions of the governors or commissioners, they could not ensure the concurrence of the assemblies. The general, not being able to effect his purpose at this meeting, went forward to Boston, hoping to succeed as well there as he had done the last year. But he was disappointed. He came to town the first day of the session of the assembly. The governor, in his speech, recommended to make provision for a suitable body of forces to co-operate in aid and assistance to his majesty's troops, to the eastward.

This gave room to conjecture that another expedition to Louisburg was intended. The season was advanced, and there was no time to spare. Twenty-two hundred men was the full number desired. From some cause or other, the general and the governor did not perfectly harmonize. The proposal laboured in the assembly. Six days were spent without any vote. Certain queries were then laid before the general, to which answers were desired. How long are the men to continue in service? What officers are they to be under? Where is the command to be? How are they to be paid, armed, and victualled? What is their destination? What will be the whole force, when they shall have joined it?

The general was much displeased with these queries, considered them as dilatory pleas, and was deliberating in what manner to reply to them, when an express came to town from New York, bringing intelligence that the Earl of Loudoun was superseded, and Major-General Abercrombie appointed commander in chief of his majesty's forces. The same express brought letters to the governor from the secretary of state, Mr. Pitt, recommending, in the strongest terms, an exertion on the part of the province, and giving encouragement that a compensation should be made in proportion. It was expected, that the forces would be employed in the reduction of Canada; the object, above all others, wished for by the people of New England. The house now made no queries, but came immediately to a resolve, "to raise seven thousand men by enlistment for the intended expedition against Canada, to be formed into regiments under such officers, being inhabitants of the province, as his excellency the captain-general shall appoint; to continue in service no longer than the first of November, and to be dismissed as much sooner as his majesty's service shall admit."

This was the greatest exertion ever made by the province. From the proposal made by Lord Loudoun, they expected nothing more than another at-

tempt upon Louisburg. Now, they had in view the country westward, considered the reduction of Ticonderoga and Crown Point to be certain, and that the possession of all Canada would soon follow. But the benefits expected from this acquisition were nothing more than a freedom from that distress which they were liable to, every time a war broke out between England and France. Whenever America should be actually subject to the supreme authority of the British empire, there would be no longer any reason to fear French nor Indian enemies, which had been a scourge to the colonies from their first settlement. An empire, separate or distinct from Britain, was then expected, or desired. From the common increase of inhabitants, in a part of the globe which nature afforded every inducement to cultivate, settlements would gradually extend; and, in distant ages, an independent empire would probably be formed. This was the language of that day.

Seven thousand men was a great proportion of the whole people to be raised, and sent out of the province. The bounty to enlist was large; the wages of a soldier were much higher than those of any soldiers in Europe. Many officers depended upon the number of men they could enlist, to entitle them to their commissions. Four thousand five hundred only could be raised by voluntary enlistment, and the remaining twenty-five hundred, by a subsequent act or order of court, were drawn from the militia, and impressed into the service. Between two and three thousand men were raised by the other colonies, which made more than nine thousand provincials, who, with between six and seven thousand regulars and rangers in the king's pay included, all marched to lake George, where general Abercrombie in person was in command. Lord Howe arrived in Boston, from England, after the forces had left the province, and, immediately upon his landing, began his journey, and joined the army before any action took place.

This body of men, the greatest which had ever been assembled in arms in America, since it was settled by the English, embarked on lake George, the 5th of July, for the French fortress at Ticonderoga, and landed the next day at a cove, and landing-place, from whence a way led to the advanced guard of the enemy. Seven thousand men, in four columns, then began a march through a thick wood. The columns were necessarily broken; their guides were unskilful; the men were bewildered and lost; and parties fell in one upon another. Lord Howe, the life of the army, at the head of a column which was supported by the light infantry, being advanced, fell in with a party of the enemy, consisting of about four hundred regulars and some Indians. Many of them were killed, and one hundred and forty eight taken prisoners. This, however, was a dearly purchased victory, for lord Howe was the first who fell on the English side: whether shot by the enemy, or by his own people, was uncertain. One of the provincial colonels present supposed the last, not merely from the disorderly firing, but from a view of the body; the ball entering, as he said, at his back, when he was facing the enemy.

The general assembly at Massachusetts Bay, upon a suggestion from the governor to some of the members, testified their respect to the memory of lord Howe, by granting a sum of money for a monument, which has been placed in Westminster Abbey.

"In the house of representatives.

"The great and general court, bearing testimony to the sense which the province had, of the services

and military virtues of the late lord viscount Howe, who fell in the last campaign, fighting in the cause of the colonies, and also to express the affection which their officers and soldiers bore to his command.

"Ordered, that the sum of two hundred and fifty pounds be paid out of the public treasury, to the order of the present lord viscount Howe, for erecting a monument to his lordship's memory, to be built in such manner, and situated in such place, as the present lord viscount Howe shall choose, and that his excellency the governor be desired to acquaint his lordship therewith, in such manner that the testimony be engraven on such monument.

"In council read and concurred.
"Consented to by the governor."

The report of his death caused consternation as well as grief, through the army, which had placed much confidence in him.

The troops returned, the next day, to the place where they landed, much fatigued. Colonel Bradstreet, having been sent with a detachment to take possession of a saw-mill at about two miles distance from the main body of the enemy at Ticonderoga, found it deserted.

The army marched there that evening. The prisoners agreed in their accounts, that the enemy's force was about 6000 men, of which eight battalions were regular troops, the remainder Canadians and Indians; that they were encamped before the fort, and were enclosing their camp with the best breast-work they could, by felling trees with their branches interwoven, &c.; that 3000 men had been sent off under Monsieur de Levi, mostly Canadians and Indians, to the Mohawk river, but, upon news of the approach of the English army, had been recalled, and were expected every hour.

From this intelligence, the general thought no time ought to be lost, and that an attack should be made without delay.

Early in the morning of the 8th, Mr. Clerk, the chief engineer, was sent to reconnoitre. He judged it practicable to carry the works, if attacked before they were completed. It was, thereupon, resolved to begin immediately.

The whole army, except a guard for the boats, and a provincial regiment at a saw-mill, was in motion. The attack was to be made by the regular forces, who had orders to march up to the breast-work, rush upon the fire of the enemy, but not to fire themselves until they should be within the works.

The provincials in the rear were to support the regulars, who advanced with great bravery, but were surprised to find the intrenchment much stronger than represented.

The enemy were within a breast-work, which had been thrown up eight or nine feet high. The ground before it was covered to a considerable breadth with trees fallen one upon another, and the branches interwoven so thick as to bar the passage of the troops, while they were exposed to the swivel guns and small arms of the enemy incessantly firing upon them. The provincials, generally undisciplined, could not be kept from firing in the rear, and at random; and some of their own officers admitted, that some of the regulars probably fell by that circumstance. Major Proby, lieutenant-colonel Bever, and other officers, were killed whilst attempting to mount the breast-work; which but a small part of the army had reached, when they were called off from the attack, which had been several times repeated, the whole action having continued two or three hours.

About 500 regulars were killed upon the spot, and about 1,200 wounded. Of the provincials 100 were killed, and 250 wounded.

The army still consisted of 13 or 14,000.

The enemy was much inferior in number. The retreat, nevertheless, was precipitate. Early in the morning of the 9th the whole army embarked in their boats, and arrived at the other end of the lake, and landed in the evening. Provisions, intrenching tools, and many stores, of various kinds fell into the hands of the enemy. The English arms have rarely suffered greater disgrace.

Before the news of this ill success, the governor of Massachusetts bay had acquainted the general, that the militia were ordered to hold themselves in readiness. After the repulse, the general thanked him for the orders, but hoped he should not want the men. Letters came also to the governor, to be forwarded to General Amherst, at Louisburg, to call him from thence, as soon as the service would admit. These letters never were received by General Amherst, nor was it known how they could miscarry. The failure caused a delay until duplicates came to hand, and he did not arrive in Boston until the 13th of September. He began his march from Boston to Albany, with 4,500 men, on the 16th.

Whether any further attempt would have been made that year, if they had arrived sooner, is doubtful. It is certain that, whatever may have been in contemplation, nothing was done, and General Amherst, in a short time, himself returned to Boston, and went from thence to Halifax.

In the interval between the repulse at Ticonderoga and the arrival of General Amherst, Colonel Bradstreet, with 3,000 of the provincials, and 120 regulars, stole a march upon Montcalm, and before he could send a detachment from his army to lake Ontario, by the way of St. Lawrence, went up the Mohawk river. About the 25th of August, they arrived at fort Frontenac, surprised the garrison, who were made prisoners of war, took and destroyed nine small vessels and much merchandise;—but having intelligence of a large body of the enemy near, they made haste back to Albany. It was an expedition of *éclat*. The men complained of undergoing greater hardship than they had ever undergone before, and many sickened and died by the fatigue of the march.

Louisburg was reduced this year, by the fleet under Admiral Boscawen, and the army under General Amherst. It did not surrender until the 26th of July. Whatever the plan may have been, it was too late to proceed upon an expedition up the river St. Lawrence. They had no knowledge then of Abercrombie's misfortune. Admiral Boscawen, after taking possession of the island St. John, included in the capitulation of Louisburg, sailed with the fleet for England.

An expedition for dispossessing the French of Fort du Quene, near the Ohio, had, at first, a very unfavourable prospect. The English forces met with a variety of obstructions and discouragements; and, when they had advanced within thirty or forty miles of the fort, were at a stand, deliberating whether they should go forward, or not. Receiving intelligence that the garrison was in a weak condition, they pushed on. Upon their arrival at the fort, they met with no opposition. The enemy had deserted it some days before, for want of provisions, as was generally believed; and it was added, that the provisions intended to supply that fort were destroyed by Bradstreet at fort Frontenac. Its greatest se-





curity seems to have been the difficulty of coming at it, with an army furnished with artillery, &c.

The Massachusetts forces this year suffered much by mortality while in camp; and great numbers died by sickness upon the road, and after their return; especially of those who were in Bradstreet's expedition.

The commissions of Thomas Hutchinson, Esq. for lieutenant-governor, and Andrew Oliver, Esq. for secretary of Massachusetts bay, were published in council, June 1, 1758.

The ill success of General Abercrombie at Ticonderoga caused his recall. He seemed to expect and desire it. He was succeeded by General Amherst.

(1759.) Whatever might be the real intentions of government in 1758, there was no room to doubt of its determination in 1759, to prosecute with vigour an expedition against Canada. Mr. Pitt, in his letter to the governor, pressed with much earnestness, the raising, this year, of as many men as were raised the last; and promised, as he had done before, a recompense in proportion to the active vigour and strenuous efforts wherewith the province should exert itself.

The difficulty of carrying the vote of the assembly, last year, for 7,000 men, into effect, caused a less number to be voted this year. The whole to be raised was 5,000 only; and, of these, 400 were to be employed under the governor, as a guard or defence in building a fort at the mouth of the river Penobscot. This was consented to by the general at the governor's request. As the navy was in great want of seamen, it was also agreed, that as many men as would enlist for the sea service should be accounted part of the number; and provision was made, that if the whole number did not enlist within a time limited, the deficiency should be made good by an impress.

The general was dissatisfied, and repeatedly made demands of additional numbers. At length, it was resolved to increase the bounty, in order to encourage 1,500 more to enlist; but if this encouragement should not effect the enlistment, there was no power to impress. The number, however, was nearly completed.

Notwithstanding the ill success of former attempts for the reduction of Canada, by the co-operation of an army by the river St. Lawrence, and another by lake Champlain, the same plan was laid again.

In two former expeditions, the forces intended by the lakes were of no use; and the whole force of the enemy was at liberty to oppose the army by the river. There was the utmost hazard of failure this year, from the like cause.

It was proposed, with a large body of regulars and provincials, under General Amherst, to remove the French from Ticonderoga and Crown Point, and also from their fort at Niagara. The occupation of the two former by the English would open a way to Canada through lake Champlain.

In the month of July, General Amherst took possession of the enemy's lines at Ticonderoga, which they abandoned, after setting fire to the fort: and, the beginning of August, the fort at Crown Point, having been abandoned also by the French, fell into the possession of the English.

Brigadier Prideaux had been sent with a proper force to besiege the fort at Niagara, and, on the 19th of July, walking in the trenches, was killed by the carelessness of his own gunner in firing a cohorn.

Colonel Gage, upon the intelligence of this loss, was sent from Crown Point by General Amherst to

succeed Brigadier Prideaux. Luckily for Sir William Johnson, who, as the next officer on the spot, took the command upon Prideaux's death, a body of 1,200 men from Detroit, &c., making an attempt, on the 24th of July, to throw themselves into the fort as a reinforcement, were intercepted, and killed, taken, or dispersed; and, the next day, the garrison capitulated. There were great obstructions to the passage of an army from lake Ontario into Canada by the river St. Lawrence. The general recommended to Colonel Gage to take post at La Gallette, but too many difficulties attended such an attempt, and it was laid aside; and no assistance could be afforded to the army before Quebec from this quarter.

About the middle of the month of August, General Amherst received information at Crown Point, that M. Bourlemaque was encamped at Isle aux Noix with 3,500 men, and 100 cannon, and that the French had four vessels on the lake, under the command of the captain of a man of war. It was judged necessary to build a brigantine, a radeau, and a sloop of sixteen guns. There could be no prospect of having such a fleet ready until the beginning of October.

The fleet under Sir Charles Saunders, with the army under General Wolfe, arrived before Quebec the latter part of June. The general, after many unsuccessful attempts to gain the possession of that city, was, on the 2nd of September, in a critical situation, and, to use his own words, met with "such a choice of difficulties, as to be at a loss how to determine."

With an army, of which, he says, "between 4 and 5,000 men were nearly the whole strength," he landed on the 13th of September, and, with the loss of his own life, obtained a victory over the enemy, which was made the more certain by the fall of Montcalm, the French general, about the same time with that of the English general.

General Monckton being shot through the lungs, which happily did not prove mortal, the completing of the victory, and the reduction of the city by capitulation, three days after, was reserved for General Townshend.

No communication could be opened between the two armies: but it is extremely probable, that, if a great part of the French force had not been withdrawn from Quebec to attend the motions of General Amherst, the attempt made by General Wolfe must have failed.

The Massachusetts forces this year were of great service. 2,500 served in garrison at Louisbourg and Nova Scotia, in the room of the regular troops, taken from thence to serve under General Wolfe. Several hundred served on board the king's ships as seamen, and the remainder of the 6,500 men, voted in the spring, served under General Amherst. Besides this force, upon application from General Wolfe, 300 more were raised and sent to Quebec by the lieutenant-governor, in the absence of the governor at Penobscot. These served as pioneers, and in other capacities, in which the regulars must otherwise have been employed.

The city of Quebec was reduced. Montreal became the seat of the French governor. The inhabitants of Canada, in general, remained subjects of the French king, and a considerable military force was still within the province. General Amherst, on the 11th of October, embarked his army in batteaux, under the convoy of the armed vessels which he had caused to be built, and went from Crown Point part of the way down the lake; but meeting with bad

weather and contrary winds, on the 19th resolved to return to Crown Point, and to desist from any further attempt until the next year.

The fleet returned to England, and General Murray was left in command with a strong garrison at Quebec.

Such of the Massachusetts forces as had been sent to Louisburg and Nova Scotia were held in service, although the term for which they enlisted was expired. The remainder were discharged, and returned home.

(1760.) General Amherst made application to the Massachusetts for the same number of men for the service of the next year, as they had raised the last. The reduction of Canada was still the object. This alone was found to be a sufficient stimulus to the assembly, and they did not need other arguments from the governor. The generous compensations which had been every year made by parliament, not only alleviated the burden of taxes, which otherwise would have been heavy, but, by the importation of such large sums of specie, increased commerce; and it was the opinion of some, that the war added to the wealth of the province, though the compensation did not amount to one-half the charges of government.

The assembly, at the session in January, 1760, first granted a large bounty to the men in garrison at Louisburg and Nova Scotia, to encourage them to continue in service. A vote was then passed for raising 5,000 men more, upon the same encouragement as those of the last year had received. Soon after, the governor received letters from Mr. Pitt, making the like requisition as had been made by him last year, and giving the same assurances of compensation. At the beginning of the year the English interest in Canada was in a precarious state. Quebec had been besieged in the spring, after a battle in which General Murray had lost a considerable part of his garrison. Fortunately, Lord Colville arrived at a critical time, and caused the siege to be raised.

This danger being over, and there being no probability of any French force from Europe, it seemed agreed, that all Canada must fall in the course of the summer. The Massachusetts enlistments went on but slowly. Only 3,300 of the proposed 5,000 men enlisted, and 700 only remained in garrisons at Louisburg and Nova Scotia.

A fire in Boston, the night after the 20th of March, exceeded the great fire, as it had always been styled, in 1711. It began in Cornhill, at a house known by the name of the Brazen Head, south of the town-house. Three or four houses were burnt, and the progress of it seemed to be stopped, when a violent wind at north-west came on suddenly, and it consumed, in that direction, between Cornhill and the harbour, 150 houses great and small. The newspapers made the damage amount to 300,000*l.* sterling. A brief from the governor supposed, that, at a moderate computation, it amounted to at least 100,000*l.* Others, who had observed the increased value of the land upon which the houses stood, estimated the loss at not more than 50,000*l.*, and judged, that if the donations could have been equally distributed, no great loss would have been sustained.

Governor Pownall's administration was short. In November 1759, it was thought proper to nominate him to the government of South Carolina, in the room of Mr. Littleton, appointed governor of Jamaica. Mr. Bernard, governor of New Jersey, was appointed to succeed Mr. Pownall.

The news of Mr. Pownall's recall did not arrive

in Boston until the latter part of February. He continued there until the election of counsellors was past for the year 1760, and sailed for England the 3rd of June.

From the arrival of Governor Bernard, August 2nd, 1760, to the commencement of the revolution.

(1760.) Mr. Bernard was detained in New Jersey, waiting for his commission longer than he expected. In this time the business of the assembly, which Mr. Pownall had left sitting, was completed by Mr. Hutchinson, the lieutenant-governor, who made a short prorogation, that the new governor might have the earliest opportunity of meeting them, if he thought fit. The people had conceived a very favourable opinion of him, and evidenced it by public marks of respect, as he travelled through the province, and upon his arrival at the seat of government.

In this session an addition was made of five hundred men to the forces under General Amherst. The county of York was divided, and two new counties erected, Lincoln, and Cumberland, on the eastern side, the western part retaining the name of York.

The Massachusetts forces served this year, in conjunction with other provincials and about 1600 regulars, under Colonel Haviland. They entered Canada from Crown Point by lake Champlain; while General Amherst, with the troops under his immediate command, went from Albany, by the Mohawk river, to lake Ontario, and from thence by the river St. Lawrence; and General Murray, with part of the army which was at Quebec, went from thence up the same river. The three armies met about the same time at Montreal; which facilitated the reduction of that city, and of course of the whole province of Canada.

The news of this event was brought to Boston on the 23d of September, and was no where received with greater joy, no part of the king's dominions being more interested in it.

Governor Bernard, in his speech to the assembly upon this occasion, put them in mind of "the blessings they derive from their *subjection* to Great Britain, without which they could not now have been a free people; for no other nation upon earth could have delivered them from the power they had to contend with."

The council, in their address, acknowledge that, "to their *relation* to Great Britain, they owe their present freedom," and then echo back, in imitation of the pattern they aimed to follow in addresses, that "no other nation upon earth could have delivered them from the power they had to contend with."

The house, without scrupling to make, in express words, the acknowledgment of their subjection, nevertheless explain the nature of it. They "are sensible of the blessings derived to the British colonies from their subjection to Great Britain; and the whole world must be sensible of the blessings derived to Great Britain, from the loyalty of the colonies in general, and from the efforts of this province in particular; which, for more than a century past, has been wading in blood, and laden with the expenses of repelling the common enemy; without which efforts, Great Britain, at this day, might have had no colonies to defend:" and in the same address they observe, that "the connection between the mother country and these provinces is founded on the principles of *filial obedience*, protection, and justice."

These addresses have the appearance of caution, which are not before met with in any public papers.

since the revolution. Perhaps it was observed only by the persons who composed them, and not by the council or house in general.

The greatest hopes from the reduction of Canada, as far as could be judged from the public prayers of the clergy, as well as from the conversation of people in general, was, "to sit quiet under their own vines and fig trees, and to have none to make them afraid." All they had ever suffered, as a community, had been from their French and Indian neighbours. In every respect, except the charges which had been occasioned by Indian wars, they had felt less of the burdens of government, than any people besides, who enjoyed so much of the benefit of it. That their civil and religious principles might be transmitted to the latest posterity, was an expression in general use among the clergy.

In Massachusetts bay especially, there was a very general satisfaction with the form of government according to their charter. Although under the first charter, the government had been more popular, the governor himself being annually elected, they were so fully satisfied with the new, that few persons, if any, wished to return to the old. From heats and animosities in popular elections in towns, they judged of the danger from such an election by all the people of the province.

The controversies between governors and their assemblies had been occasioned by different constructions of their respective powers, as derived from the charter; but these were pretty well settled. When a people are in such a state, they are not apt to be disturbed by mere theoretical notions of government, or with ideas of any particular degree of natural liberty which it is not in their power to alienate.

Speculative men had already figured in their minds an American empire, but in such distant ages, that no body then living could expect to see it. Besides, whilst the French remained upon the continent, the English were apprehensive lest, sooner or later, they should be driven from it. But as soon as they were removed, a new scene opened. The prospect was greatly enlarged. There was nothing to obstruct a gradual progress of settlements, through a vast continent, from the Atlantic to the Pacific Ocean.

The two colonies of Massachusetts bay and Connecticut claimed, by charters, the property of this vast territory, at their sole disposal, so far as came within the latitudes to which they were limited; the small territory, possessed by Pennsylvania and New York, only excepted.

Men whose minds were turned to calculations found that the colonies increased so rapidly, as to double the number of inhabitants in a much shorter space of time than had been imagined.

From the number of inhabitants then in the several colonies, and a supposition that, for the time to come, they might increase in the same proportion as in the time past, the colonies would soon exceed the parent state.

These considerations did not, of themselves, immediately occasion any plan, or even a desire, of independency. They produced a higher sense of the grandeur and importance of the colonies.

Advantages in any respect, enjoyed by the subjects in England, which were not enjoyed by the subjects in the colonies, began to be considered in an invidious light, and men were led to inquire, with greater attention than formerly, into the relation in which the colonies stood to the state from which they sprang.

Every argument which would give colour for the removal of this distinction was favourably received: and from various events, men were prepared to think more favourably of independency, before any measures were taken with a professed design of attaining to it.

Governor Bernard had been but a few weeks in the province, when he found himself under the necessity either of making a particular family and its connexions extremely inimical to him, or of doing what would not have been approved of by the greater part of the province.

Upon the death of the chief justice, the first surviving judge, and two other judges, together with several of the principal gentlemen of the bar, signified their desire to the governor that he would appoint the lieutenant-governor to be the successor. When Mr. Shirley was in administration he had encouraged, if not promised, a gentleman at the bar, that, upon a vacancy in the superior court, he should have a seat there. A vacancy happened, and Mr. Shirley, from a prior engagement, or for some other reason, disappointed him. He was at this time speaker of the house of representatives, and he made application to Governor Bernard, that the first surviving judge might be appointed chief justice, and that he might take the place of a judge. His son, Mr. Otis, author of the first political pamphlet upon the rights of Americans; also, with great warmth, engaged in behalf of his father, and, not meeting with that encouragement which he expected, threatened resentment, if he should finally fail of success.

Several weeks elapsed, before any nomination was made, or any thing had passed between the governor and lieutenant-governor, upon the subject. At length it was intimated to the lieutenant-governor, that the governor, when he had been applied to by many persons in his behalf, was at a loss to account for his silence upon the subject. This caused a conversation, in which the lieutenant-governor signified that he had desired no persons to apply in his behalf, and had avoided applying himself, that the governor might the more freely use his own judgment, in appointing such person as should appear to him most fit. And soon after, upon the lieutenant-governor's being informed of the governor's intention to nominate him to the place, he gave his opinion, that a refusal to comply with the solicitations which had been made to the governor by the other person, would cause a strong opposition to his administration, and, at the same time, assured the governor, that he would not take amiss the compliance, but would support his administration with the same zeal as if he had been appointed himself.

The governor declared that, if the lieutenant-governor should finally refuse the place, the other person would not be nominated. The expected opposition ensued. The resentment in the disappointed persons was also as strong against the lieutenant-governor for accepting the place, as if he had sought it, and had opposed their solicitations. Both the gentlemen had been friends to government. From this time they were at the head of every measure in opposition, not merely in those points which concerned the governor in his administration, but in such as concerned the authority of parliament; the opposition to which first began in this colony, and was moved and conducted by one of them, both in the assembly and the town of Boston. From so small a spark a great fire seems to have been kindled.

The news of the demise of King George the Second was received in Boston the 27th of December,

1760. There was no room to doubt the truth of it. The people on board a ship which arrived from an out-port in England, all agreed in it, and the newspapers contained an account of it, and of the accession of King George the Third, as published by authority in the London Gazette. There was no official advice, and upon the governor's consulting the council, some doubted the propriety of proclaiming a new king, until directions should be received from the secretary of state, in his name. Others were of opinion that it was justifiable. It was a season of the year, when it was probable that many weeks would pass before orders arrived, and it would have a strange appearance, if all writs, processes, and public acts of every kind, continued, all that time, in the name of a prince known to be in his grave. Upon consulting precedents, they were in favour of the last opinion, and the king was proclaimed on the 30th of December.

(1761.) On Thursday, January 1st, the governor, council, &c., went into mourning. In the morning a sermon was preached in the meeting-house, by Mr. Cooper, one of the ministers of Boston, when the whole general assembly attended. The governor proposed to the rector of King's chapel to preach there, in the afternoon: and the council and assembly attended with him. This is the only instance of a sermon preached before the general assembly in an episcopal church.

A short time only passed, before Mr. Otis, the son, appeared at the head of a party, not in opposition to any act of the governor, but to the past transactions of officers in the court of admiralty, in whose defence the governor would probably be engaged.

The act of parliament of the 6th of George the Second, which imposed a duty of sixpence per gallon upon all foreign molasses imported into the colonies, gave one-third part of the forfeiture to the king, for the use of the colony where the forfeiture should be made, one-third to the governor, and the other to the informer.

The act, though it had been made near thirty years, and large sums had been forfeited, was always deemed a grievance. The assembly had suffered the share given to the province to lie in the court. It had, besides, been the practice of the court, to allow to the informer what he gave for private information, and to charge it upon the third given to the king for the colony, (which third nobody appeared to demand,) and not upon the whole forfeiture. The like practice had before obtained, in all forfeitures where the crown, for its own use, was entitled to one-third.

Mr. Otis, bred to the law, and at that time a practitioner in the courts, took the advantage of this irregularity. The merchants, some of whom had been affected by these forfeitures, were easily brought by a committee to prefer a petition to the general assembly, praying to be heard by counsel; which was granted, and Mr. Otis was the person employed. It was proposed that actions should be brought, in behalf of the province, against the custom-house officers to whom these illegal charges had been allowed, for the recovery of monies had and received for the use of the province.

The house was easily induced to a compliance with the prayer of the petition. Mr. Otis, when before the council, undertook to support such an action, and was very sanguine that it could not be withstood. Opposition, however, was made in council; and it was plainly shewn, that no such action could lie. The superior court, having all the powers within the province of the court of king's bench

in England, might put a stop to the proceedings of the court of admiralty, whenever it took cognizance of a cause not within its jurisdiction, by a writ of prohibition; but in this case, jurisdiction had been expressly given, by an act of parliament, to the court of admiralty. The province might have appeared by an attorney, and have taken exceptions to the decree, and, if the exceptions had not prevailed, might have brought an appeal to the high court of admiralty in England; but the opportunity was wilfully slipped, and there was now no remedy. It was said, however, that the people were dissatisfied, and that it would not be believed that there was no remedy, unless there was a trial: and a majority of the council concurred with the house.

The governor at first, declined his assent, and, in a message to the house, gave, as the only reason, their appointing the province treasurer to bring the action; whereas, the money sued for being granted to the king, the king's attorney was the person in whose name the action should be brought.

This objection from the governor was really of no weight, because the money was granted to the king for the use of the province; and all money belonging to the province had always been sued for by the treasurer; particularly all arrears of taxes, which had always been granted, in name, to the king, though really for the use of the province. But he hoped to prevent Mr. Otis from carrying on the suit.

The governor, in his message, had intimated, that his consent to the vote in that form would expose him to the displeasure of the king. When he found how unpopular it would be to refuse his assent, he laid the matter before the council, and demanded their advice; and they advised him, "on that occasion, to wave his own opinion, how well soever founded." Thereupon, he gave his assent to the vote. This was esteemed a triumph, as they had compelled the governor to depart from what he had declared to be his judgment. But when the cause came upon trial, it was very feebly supported, by shewing that the charges ought not to have been allowed by the court of admiralty; and by representing that court, as not congenial with the spirit of the English constitution, for which reason no indulgent construction ought to be allowed to their proceedings.

The court summed up the cause to the jury, so as to shew that the action had not been supported; and cautioned them against departing from the rules of law, and consequently from their oaths, in compliance with popular prejudices: and, contrary to the prevailing expectation, they found costs for the defendants.

The authority of acts of parliament had never been called in question as the rule of law, when they plainly extended to the colonies. In a message from the two houses to the governor, upon the subject of this trial, they acknowledge, "that every act of the province, repugnant to an act of parliament extending to the plantations, is, *ipso facto*, null and void." Juries were disposed to receive the law from the court, and could not easily be induced to depart from their oaths.

Whilst this process was depending, Mr. Otis, who carried it on, was equally sedulous in promoting another measure, which tended to raise heats and animosities, and to destroy the powers of government.

The collectors and inferior officers of the customs, merely by the authority derived from their commissions, had forcibly entered warehouses, and even

dwelling-houses, upon information that contraband goods were concealed in them.

The people grew uneasy under the exercise of this assumed authority, and some stood upon their defence against such entries, whilst others were bringing their actions at law against the officers, for past illegal entries, or attempts to enter.

When Mr. Shirley was in administration, he, as the civil magistrate, gave out his warrants to the officers of the customs to enter.

This appears more extraordinary, as Mr. Shirley was a lawyer by education, and was allowed to be a man of good sense. These warrants, however, were in use some years. At length, the surveyor and searcher being one day about to break open a warehouse, upon an information of iron imported from Spain being concealed there, a gentleman, who was brother to the owner of the warehouse, and also a friend to the surveyor and searcher, enquired what authority he had to enter, and, thereupon, he shewed the governor's warrant. The gentleman, who knew the information to be ill-founded, sent for the keys, and caused the warehouse to be opened; and, at the same time, assured the surveyor, that, if he had forced an entry, an action would have been brought against him, his warrant being of no value.

This put the governor upon examining the legality of his warrants, and caused him to direct the officers to apply for warrants from the superior court; and, from that time, writs issued, not exactly in the form, but of the nature, of writs of assistance issued from the court of exchequer in England.

Upon application made to the court by one of the custom-house officers, an exception was taken to the application; and Mr. Otis desired that a time might be assigned for an argument upon it. The motion was the more readily complied with, because it was suggested, that the late chief justice, who was in high esteem, had doubts of the legality of such writs.

It was objected to the writs, that they were of the nature of general warrants; that, although formerly it was the practice to issue general warrants to search for stolen goods, yet, for many years, this practise had been altered, and special warrants only were issued by justices of the peace, to search in places set forth in the warrants; that it was equally reasonable to alter these writs, to which there would be no objection, if the place where the search was to be made should be specifically mentioned, and information given upon oath. The form of a writ of assistance was, it is true, to be found in some registers, which was general, but it was affirmed, without proof, that the late practice in England was otherwise, and that such writs issued upon special information only.

The court was convinced that a writ, or warrant, to be issued only in cases where special information was given upon oath, would rarely, if ever, be applied for, as no informer would expose himself to the rage of the people. The statute of the 14th of Charles II. authorized issuing writs of assistance from the court of exchequer in England. The statutes of the 7th and 8th of William III. required all that aid to be given to the officers of the customs in the plantations, which was required by law to be given in England. Some of the judges, notwithstanding, from a doubt whether such writs were still in use in England, seemed to favour the exception, and, if judgment had been then given, it is uncertain on which side it would have been. The chief justice was, therefore, desired, by the first opportunity in his power, to obtain information of the practice in England, and judgment was suspended. At the

next town, it appeared that such writs issued from the exchequer, of course, when applied for; and this was judged sufficient to warrant the like practice in the province. A form was settled, as agreeable to the form in England as the circumstances of the colony would admit, and the writs were ordered to be issued to custom-house officers, for whom application should be made to the chief justice by the surveyor-general of the customs.

The ill success of these two attempts seemed to have a tendency to check and discourage the spirit of opposition; but it had a contrary effect. The people were taught that innovations, under pretence of law, were now confirmed by judgments of court incompatible with English liberties, and that the authority of courts of admiralty, and the powers of custom-house officers, always deemed grievous because unconstitutional, were now established by judges devoted to the prerogative.

Mr. Otis's zeal in carrying on these causes was deemed meritorious, as it was considered to arise from a sincere concern for the liberties of the people. His resentment against the governor was not charged upon him as the motive. The town of Boston, at their next election, in May, shewed the sense they had of his merit, by choosing him one of their representatives in the general assembly.

The government in England thought it necessary to keep up in America a considerable part of the military force, notwithstanding the reduction of Canada, until peace should be established.

An expedition was determined to be carried on this summer, against the French islands: and great part of the regular troops were to be taken from the continent for that service. Massachusetts bay was called upon to assist in supplying provincial troops in their stead, by raising two-thirds as many men as they raised the last year. 3,000 men were resolved upon; but great opposition was made, and the vote was kept four days on the table of the house; and then a motion was made for reconsidering it; but it did not prevail, and the vote passed the several branches.

Governor Bernard saw a strong party forming, at the head of which, ostensibly, was Mr. Otis, the son; but the father, being speaker of the house, was a great support to it.

The governor flattered himself that he should be able to reconcile to him, both father and son.

By the demise of the king, all civil as well as military commissions must be renewed. This was the only opportunity which a Massachusetts governor could have, of nominating persons to office, at pleasure. When he came to settle the county of Barnstable, where the speaker lived, he made him an offer of taking to himself the principal offices in the county, and of naming many of his relations and friends to other offices; and the whole county was settled to his mind. He took for himself the place of first justice of the county court of common pleas, and also that of judge of probate, which gives much weight and influence in the county.

Mr. Otis, the son, soon after appeared in favour of a grant, made by the assembly to the governor, of the island of Mount Desert; and there was the appearance of reconciliation. It lasted but a short time. Places granted by a Massachusetts governor could not be taken away again at pleasure, except places in the militia, which were not much valued, after the title and rank, derived from them, were once acquired.

(1762.) The successes of the year 1761 gave a

general expectation of peace, which was disappointed by the intermeddling of the Spaniards.

The Massachusetts, therefore, were again called upon for the like number of men as had been in service the last year, to serve upon the continent, while the regulars were to be employed in an important service elsewhere. The assembly determined to raise 3,200 men, which number was satisfactory. They also voted a bounty of 7*l.* per man, to encourage the enlistment of 893 men into the regular troops. This is a singular instance.

Men were raised with greater ease than ever. By habit they became fond of the life of a soldier. The number, now required, being not half what had been required in several former years, there was not room for many who were inclined to serve, and who, thus, were obliged to remain at home.

This provision was made at a session of the assembly, in the winter after 1761.

Another session, for election, in the summer following, passed in quiet, the ordinary business of the province going on without opposition.

Soon after it was finished, the fishing towns were alarmed with the news of a French force which had taken possession of St. John's, Newfoundland, and the inhabitants of Salem and Marblehead petitioned the governor and council, to cause a ship and sloop, then in the service of the province, to be fitted out and employed for the guard and security of the vessels employed in fishing. The council advised an additional number of men for the sloop, and a bounty for the encouragement of men to enlist to make up the complement of the ship. The whole expense did not exceed 3 or 400*l.* sterling.

In September the assembly met again.

The governor, among other things in his speech, took notice of this small expense, which had been incurred in the recess; and afterwards, in a message, recommended to them to make provision for the continuance of pay to the additional number of men on board the sloop.

This exercise of authority, by the governor and council, was to be justified as far as precedents, from the date of the charter, could justify it. In this instance, notwithstanding, as unexceptionable perhaps as any other whatever, the house thought fit to take exception; and, in a remonstrance composed by Mr. Otis, to declare against such a practice, as taking from the house "their most darling privilege, the right of originating all taxes," and as "annihilating one branch of the legislature." They say, "it would be of little consequence to the people, whether they were subject to George or Louis, the king of Great Britain or the French king, if both were as arbitrary as both would be, if both could levy taxes without parliament;" and conclude with praying the governor, "as he regards the peace and welfare of the province, that no measures of this nature be taken for the future, let the advice of council be what it may."

When the remonstrance was delivered to the governor, he sent it back in a private letter to the speaker, and advised him to recommend the house to expunge from it, and from their record, that passage in which the king's name was used with a freedom which was not decent. Mr. Otis resisted the proposal, but was content that some qualifying words should be brought in, as, "with due reverence to his majesty's sacred person," or the like; but the government cried out "erase them,—erase them,"—and they were ordered to be expunged. Mr. Otis justified the remonstrance, and his conduct relative

to it, in a pamphlet which he published soon after the session was over. No further notice was taken of the remonstrance. It was calculated to raise a spirit against the council, of which the lieutenant-governor was president, and whose character was attacked in newspaper publications, to some of which Mr. Otis affixed his name.

The currency of Massachusetts bay had been under as good regulation as possible, from the time that paper had been exchanged for silver, which was made the standard at 6*s.* 8*d.* the ounce. Gold was not a lawful tender, but passed current at fixed rates, a guinea at 28*s.*, a moidore at 36*s.*, &c., being nearly the same proportion that gold bore to silver in Europe at the time when the paper-money was exchanged. Silver bullion, for a year or two past, had advanced in price, in England, from 5*s.* 3*d.* to 5*s.* 7*d.*, an ounce. A greater proportion of silver than of gold had been exported, and people, who observed the scarcity of silver, were alarmed. A bill was brought into the house of representatives and passed, making gold a lawful tender at the rates at which the several coins had been current for many years past.

The bill was now concurred in council, and a conference ensued between the two houses, the lieutenant-governor being at the head of the managers for the council, and Mr. Otis of those for the house.

The only argument on the part of the house was the danger of oppression towards debtors, by their being obliged to procure silver at disadvantage.

On the part of the council, it was said, that the proportion between silver and gold was different at different times; that one only ought to be the standard, and the other considered as merchandize; that, silver being made the standard in the province, it behoved government rather to reduce the rate at which gold coin should pass, so as to make the proportion between gold and silver the same in the province as in Europe; that, in such case, there would be the same profit upon exporting gold as silver; but as one metal was made the standard, and the only lawful tender, it was not advisable for government to regulate the other, but to leave it to take its chance; and that there was no other way of securing the currency from depreciation.

The house was much engaged to carry the bill through, but the council stood firm, and rejected it. But in a session of the assembly, some time after, this bill passed into an act, and gold as well as silver was made a lawful tender. But, about the same time, the price of silver bullion in England fell to 5*s.* 3*d.* or 5*s.* 2*d.* the ounce, and there was no longer any profit by the exportation of silver rather than gold.

There seems to have been no reason for men engaging more on one side the question than the other, in this dispute, only as one side might appear to them more just and reasonable than the other; but the lieutenant-governor having taken one side of the question, Mr. Otis took the other; and the court and country parties took one side and the other with much of the same spirit, as if it had been a controversy between privilege and prerogative.

(1763.) The conquest of the Havannah, soon after that of Martinico and Guadaloupe, brought on a treaty between the contending powers in Europe; and the news of preliminaries being signed reached Boston in January, 1763, and of the definite treaty, in May following.

It was well known in America, that the people of England, as well as the administration, were divided

upon the expediency of retaining Canada rather than the islands; and it was also known that the objection to Canada proceeded from an opinion, that the cession of it by France would cause, in time, a separation of the British colonies from the mother country. This jealousy in England being known, it was of itself sufficient to set enterprising men upon considering how far such a separation was expedient and practicable. But the general joy in America upon the news of this cession was not caused by such views. And we may well infer from the addresses of the two houses upon this occasion, that they could have no such thoughts. The governor, in his speech, congratulated them upon so joyful an event. In their address to him, they acknowledge, that the evident design of the French to surround the colonies was the immediate and just cause of the war; that, without the protection afforded them during the war, they must have been a prey to the power of France; that without the compensation made them by parliament, the burden of the expense of the war must have been insupportable.

In their address to the king they make the like acknowledgments, and, at the conclusion, promise to evidence their gratitude by every expression of duty and loyalty in their power.

Mr. Otis, at the first town meeting of Boston after the peace, having been chosen moderator, addressed himself to the inhabitants, in a speech which he caused to be printed in the newspapers, in the following words:—"We in America have certainly abundant reasons to rejoice. The heathen are not only driven out, but the Canadians, much more formidable enemies, are conquered and become fellow-subjects. The British dominion and power may now be said, literally, to extend from sea to sea, and from the great river to the ends of the earth. And we may safely conclude from his majesty's wise administration hitherto, that liberty and knowledge, civil and religious, will be co-extended, improved and preserved to the latest posterity. No other constitution of civil government has yet appeared in the world, so admirably adapted to these great purposes, as that of Great Britain. Every British subject in America is of common right, "by acts of parliament," and by the laws of God and nature, entitled to all the essential privileges of Britons. By particular charters there are peculiar privileges granted, as in justice there might and ought, in consideration of the arduous undertaking to begin so glorious an empire as British America is rising to. Those jealousies, that some weak, and wicked minds have endeavoured to infuse with regard to the colonies, had their birth in the blackness of darkness, and it is great pity they had not remained there for ever. The true interests of Great Britain and her plantations are mutual, and what God in his providence has united, let no man dare attempt to pull asunder."

The southern colonies were molested, all the summer after the peace, by inroads from the Indians, and many people were killed, and others carried into captivity from the frontiers. In the autumn, general Gage, who succeeded General Amherst in the command of the British forces, called upon the Massachusetts for assistance, in conjunction with the other New England colonies, in order to form an army early in the spring, to enter the enemy's country by the lakes, whilst another army from the southern colonies should enter it by the Ohio. But this application was coldly received by the assembly. In former wars, the province had defended its own frontiers without aid from the southern colonies.

Before the assembly came to a determination, there was a prospect of a treaty with the Indians, and they gave this treaty as a reason for referring the matter to another session. A general accommodation soon followed.

There does not appear to have been any special cause of dissatisfaction with the administration of government, at this time, in Massachusetts bay. There was no complaint of invasion upon any of the rights and liberties of the people. At all times, there are many out of place, who wish to be in. There were, indeed, great disturbances in England; but nothing had occurred there, which concerned the people of Massachusetts bay. Mr. Wilkes, nevertheless, had his partisans in America, and the sound of "Wilkes and liberty" was heard in Boston, in proportion to the number of inhabitants, as much as in London. Men took sides in New England upon mere speculative points in government, when there was nothing in practice which could give any grounds for forming parties. The officers of the crown, and especially all officers of the customs, were considered as engaged in promoting measures, more restrictive of the natural rights and liberties of the people, "than the ends for which government was instituted made necessary." They had the law, however, on their side. Squibs were thrown at their general characters, in newspapers, hand-bills, &c.

The terms whig and tory had never been much used in America. The Massachusetts people, in general, were of the principles of the ancient whigs; attached to the revolution, and to the succession of the crown in the house of Hanover. A very few, who might have been called tories in England, took the name of jacobites in America.

All of a sudden, the officers of the crown, and such as were for keeping up their authority, were branded with the name of tories, always the term of reproach; their opposers assuming the name of whigs, because the common people, as far as they had been acquainted with the parties in England, all supposed the whigs to have been in the right, and the tories in the wrong.

Whilst the people in the province were thus disposed to engage in parties, the state of the colonies became a matter of more serious consideration in England, than it had ever been before. The amazing increase of the national debt, by a war engaged in at the solicitations, and for the protection of the colonies, seems to have caused this new attention.

The first proof of it towards Massachusetts bay was an order to the governor, to obtain a more exact and certain knowledge, than had ever been obtained, of the number of inhabitants, distinguishing age, sex, &c.

This the governor could not obtain without the aid of the assembly, by a law to compel the several towns and districts to make returns of their numbers. Objections were made to it. Some suspected that it was required for purposes, though they could not discover them, to the disadvantage of the province; others, and not a few, seemed to have religious scruples, and compared it to David's numbering the people. The proposal was referred from one session to another, and, though it was finally agreed to by a majority, yet many remained dissatisfied.

(1764.) As we are now fast advancing to the period when a determination to resist the authority of the British government was becoming universal in all the colonies, we shall close our separate history of Massachusetts, referring the part taken by that colony, in the struggle for emancipation, to the general history of the revolution

NEW HAMPSHIRE.

THE History of New Hampshire is so exceedingly slightly touched upon by Robertson, in his account of the Planting of New England, most of his fragment being occupied with the settlement of Massachusetts, that we shall give a more detailed account of its rise and progress.

The grants to Mason and others—Beginning of the settlements at Portsmouth and Dover—Whelewright's Indian purchase—Neal's adventures—Discouragements—Dissolution of the Council—Causes of the failure of his enterprise.

A patent was granted by King James, in 1606, limiting the dominion of Virginia from the thirty-fourth to the forty-fourth degree of northern latitude, which extent of territory had been divided into two parts, called North and South Virginia. The latter was assigned to certain noblemen, knights, and gentlemen of London; the former to others in Bristol, Exeter, and Plymouth. Those who were interested in the northern colony, finding that the patent did not secure them from the intrusions of others, petitioned, in 1620, for an enlargement and confirmation of their privileges. After some time, the king, by his sole authority, constituted a council, consisting of forty noblemen, knights, and gentlemen, by the name of "The council established at Plymouth, in the county of Devon, for the planting, ruling, and governing of New England, in America." They were a corporation with a perpetual succession, by election of the majority; and their territories extended from the fortieth to the forty-eighth degree of northern latitude. This patent, or charter, is the foundation of all the grants that were made of the country of New England. But either from the jarring interests of the members, or their indistinct knowledge of the country, or their inattention to business, or some other cause which does not fully appear, their affairs were transacted in a confused manner from the beginning; and the grants which they made were so inaccurately described, and interfered so much with each other, as to occasion difficulties and controversies, some of which are not totally obliterated.

Two of the most active members of this council, were Sir Ferdinando Gorges, and Captain John Mason. Gorges had been an officer in the navy of Queen Elizabeth, intimately connected with Sir Walter Raleigh, of whose adventurous spirit he had a large share. After the peace which King James made in 1604, he was appointed governor of the fort and Island of Plymouth in Devonshire. While he resided there, Captain Weymouth, who had been employed by Lord Arundel in search of a northwest passage, but had fallen short of his course and put in at Pemaquid, brought from thence into the harbour of Plymouth, five natives of America, three of whom were eagerly seized by Gorges, and retained in his service for three years. Finding them of a tractable and communicative disposition, and having won their affections by gentle treatment, he learned

from them many particulars concerning their country, its rivers, harbours, islands, fisheries, and other products; and the numbers, force, disposition, and government of the natives; and from this information he conceived sanguine hopes of indulging his genius, and making his fortune, by a thorough discovery of the country. For this purpose he, in conjunction with others, ventured several ships, whereof some met with peculiar misfortunes; and others brought home accounts, which, though discouraging to some of his associates, made him determine upon farther attempts, wherein his resolution and perseverance were more conspicuous than any solid gain. These transactions were previous to the establishment of the council; in soliciting which, Gorges was so extremely active, that he was appointed their president, and had a principal share in all their transactions. Mason was a merchant of London, but became a sea-officer, and, after the peace, governor of Newfoundland, where he acquired a knowledge of America, which led him, on his return to England, into a close attachment to those who were engaged in its discovery; and upon some vacancy in the council, he was elected a member and became their secretary; being also governor of Portsmouth in Hampshire. (1621.) He procured a grant from the council, of all the land from the river of Naumkeag (now Salem), round Cape Anne, to the river Merrimack; and upon each of those rivers to the farthest head thereof; then to cross over from the head of the one to the head of the other; with all the islands lying within three miles of the coast. This district was called Mariana. (1622.) The next year another grant was made to Gorges and Mason jointly, of all the lands between the rivers Merrimack and Sagadahock, extending back to the great lakes and river of Canada, and this was called Laconia.

Under the authority of this grant, Gorges and Mason, in conjunction with several merchants of London, Bristol, Exeter, Plymouth, Shrewsbury, and Dorchester, who styled themselves "The company of Laconia," attempted the establishment of a colony and fishery at the river Pascataqua; and in the spring of the following year, (1623), they sent over David Thompson, a Scotsman, Edward and William Hilton, fishmongers of London, with a number of other people, in two divisions, furnished with all necessaries to carry on their design. One of these companies landed on the southern shore of the river, at its mouth, and called the place Little Harbour: here they erected salt works, and built an house, which was afterward called Mason Hall; but the Hiltons set up their stages eight miles further up the river toward the northwest, on a neck of land which the Indians called Winnichahannat, but they named Northam, and afterwards Dover. Thompson, not being pleased with his situation, removed the next spring (1624), to an island in the bay of Massachusetts; this the general court afterward confirmed to him, and still bears his name.

These settlements went on but slowly for several

years; but the natives being peaceable, and several other small beginnings being made along the coast as far as Plymouth, a neighbourly intercourse was kept up among them, each following their respective employments of fishing, trading, and planting, till the disorderly behaviour (1628), of one Morton, at Mount Wollaston, in the bay of Massachusetts, caused an alarm among the scattered settlements as far as Pascataqua. This man had, in defiance of the king's proclamation, made a practice of selling arms and ammunition to the Indians, whom he employed in hunting and fowling for him; so that the English, seeing the Indians armed in the woods, began to be in terror. They also apprehended danger of another kind; for Morton's plantation was a receptacle for discontented servants, whose desertion weakened the settlements, and who, being there without law, were more formidable than the savages themselves. The principal persons of Pascataqua therefore readily united with their neighbours, in making application to the colony of Plymouth, which was of more force than all the rest, to put a stop to this growing mischief; which they happily effected by seizing Morton, and sending him prisoner to England.

(1629.) Some of the scattered planters in the bay of Massachusetts, being desirous of making a settlement in the neighbourhood of Pascataqua, and following the example of those at Plymouth, who had purchased their lands of the Indians, which they conscientiously thought necessary to give them a just title, procured a general meeting of Indians, at Squamscot falls, where they obtained a deed from Passaconaway, Sagamore of Penacock, Runnawitt of Pantucket, Wahongnonawit of Squamscot, and Rowls of Newichwannock: wherein they express their "desire to have the English come and settle among them as among their countrymen in Massachusetts, whereby they hoped to be strengthened against their enemies the Tarrateens; and accordingly, with the universal consent of their subjects, for what they deemed a valuable consideration in coats, shirts, and kettles, sell to John Whelewright of the Massachusetts bay, late of England, minister of the gospel, Augustine Story [or Storer], Thomas Wight, William Wentworth, and Thomas Leavitt, all that part of the main land bounded by the river Pascataqua and the river Merrimack, to begin at Newichwannock falls in Pascataqua river aforesaid, and down said river to the sea; and along the sea-shore to Merrimack river; and up said river to the falls at Pantucket; and from thence upon a northwest line, twenty English miles into the woods; and from thence upon a straight line northeast, till it meet with the main rivers that run down to Pantucket falls, and Newichwannock falls aforesaid; the said rivers to be the bounds from the thwart or head line to the aforesaid falls, and from thence the main channel of each river to the sea to be the side bounds; together with all the islands within the said bounds; as also the isles of shoals so called." The conditions of this grant were, "that Whelewright should within ten years begin a plantation at Squamscot falls; that other inhabitants should have the same privileges with him; that no plantation should exceed ten miles square; that no lands should be granted but in townships; and that these should be subject to the government of the Massachusetts colony, until they should have a settled government among themselves; that for each township there should be paid an annual acknowledgment of "one out of truckling cloth," to Passaconaway the chief

Sagamore or his successors, and two bushels of Indian corn to Whelewright and his heirs. The Indians reserve to themselves free liberty of fishing, fowling, hunting, and planting within these limits." The principal persons of Pascataqua and the province of Maine were witnesses to the subscribing of this instrument, and giving possession of the lands.

By this deed the English inhabitants within these limits obtained a right to the soil from the original proprietors, more valuable in a moral view than the grants of any European prince could convey. If we smile at the arrogance of a Roman Pontiff in assuming to divide the whole new world between the Spaniards and Portuguese, with what consistency can we admit the right of a king of England to parcel out America to his subjects, when he had neither purchased nor conquered it, nor could pretend any other title, than that some of his subjects were the first Europeans who discovered it, while it was in possession of its native lords? The only validity which such grants could have in the eye of reason, was, that the grantees had from their prince a permission to negotiate with the possessors for the purchase of the soil, and thereupon a power of jurisdiction subordinate to his crown.

The same year Captain Mason procured a new patent, under the common seal of the council of Plymouth, for the land "from the middle of Pascataqua river and up the same to the farthest head thereof, and from thence northwestward until sixty miles from the mouth of the harbour were finished: also through Merrimack river, to the farthest head thereof, and so forward up into the land westward, until sixty miles were finished; and from thence to cross over land to the end of the sixty miles accounted from Pascataqua river; together with all islands within five leagues of the coast." This tract of land was called New Hampshire: it comprehended the whole of Whelewright's purchase; and unless Mason's intention was to frustrate his title, it is difficult to assign a reason for the procurement of this patent, as the same land, with much more, had been granted to Gorges and Mason jointly, seven years before. If there was an agreement between them to divide the province of Laconia, and take out new patents from the council, in preference to the making a deed of partition; it is not easy to conceive why the western boundary should be contracted to sixty miles from the sea, when the lakes and river of Canada were supposed to be but ninety or an hundred miles from Pascataqua. If this grant was intended as an equivalent for the patent of Mariana, which the council had the preceding year included in their deed to the Massachusetts company; it is impossible to account for the extension of New Hampshire to the river Merrimack, when the grant of Massachusetts reached to "three miles north of that river and of every part of it."

(1630.) The west country adventurers were not less attentive to their interest; for in the following spring they obtained a patent from the council whereby "all that part of the river Pascataqua called or known by the name of Hilton's Point, with the south side of the said river up to the falls of Squamscot, and three miles into the main land for breadth," was granted to Edward Hilton. This patent, sealed with the common seal of the council, and subscribed by the earl of Warwick, sets forth, that Hilton and his associates had at *their own* proper cost and charges transported servants, built houses, and planted corn at Hilton's Point, now

Dover, and intended the further increase and advancement of the plantation. (1631.) William Blackstone, William Jefferies, and Thomas Lewis, or either of them, were empowered to give possession of the premises; which was done by Lewis, and the livery and seizin endorsed. Within these limits are contained the towns of Dover, Durham, and Stretham, with part of Newington and Greenland. It was commonly called Squamscot patent, but sometimes Bloody-point patent, from a quarrel between the agents of the two companies about a point of land in the river which was convenient for both; and there being no government then established, the controversy would have ended in blood, if the contending parties had not been persuaded to refer the decision of it to their employers.

The London adventurers also thought it prudent to have some security for the interest which they had advanced, and accordingly obtained a grant from the council, of "that part of the patent of Laconia, on which the buildings and salt-works were erected, situate on both sides the harbour and river of Pascataqua to the extent of five miles westward by the sea-coast, then to cross over towards the other plantation in the hands of Edward Hilton." The grantees named in this patent were Sir Ferdinando Gorges, Captain John Mason, John Cotton, Henry Gardner, George Griffith, Edwin Gay, Thomas Warnerton, Thomas Eyre and Eliezer Eyre, who, it is said, had already expended 3000*l.* in the undertaking. They were to pay forty-eight pounds per annum by way of acknowledgment to the president and council, if demanded. Captain Comocke, a relation of the Earl of Warwick, with Henry Jocelyn, who were then intending a voyage here, were appointed to put the grantees in possession. Within this patent are comprehended the towns of Portsmouth, Newcastle and Rye, with part of Newington and Greenland.

The whole interest being thus divided into two parts, Captain Thomas Wigen was appointed agent for the upper, and Captain Walter Neal for the lower plantation; with him were associated Ambrose Gibbons, George Vaughan, Thomas Warnerton, Humphrey Chadbourne and one Godfrie, as superintendants of the several businesses of trade, fishery, salt-making, building, and husbandry. Neal resided at Little-Harbour with Godfrie, who had the care of the fishery. Chadbourne built a house at Strawberry-bank, which was called the *great house*, in which Warnerton resided. Gibbons had the care of a saw-mill, and lived in a palisaded house at Newichwannock, where he carried on trade with the Indians. He afterward removed to Sander's-point, where the adventurers gave him a settlement for his faithful services. He was succeeded at Newichwannock by Chadbourne, whose posterity are persons of principal figure and interest there at this day. The proprietors were also careful to provide for the defence of their plantations, and sent over several cannon, which they directed their agents to mount in the most convenient place for a fort. They accordingly placed them on the north-east point of the Great-Island, at the mouth of the harbour, and laid out the ground "about a bow-shot from the water-side to a high rock, on which it was intended in time to build the principal fort."

A great part of Captain Neal's errand was to penetrate the interior part of the province of Laconia, concerning which the adventurers had formed very sanguine expectations. It was described as containing divers lakes, and extending back to a great lake and river in the country of the Iroquois. This river

was said to be fair and large, containing many fruitful islands; the air pure and salubrious; the country pleasant, having some high hills; full of goodly forests, fair valleys, and fertile plains; abounding in corn, vines, chesnuts, walnuts, and many other sorts of fruit; the rivers well stored with fish, and environed with goodly meadows full of timber-trees. In the great lake were said to be four islands, full of pleasant woods and meadows, having great store of stags, fallow-deer, elks, roebucks, beavers, and other game, and these islands were supposed to be commodiously situated for habitation and traffic, in the midst of a fine lake, abounding with the most delicate fish. No one who is acquainted with the interior part of the country in its wilderness state, can forbear smiling at this romantic description, penned in the true style of adventurers: yet such an impression had the charms of Laconia made on the minds of the first settlers, that Neal set out (1632) on foot, in company with Jocelyn and Darby Field, to discover these beautiful lakes, and settle a trade with the Indians by pinnaces, imagining the distance to be short of an hundred miles. In the course of their travels, they visited the white mountains, which they described in the same romantic style, to be a ridge, extending 100 leagues, on which snow lieth all the year, and inaccessible but by the gullies which the dissolved snow hath made: on one of these mountains they reported to have found a plain of a day's journey over, whereon nothing grows but moss; and at the further end of this plain, a rude heap of massy stones, piled upon one another, a mile high—on which one might ascend from stone to stone, like a flight of winding stairs, to the top, where was another level of about an acre, with a pond of clear water. This summit was said to be far above the clouds, and from hence they beheld a vapour like a vast pillar, drawn up by the sunbeams out of a great lake into the air, where it was formed into a cloud. The country beyond these mountains northward, was said to be "daunting terrible," full of rocky hills, as thick as mole-hills in a meadow, and clothed with infinite thick woods. They had great expectation of finding precious stones on these mountains; and something resembling chrystal being picked up, was sufficient to give them the name of the Chrystal Hills. From hence they continued their route in search of the lake; till finding their provision almost spent, and the forests of Laconia yielding no supply, they were obliged to return when they supposed themselves so far advanced, that "the discovery wanted but one day's journey of being finished."

This expedition being ended, was succeeded by one of another kind. The coast was alarmed by the report of a pirate, one Dixy Bull; who, with fifteen others, being employed in the Indian trade at the eastward, had taken several boats and rifled the fort at Pemaquid. Neal, in conjunction with the others, equipped four pinnaces and shallops, manned with forty men, being all the force that both plantations could spare, who being joined by twenty more in a bark from Boston, proceeded to Pemaquid; but contrary winds and bad weather obliged them to return without meeting the pirates, who made their way farther to the eastward, and at length got to England; where Bull met with his deserts. The company, on their return, hanged, at Richmond's Island, an Indian who had been concerned in the murder of an Englishman.

(1633.) The next year Neal and Wigen joined in surveying their respective patents, and laying out the towns of Portsmouth and Northam, and another

which was called Hampton, although no settlement had been made there. They also agreed with Wheelwright, that the plantation which he had undertaken to make at Squamscot falls, should be called Exeter; and determined the bounds between his land and theirs. This survey was made by order of the company of Laconia, who gave names to the four towns, and the transaction was duly reported to them: soon after which Neal returned to England.

From a number of letters that passed between the adventurers and Gibbons their factor, and which are yet preserved, it appears that their views were chiefly turned toward the discovery of the lakes and of mines; the cultivation of grapes, and the advantages of trade and fishery; and that little regard was had to agriculture, the surest foundation of all other improvements in such a country as this. They often complain of their expenses, as indeed they might with reason; for they had not only to pay wages to their colonists, but to supply them with provisions, clothing, utensils, medicines, articles of trade, implements for building, husbandry and fishing, and to stock their plantations with cattle, swine, and goats. Bread was either brought from England in meal, or from Virginia in grain, and then sent to the wind-mill at Boston, there being none erected here. Very little improvement was made on the lands; the lakes were not explored; the vines were planted, but came to nothing; no mines were found but those of iron, and these were not wrought; three or four houses only were built within the first seven years; the peltry trade with the Indians was of some value, and the fishery served for the support of the inhabitants; but yielded no great profit to the adventurers, who received but inadequate returns in lumber and furs. They saw their interest sinking apace, and grew dispirited; and the major part of them either relinquished the design, or sold their shares to Mason and Gorges, who were more sanguine than the rest, and became (either by purchase or tacit consent of the others) the principal, if not sole proprietors. These gentlemen renewed their exertions with greater vigour, sent over a fresh supply of servants, and materials for carrying on the settlement, and (1634), appointed Francis Williams their governor. He was a gentleman of good sense and discretion; and so very acceptable to the people, that when they combined in a body politic they continued him at their head.

(1635.) The charter by which the council of Plymouth was established, had been from the beginning disrelished by the Virginia company; who spared no pains to get it revoked. Their applications to the king proved fruitless; but when the parliament began to enquire into the grievances of the nation, this patent was complained of as a monopoly. Sir Ferdinando Gorges, being summoned, appeared before them, and both in person and by his counsel defended it in a masterly manner, but in vain; for when the national grievances were presented to the throne, the patent of New England was the first. The council had also got into dispute with the high church party, for having encouraged the settlement of the Plymouth and Massachusetts colonists, who fled from their persecutions. These prejudices against them, operating as discouragements to their undertaking, induced the council to resign their charter to the king; having previously taken care to secure some portion of the expiring interest to such of themselves as were disposed to accept it. The scheme they had in view was to divide their territory into twelve provinces,

under as many proprietary governors, subject to one general governor; and they went so far as to nominate Gorges, then threescore years of age, for the person, and build a ship of war, which was to bring him over and remain in the service of the country. But the ship fell, and broke in the launching; and their project not being sufficiently attended to by those in power, they were obliged to be content with such grants as they could make of those districts, into which they had divided the country.

That which was now made to Mason comprehended both his former patents, extending from Naumkeag to Pascataqua, and sixty miles northwestward within the land, together with the south half of the Isles of Shoals, and ten thousand acres at Sagadahock; saving to those already settled within these limits, the property of their lawful grants on paying "some small acknowledgement" to the proprietor. This grant was dated the 22nd of April. In June following the council surrendered their charter to the king, and in September Gorges sold to Mason a tract of land on the northeast side of the river Pascataqua, extending three miles in breadth, and following the course of the river from its mouth to its farthest head, including the sawmill which had been built at the falls of Newichwannock.

But death, which puts an end to the fairest prospects, cut off all the hopes which Mason had entertained of aggrandizing his fortune, by the settlement of New Hampshire. By his last will, which he signed a few days before his death, he disposed of his American estate in the following manner, viz.: To the corporation of Lynn Regis in Norfolk, the place of his nativity, he gave two thousand acres of land in New Hampshire, subject to the yearly rent of one penny per acre to his heirs, and two-fifths of all mines royal, on condition that five families should within five years be settled thereupon. To his brother-in-law John Wallaston, three thousand acres, subject to the yearly rent of one shilling. To his grandchild Ann Tufton, ten thousand acres at Sagadahock. To Robert Tufton, his grandson, he gave his manor of Mason Hall, on condition that he should take the surname of Mason. He also gave to his brother Wallaston in trust, one thousand acres for the maintenance of "an honest, godly, and religious preacher of God's word;" and one thousand more for the support of a grammar-school; each of these estates to be conveyed to feeoffees in trust, and their successors, paying annually one penny per acre to his heirs. The residue of his estate in New Hampshire he gave to his grandson John Tufton, he taking the surname of Mason, and to his lawful issue; or in want thereof to Robert Tufton and his lawful issue; or in want thereof to Doctor Robert Mason, chancellor of the diocese of Winchester, and his lawful issue; or in want of such issue, to his own other right heirs for ever; provided that it should not go out of the name of Mason. The residuary legatee was required to pay 500*l.* out of his estate to his sister Mary, and all the grandchildren were to relinquish their right to 1,000*l.* due from this estate to their father Joseph Tufton. The estate in America was valued in the inventory at 10,000*l.* sterling.

The Massachusetts planters viewed Mason as their enemy, because he with Gorges had privately encouraged some persons whom they had censured and sent home, to petition against them as disaffected to the government; and had endeavoured to get their charter set aside, to make way for the scheme of a general governor.

But though Mason and Gorges had not the same religious views with the Massachusetts planters, yet their memory deserves respect. They were both heartily engaged in the settlement of the country; they sunk their estates in the undertaking, and reaped no profit to themselves; yet their enterprising spirit excited emulation in others, who had the advantage of improving their plans and avoiding their mistakes. Gorges accounted for the ill success of his adventures in the following manner:—1. He began when there was no hope of anything for the present but loss; as he had first to seek a place; which, being found, was a wilderness, and so gloomy was the prospect, that he could scarce procure any to go, much less to reside in it: and those whom he at length sent, could not subsist but on the provisions with which he supplied them. 2. He sought not barely his own profit, but the thorough discovery of the country; wherein he went so far (with the help of his associates) as to open the way for others to make their gain. 3. He never went in person to oversee the people whom he employed. 4. There was no settled government to punish offenders, or mispenders of their masters' goods. Two other things contributed to the disappointment in as great if not a greater degree than what he has assigned. The one was, that instead of applying themselves chiefly to husbandry, the original source of wealth and independence in such a country as this, he and his associates, being merchants, were rather intent on trade and fishing as their primary objects. These cannot be profitable in a new country, until the foundation is laid in the culture of the lands. If the lumber trade and fishery cannot now be carried on to advantage, without the constant aid of husbandry in their neighbourhood, how could a colony of traders and fishermen make profitable returns to their employers, when the husbandry necessary for their support was at the distance of Virginia or England? The other mistake which these adventurers fell into was the idea of lordship, and the granting of lands not as freeholds, but by leases subject to quit-rents. To settle a colony of tenants in a climate so far northward, where the charges of subsistence and improvement were much greater than the value of the lands, after the improvements were made—especially in the neighbourhood of so respectable and growing a colony as that of Massachusetts—was indeed a chimerical project; and had not the wiser people among them sought an union with the Massachusetts, in all probability the settlements must have been deserted.

Troubles at Dover—Settlements of Exeter and Hampton—Ruin of Mason's interest—Story of Underhill—Combinations at Portsmouth and Dover—Union of New Hampshire with Massachusetts.

(1633.) While the lower plantation on the river Pascataqua lay under discouragement by the death of its principal patron, the upper settlement, though carried on with more success, had peculiar difficulties to struggle with. Two thirds of this patent belonged to some merchants of Bristol, the other third to some of Shrewsbury: and there was an agreement that the division should be made by indifferent men. Captain Wiggen, who was sent over to superintend their affairs, after about one year's residence in the country made a voyage to England, to procure more ample means for carrying on the plantation. In the mean time those of Bristol had sold their interest to the Lords Say and Broke, George Willys and William Whiting, who continued Wiggen in the agency,

and procured a considerable number of families in the west of England, some of whom were of good estates, and "of some account for religion," to come over and increase the colony. It appears from ancient records, that Wiggen had a power of granting lands to the settlers; but, as trade was their principal object, they took up small lots, intending to build a compact town on Dover Neck, which lies between two branches of the river, and is a fine, dry, and healthy situation; so high as to command all the neighbouring shores, and afford a very extensive and delightful prospect. On the most inviting part of this eminence they built a meeting house, which was afterward surrounded with an entrenchment and flankarts, the remains of which are still visible. Wiggen also brought over William Leverich, a worthy and able puritan minister; but his allowance from the adventurers proving too small for his support in a new country, where all the necessaries of life were scarce and dear, he was obliged to remove to the southward, and settled at Sandwich in the colony of Plymouth. This proved an unhappy event to the people, who, being left destitute of regular instruction, were exposed to the intrusions of artful impostors.

(1634.) The first of these was one Burdet. He had been a minister at Yarmouth in England; but either really or pretendedly taking offence at the extravagancies of the bishops and spiritual courts, came over to New England, and joined with the church in Salem, who employed him for a year or two as a preacher, being a good scholar and plausible in his behaviour. But, disgusted with the strictness of their discipline, he removed to Dover (1636), and continued for some time in good esteem with the people as a preacher; until, by artful insinuations, he raised such a jealousy in their minds against Wiggen their governor, that they deprived him of his office, and elected Burdet in his place.

(1637.) During his residence here, he carried on a correspondence with Archbishop Laud to the disadvantage of the Massachusetts colony, representing them as hypocritical and disaffected, and that under pretence of greater purity and discipline in matters of religion, they were aiming at independent sovereignty; it being accounted perjury and treason by their general court, to speak of appeals to the king. (1638.) The prelate thanked him for his zeal in the king's service, and assured him that care should be taken to redress those disorders when leisure from other concerns would permit. This letter of the archbishop was intercepted, and shewn to the governor of Massachusetts. Burdet's villany was considered as the more atrocious, because he had been admitted a freeman of their corporation, and had taken the oath of fidelity. A copy of his own letter was afterwards found in his closet.

About this time the Antinomian controversy at Boston having occasioned the banishment of the principal persons of that sect, several of them retired to this settlement, being without the jurisdiction of Massachusetts. When this was known, Governor Winthrop wrote to Wiggen, Burdet, and others of this plantation, "that as there had hitherto been a good correspondence between them it would be much resented if they should receive the exiles; and intimating the intention of the general court to survey the utmost limits of their patent, and make use of them." To this Burdet returned a scornful answer refusing to give the governor his title. The governor thought of citing him to court to answer for his contempt; but was dissuaded

from it by Dudley the deputy-governor, who judged it imprudent to exasperate him, lest he should avenge himself by farther accusing them to their enemies in England. The governor contented himself with sending to Hilton an account of Burdet's behaviour, inclosing a copy of his letter, and cautioning the people not to put themselves too far under his power. His true character did not long remain secret; for being detected in some licentious actions, he made a precipitate removal to Agamenticus (now York), in the province of Maine, where he also assumed to rule, and continued a course of injustice and adultery till the arrival of Thomas Gorges, their governor, (1640) who laid a fine on him, and seized his cattle for the payment of it. He appealed to the king, but his appeal not being admitted, he departed for England full of enmity against these plantations. When he arrived, he found all in confusion, and falling in with the royalists was taken and imprisoned by the parliamentary party, which is the last account we have of him.

One of the exiles on account of the Antinomian controversy, was John Wheelwright, brother to the famous Anne Hutchinson. He had been a preacher at Braintree, which was then part of Boston, and was a gentleman of learning, piety, and zeal. Having engaged to make a settlement within ten years, on the lands he had purchased of the Indians at Squamscot falls, he with a number of his adherents began a plantation there, which according to the agreement made with Mason's agents, they called Exeter. Having obtained a dismission from the church in Boston, they formed themselves into a church; and judging themselves without the jurisdiction of Massachusetts, they combined into a separate body politic, and chose rulers and assistants, who were sworn to the due discharge of their office, and the people were as solemnly sworn to obey them. Their rulers were Isaac Grosse, Nicholas Needham, and Thomas Wilson, each of whom continued in office the space of a year, having two assistants. The laws were made in a popular assembly and formally consented to by the rulers. Treason, and rebellion against the king (who is styled "the Lord's anointed"), or the country, were made capital crimes; and sedition was punishable by a fine of ten pounds, or otherwise, at the discretion of the court. This combination subsisted three years.

About the same time a plantation was formed at Winnicomet, which was called Hampton. The principal inducement to the making this settlement was the very extensive salt-marsh, which was extremely valuable, as the uplands were not cultivated so as to produce a sufficiency of hay for the support of cattle. With a view to secure these meadows, the general court of Massachusetts had [in 1636] empowered Mr. Dummer of Newbury, with John Spencer, to build a house there at the expense of the colony, which was to be refunded by those who should settle there. Accordingly a house was built, and commonly called the Bound-house; though it was intended as a mark of possession rather than of limits. The architect was Nicholas Easton, who soon after removed to Rhode-Island, and built the first English house in Newport.

This entrance being made, a petition was presented to the court by a number of persons, chiefly from Norfolk in England, praying for liberty to settle there, which was granted them. They began the settlement by laying out a township in one hundred and forty-seven shares; and having formed a church, chose Stephen Batchelor for their minister,

with whom Timothy Dalton was soon after associated. The number of the first inhabitants was fifty-six.

The authority of Massachusetts having established this settlement, they, from the beginning, considered it as belonging to their colony. Though the agent of Mason's estate made some objection to their proceeding, yet no legal method being taken to controvert this extension of their claim, the way was prepared for one still greater, which many circumstances concurred to establish.

After the death of Captain Mason, his widow and executrix sent over Francis Norton as her "general attorney;" to whom she committed the whole management of the estate. But the expense so far exceeded the income, and the servants grew so impatient for their arrears, that she was obliged to relinquish the charge of the plantation, and tell the servants that they must shift for themselves: upon which they shared the goods and cattle. Norton drove above a hundred oxen to Boston, and there sold them for twenty-five pounds sterling per head, which it is said was the current price of the best cattle in New-England at that time. These were of a large breed, imported from Denmark, from whence Mason had also procured a number of men skilled in sawing planks and making potashes. Having shared the stock and other materials, some of the people quitted the plantation; others of them tarried, keeping possession of the buildings and improvements, which they claimed as their own; the houses at Newichwannock were burned; and thus Mason's estate was ruined. These events happened between 1638 and 1644.

Among the Antinomians who were banished from Boston, and took refuge in these plantations, was Captain John Underhill, in whose story will appear some very strong characteristics of the spirit of these times. He had been a soldier in the Netherlands, and was brought over to New England by Governor Winthrop, to train the people in military discipline. He served the country in the Pequot war, and was in such reputation in the town of Boston, that they had chosen him one of their deputies. Deeply tinctured with Antinomian principles, and possessed of a high degree of enthusiasm, he made a chief figure in the controversy; being one of the subscribers to a petition in which the court was censured, with an indecent severity, for their proceedings against Wheelwright. For this offence he was disfranchised. He then made a voyage to England; and upon his return petitioned the court for 300 acres of land, which had been promised him for his former services, intending to remove after Wheelwright. In his petition he acknowledged his offence in condemning the court, and declared "that the Lord had brought him to a sense of his sin in that respect, so that he had been in great trouble on account thereof." On this occasion the court thought proper to question him concerning an offensive expression, which he had uttered on board the ship in which he came from England, "that the government at Boston were as zealous as the scribes and Pharisees, and as Paul before his conversion." He denied the charge, and it was proved to his face by a woman who was passenger with him, and whom he had endeavoured to seduce to his opinions. He was also questioned for what he had said to her of his receiving assurance of spiritual grace, which was, "that having long lain under a spirit of bondage, he could get no assurance; till at length, as he was taking a pipe of tobacco, the spirit set home upon him an absolute promise of free grace, with such assurance and joy

that he had never since doubted of his good estate, neither should he, whatever sins he might fall into." This he would neither own nor deny; but objected to the sufficiency of a single testimony. The court committed him for abusing them with a pretended retraction, and the next day passed the sentence of banishment upon him. Being allowed the liberty of attending public worship, his enthusiastic zeal broke out in a speech, in which he endeavoured to prove "that as the Lord was pleased to convert Saul while he was persecuting, so he might manifest himself to him while making a moderate use of the good creature tobacco; professing withal that he knew not wherein he had deserved the censure of the court." The elders reproved him for this inconsiderate speech; and Mr. Cotton told him, "that though God often laid a man under a spirit of bondage while walking in sin, as was the case with Paul, yet he never sent a spirit of comfort but in an ordinance, as he did to Paul by the ministry of Ananias; and therefore exhorted him to examine carefully the revelation and joy to which he pretended." The same week he was privately dealt with on suspicion of adultery, which he disregarded; and therefore on the next sabbath was questioned for it before the church; but the evidence not being sufficient to convict him, the church could only admonish him.

These proceedings, civil and ecclesiastical, being finished, he removed out of their jurisdiction; and after a while went to Dover, where he procured the place of governor in the room of Burdet. Governor Winthrop hearing of this, wrote to Hilton and others of this plantation, informing them of his character. Underhill intercepted the letter, and returned a bitter answer to Mr. Cotton; and wrote another letter full of reproaches against the governor to a gentleman of his family, while he addressed the governor himself in a fawning, obsequious strain, begging an obliteration of former miscarriages, and a bearing with human infirmities. These letters were all sent back to Hilton; but too late to prevent his advancement.

Being settled in his government, he procured a church to be gathered at Dover, who chose Hanserd Knollys for their minister. He had come over from England the year before; but being an Anabaptist of the Antinomian cast, was not well received in Massachusetts, and came here while Burdet was in office, who forbade his preaching; but Underhill, agreeing better with him, prevailed to have him chosen their minister. To ingratiate himself with his new patron, Knollys wrote in his favour to the church in Boston, styling him "The right worshipful their honoured governor." Notwithstanding which they cited him again to appear before them; the court granting him safe conduct. At the same time complaint was made to the chief inhabitants on the river, of the breach of friendship in advancing Underhill after his rejection; and a copy of Knollys's letter was returned, wherein he had written, that "Underhill was an instrument of God for their ruin," and it was enquired whether that letter was written by the desire or consent of the people. The principal persons of Portsmouth and Dover disclaimed his miscarriages, and expressed their readiness to call him to account when a proper information should be presented; but begged that no force might be sent against him. By his instigation Knollys had also written to his friends in England a calumnious letter against the Massachusetts planters, representing them as more arbitrary than the high commission court, and that there was no real religion in the

country. A copy of this letter being sent from England to Governor Winthrop, Knollys was so ashamed at the discovery, that obtaining a licence, he went to Boston; and at the public lecture before the governor, magistrates, ministers, and the congregation, made confession of his fault, and wrote a retraction to his friends in England, which he left with the governor to be sent to them.

Underhill was so affected with his friend's humiliation, and the disaffection of the people of Pascataqua to him, that he resolved to retrieve his character in the same way. Having obtained safe conduct, he went to Boston, and in the same public manner acknowledged his adultery, his disrespect to the government, and the justice of their proceedings against him: but his confession was mixed with so many excuses and extenuations, that it gave no satisfaction; and the evidence of his scandalous deportment being now undeniable, the church passed the sentence of excommunication, to which he seemed to submit, and appeared much dejected while he remained there.

Upon his return, to please some disaffected persons, at the mouth of the river, he sent thirteen armed men to Exeter to rescue out of the officers' hands one Fish, who had been taken into custody for speaking against the king. The people of Dover forbade his coming into their court till they had considered his crimes, and he promised to resign his place if they should disapprove of his conduct; but hearing that they were determined to remove him, he rushed into court in a passion, took his seat, ordered one of the magistrates to prison for saying that he would not sit with an adulterer, and refused to receive his dismission, when they voted it. But they proceeded to choose another governor, Roberts, and sent back the prisoner to Exeter.

(1640.) A new scene of difficulty now arose. Thomas Larkham, a native of Lyme in Dorsetshire, and formerly a minister at Northam near Barnstable, had come over to New England, and not favouring the doctrine, nor willing to submit to the discipline of the churches in Massachusetts, came to Dover; and being a preacher of good talents, eclipsed Knollys, and raised a party who determined to remove him. He therefore gave way to popular prejudice, and suffered Larkham to take his place; who soon discovered his licentious principles, by receiving into the church persons of immoral characters, and assuming, like Burdet, the civil, as well as ecclesiastical, authority. The better sort of the people were displeased, and restored Knollys to his office, who excommunicated Larkham. This bred a riot, in which Larkham laid hands on Knollys, taking away his hat on pretence that he had not paid for it; but he was civil enough afterwards to return it. Some of the magistrates joined with Larkham, and forming a court, summoned Underhill, who was of Knollys's party, to appear before them, and answer to a new crime which they had to allege against him. Underhill collected his adherents; Knollys was armed with a pistol, and another had a bible mounted on a halbert for an ensign. In this ridiculous parade they marched against Larkham and his party, who prudently declined a combat, and sent down the river to Williams the governor, at Portsmouth, for assistance. He came up in a boat with an armed party, beset Knollys's house where Underhill was, guarded it night and day till a court was summoned, and then, Williams sitting as judge, Underhill and his company were found guilty of a riot, and after being fined, were

banished the plantation. The new crime which Larkham's party alleged against Underhill was, that he had been secretly endeavouring to persuade the inhabitants to offer themselves to the government of Massachusetts, whose favour he was desirous to purchase by these means, as he knew that their view was to extend their jurisdiction as far as they imagined their limits reached, whenever they should find a favourable opportunity. The same policy led him, with his party, to send a petition to Boston, praying for the interposition of the government in their case: in consequence of which the governor and assistants commissioned Simon Bradstreet, Esq., with the famous Hugh Peters, then minister of Salem, and Timothy Dalton of Hampton, to enquire into the matter, and effect a reconciliation, or certify the state of things to them. These gentlemen travelled on foot to Dover, and finding both sides in fault, brought the matter to this issue, that the one party revoked the excommunication, and the other the fines and banishment.

In the heat of these disputes, a discovery was made of Knollys' failure in point of chastity. He acknowledged his crime before the church; but they dismissed him, and he returned to England, where he suffered by the severity of the long parliament in 1644; and being forbidden to preach in the churches, opened a separate meeting in Great St. Helen's, from which he was soon dislodged, and his followers dispersed. He also suffered in the cause of non-conformity in the reign of King Charles the second, and at length (as it is said) died "a good man, in a good old age," September 19, 1691, aged ninety-three.

Underhill having finished his career in these parts, obtained leave to return to Boston, and finding honesty to be the best policy, did in a large assembly at the public lecture, and during the sitting of the court, make a full confession of his adultery and hypocrisy, his pride and contempt of authority, justifying the church and court in all that they had done against him, declaring that his pretended assurance had failed him, and that the terror of his mind had at some times been so great, that he had drawn his sword to put an end to his life. The church being now satisfied, restored him to their communion. The court, after waiting six months for evidence of his good behaviour, took off his sentence of banishment, and released him from the punishment of his adultery: the law, which made it capital, having been enacted after the crime was committed, could not touch his life. Some offers being made him by the Dutch at Hudson's river, whose language was familiar to him, the church of Boston hired a vessel to transport him and his family thither, furnishing them with all necessaries for the voyage. The Dutch governor gave him the command of a company of an hundred and twenty men, and he was very serviceable in the wars which that colony had with the Indians, having, it is said, killed one hundred and fifty on Long Island, and three hundred on the Main. He continued in their service till his death.

We find in this relation a striking instance of that species of false religion, which, having its seat in the imagination, instead of making the heart better, and reforming the life, inflames the passions, stupifies reason, and produces the wildest effects in the behaviour. The excesses of enthusiasm have often been observed to lead to sensual gratifications; the same natural fervour being sufficient to produce both. It cannot be strange, that they who

decalous enormities as are sufficient to invalidate all those evidences of their religious character on which they lay so much stress. But it is not so surprising that men should be thus misled, as that such frantic zealots should ever be reduced to an acknowledgment of their offences; which in this instance may be ascribed to the strict discipline then practised in the churches of New England.

The people of Dover and Portsmouth during all this time had no power of government delegated from the crown: but finding the necessity of some more determinate form than they had yet enjoyed, combined themselves each into a body politic after the example of their neighbours at Exeter. The inhabitants of Dover, by a written instrument, signed by forty-one persons, agreed to submit to the laws of England, and such others as should be enacted by a majority of their number, until the royal pleasure should be known. The date of the combination at Portsmouth is uncertain, their first book of records having been destroyed [in 1652], after copying out what they then thought proper to preserve. Williams, who had been sent over by the adventurers, was by annual suffrage continued governor of the place, and with him were associated Ambrose Gibbons and Thomas Warnerton in quality of assistants. During this combination, a grant of fifty acres of land for a glebe was made by the governor and inhabitants to Thomas Walford and Henry Sherburne, churchwardens, and their successors for ever, as feeoffees in trust; by virtue of which grant the same land is still held, and being let on long leases, a considerable part of the town of Portsmouth is built upon it. At this time they had a parsonage house and chapel, and had chosen Richard Gibson for their parson, the patronage being vested in the parishioners. Gibson was sent from England as minister to a fishing plantation belonging to one Trelawney. He was "wholly addicted to the hierarchy and discipline of England, and exercised his ministerial function" according to the ritual. He was summoned before the court at Boston for "scandalizing the government there, and denying their title;" but upon his submission, they discharged him without fine or punishment, being a stranger, and about to depart the country. After his departure the people of Portsmouth had James Parker for their minister, who was a scholar, and had been a deputy in the Massachusetts court. After him they had one Browne; and Samuel Dudley, a son of Deputy-governor Dudley; but these were only temporary preachers, and they did not obtain the regular settlement of a minister for many years.

Four distinct governments (including one at Kittery on the north side of the river) were now formed on the several branches of Pascataqua. These combinations being only voluntary agreements, liable to be broken or subdivided on the first popular discontent, there could be no safety in the continuance of them. The distractions in England at this time had cut off all hope of the royal attention, and the people of the several settlements were too much divided in their opinions to form any general plan of government which could afford a prospect of permanent utility. The more considerate persons among them, therefore, thought it best to treat with Massachusetts about taking them under their protection. That government was glad of an opportunity to realize the construction which they had put upon the clause of their charter, wherein their northern limits are defined. For a line drawn from east to

west at the distance of "three miles to the northward of Merrimack river, and of any and every part thereof," will take in the whole province of New Hampshire, and the greater part of the province of Maine, so that both Mason's and Gorges's patents must have been vacated. They had already intimated their intention to run this east and west line, and presuming on the justice of their claim, they readily entered into a negotiation with the principal settlers of Pascataqua respecting their incorporation with them. (1641.) The affair was more than a year in agitation, and was at length concluded by an instrument subscribed in the presence of the general court by George Willys, Robert Saltonstall, William Whiting, Edward Hollock, and Thomas Makepeace, in behalf of themselves and the other partners of the two patents; by which instrument they resigned the jurisdiction of the whole to Massachusetts, on condition that the inhabitants should enjoy the same liberties with their own people, and have a court of justice erected among them. The property of the whole patent of Portsmouth, and of one-third part of that of Dover, and of all the improved lands therein, was reserved to the lords and gentlemen proprietors, and their heirs for ever.

The court, on their part, consented that the inhabitants of these towns should enjoy the same privileges with the rest of the colony, and have the same administration of justice as in the courts of Salem and Ipswich; that they should be exempted from all public charges, except what should arise among themselves, or for their own peculiar benefit; that they should enjoy their former liberties of fishing, planting, and felling timber; that they should send two deputies to the general court; and that the same persons who were authorised by their combinations to govern them, should continue in office till the commissioners named in this order should arrive at Pascataqua. These commissioners were invested with the power of the quarter courts of Salem and Ipswich, and at their arrival they constituted Francis Williams, Thomas Warnerton and Ambrose Gibbons of Portsmouth, Edward Hilton, Thomas Wiggen, and William Waldron of Dover, magistrates, who were confirmed by the general court.

(1642.) By a subsequent order a very extraordinary concession was made to these towns, which shews the fondness that government had of retaining them under their jurisdiction. A test had been established by law, but it was dispensed with in their favour; their freemen were allowed to vote in town affairs, and their deputies to sit in the general court though they were not church members.

The people of Dover being left destitute of a minister by the sudden departure of Larkham, who took this method to avoid the shame which would have attended the discovery of a crime similar to that for which Knollys had been dismissed, wrote to the Massachusetts for help. The court took care to send them Daniel Maud, who had been a minister in England. He was an honest man, and of a quiet and peaceable disposition, qualities much wanting in all his predecessors. Larkham returned to England, where he continued to exercise his ministry till ejected by the act of uniformity in 1662, from Tavistock in Devon. He is said to have been "well known there for a man of great piety and sincerity," and died in 1669, aged 68.

The inhabitants of Exeter had hitherto continued their combination; but finding themselves comprehended within the claim of Massachusetts, and being weary of their inefficacious mode of government, they

petitioned the court, and were readily admitted under their jurisdiction. William Wenborne, Robert Smith, and Thomas Wardhall were appointed their magistrates; and they were annexed to the county of Essex. Upon this, Whelewright, who was still under sentence of banishment, with those of his church who were resolved to adhere to him, removed into the province of Maine, and settled at Wells, where his posterity yet remain. He was soon after restored, upon a slight acknowledgment, to the freedom of the colony, and removed to Hampton, of which church he was minister for many years, until he went to England, where he was in favour with Cromwell: but after the restoration, he returned and settled at Salisbury, where he died in 1680.

(1644.) After his departure from Exeter, an attempt was made by the remaining inhabitants to form themselves into a church, and they called the aged Stephen Batchelor to the ministry, who had been dismissed from Hampton for his irregular conduct. But the general court here interposed and sent them a solemn prohibition, importing "that their divisions were such that they could not comfortably, and with approbation, proceed in so weighty and sacred affairs," and therefore directing them "to defer gathering a church, or any other such proceeding, till they or the court at Ipswich, upon further satisfaction of their reconciliation and fitness, should give allowance therefor."

Such a stretch of power which would now be looked upon as an infringement of christian liberty, was agreeable to the principles of the first fathers of New England, who thought that civil government was established for the defence and security of the church against error both doctrinal and moral. In this sentiment they were not singular, it being universally adopted by the reformers, in that and the preceding age, as one of the fundamental principles of their separation from the Romish church, and necessary to curtail the claims of her Pontiff, who assumed a supremacy over "the kings of the earth."

Observations on the principles and conduct of the first planters of New England.—Causes of their removal.—Their fortitude.—Religious sentiments.—Care of their posterity.—Justice.—Laws.—Theocratic prejudices.—Intolerance and persecutions.

AN union having been formed between the settlements on Pascataqua and the colony of Massachusetts, their history for the succeeding forty years is in a great measure the same: and as many of the people in New Hampshire had the same principles, views, and interests, with the other people of New England, we shall make such observations, and intersperse such historical facts, as may illustrate the subject.

In the preceding century the holy scriptures, which had long lain hid in the rubbish of monastic libraries, were brought to public view by the happy invention of printing; and as darkness vanishes before the rising sun, so the light of divine truth began to dissipate those errors and superstitions in which Europe had long been involved. At the same time a remarkable concurrence of circumstances gave peculiar advantage to the bold attempt of Luther, to rouse Germany from her inglorious subjection to the Roman Pontiff, and effectuate a reformation, which soon spread into the neighbouring countries. But so intimately were the political interests of kingdoms and states blended with religious prejudices, that the work, though happily begun, was greatly blenished and impeded.

Henry the Eighth of England took advantage of this amazing revolution in the minds of men, to throw off the papal yoke, and assert his native claim to independence. But so dazzling was the idea of power, and the example of the first christian princes who had exercised a superintendency in spirituals as well as temporals, that he transferred to himself that spiritual power which had been usurped and exercised by the bishops of Rome, and set up himself as supreme head on earth of the church of England; commanding both clergy and laity in his dominions to swear allegiance to him in this newly assumed character.

This claim was kept up by his son and successor, Edward the Sixth, in whose reign the reformation gained much ground; and a service-book was published by royal authority as the standard of worship and discipline for his subjects. This excellent prince was taken out of the world in his youth; and his sister Mary, who then came to the throne, restored the supremacy to the pope, and raised such fiery persecution against the reformers, that many of them fled into Germany and the Netherlands, where they departed from that uniformity which had been established in England, and became divided in their sentiments and practice respecting ecclesiastical affairs: the native effect of that just liberty of conscience which they enjoyed abroad, pursuing their own enquiries according to their respective measures of light; uninfluenced by secular power, or the hope of acquiring dignities in a national establishment.

The accession of Elizabeth inspired them with new hopes; and they returned home, resolving to attempt the reformation of the church of England, agreeably to the respective opinions which they had embraced in their exile. But they soon found that the queen, who had been educated in the same manner with her brother Edward, was fond of the establishment made in his reign, and was strongly prejudiced in favor of pomp and ceremony in religious worship. She asserted her supremacy in the most absolute terms, and erected a high commission court with jurisdiction in ecclesiastical affairs. Uniformity being rigorously enjoined and no abatement or allowance made for tender consciences (though it was conceded that the ceremonies were indifferent) a separation from the establishment took place. Those who were desirous of a farther reformation from the Romish superstitions, and of a more pure and perfect form of religion, were denominated Puritans; whose principles, as distinguished from those of the other reformers who were in favour with the queen, are thus represented.

"The queen and court reformers held, 1. That every prince had the sole authority to correct all abuses of doctrine and worship within his own territories. 2. That the church of Rome was a true church, though corrupt in some points of doctrine and government; that all her ministrations were valid, and that the pope was a true bishop of Rome, though not of the universal church. 3. That the scriptures were a perfect rule of faith, but not a standard of discipline; and that it was left to the discretion of the christian magistrate, to accommodate the government of the church to the policy of the state. 4. That the practice of the primitive church for the first four or five centuries, was a proper standard of church government and discipline; and in some respects better than that of the apostles, which was only accommodated to the infant state of the church, while it was under persecution; whereas the other was suited to the grandeur of a national

establishment. 5. That things indifferent in their own nature, as rites, ceremonies, and habits, might be settled, determined and made necessary, by the command of the civil magistrate, and that in such cases it was the duty of the subject to observe them.

"On the other hand, the Puritans, 1. Disowned all foreign jurisdiction over the church, but could not admit of that extensive power which the crown claimed by the supremacy. However, they took the oath, with the queen's explication, as only restoring her majesty to the ancient and natural rights of sovereign princes over their subjects. 2. They held the pope to be antichrist, the church of Rome a false church, and all her ministrations superstitious and idolatrous. 3. That the scriptures were a standard of discipline as well as doctrine, and if there was need of a discretionary power, it was vested not in the magistrate, but in the officers of the church. 4. That the form of government ordained by the apostles was aristocratical, and designed as a pattern to the church in after ages, not to be departed from in its main principles. 5. That those things which Christ hath left indifferent ought not to be made necessary; and that such rites and ceremonies as had been abused to idolatry and superstition, and had a manifest tendency to lead men back thereto, were no longer indifferent but unlawful.

"Both parties agree too well in asserting the necessity of uniformity in public worship, and of using the sword of the magistrate for the support and defence of their respective principles; which they made an ill use of in their turns, whenever they could grasp it in their hands. The standard of uniformity according to the bishops, was the queen's supremacy and the laws of the land; according to the Puritans, the decrees of national and provincial synods, allowed and enforced by the civil magistrate. Neither party were for admitting that liberty of conscience and freedom of profession which is every man's right, so far as is consistent with the peace of civil government. Upon this fatal rock of *uniformity*, was the peace of the church of England split."

It is melancholy to observe what mischiefs were caused by the want of a just distinction between civil and ecclesiastical power, and by that absurd zeal for uniformity, which kept the nation in a long ferment, and at length burst out into a blaze, the fury of which was never thoroughly quelled till the happy genius of the revolution gave birth to a free and equitable toleration, whereby every man was restored to the natural right of judging and acting for himself in matters of religion. All the celebrated wisdom of Elizabeth's government could not devise an expedient so successful. Though her reign was long and prosperous, yet it was much stained with oppression and cruelty toward many of her best subjects; who, wearied with ineffectual applications, waited the accession of James, from whom they expected more favour, because he had been educated in the presbyterian church of Scotland, and professed a high veneration for that establishment. But they soon found that he had changed his religious principles with his climate, and that nothing was to be expected from a prince of so base a character, but insult and contempt.

In the beginning of his reign a great number of the Puritans removed into Holland, where they formed churches upon their own principles. But not relishing the manners of the Dutch, after twelve years they projected a removal to America, and laid the foundation of the colony of Plymouth. The spirit of uniformity still prevailing in England, and being carried to the greatest extent, in the reign of

Charles the First, by that furious bigot Archbishop Laud, many of the less scrupulous, but conscientious members of the church of England, who had hitherto remained in her communion, seeing no prospect of rest or liberty in their native country, followed their brethren to America, and established the colony of Massachusetts, from which proceeded that of Connecticut.

By such men, influenced by such motives, were the principal settlements in New England effected. The fortitude and perseverance which they exhibited therein will always render their memory dear to their posterity. To prepare for their enterprize, they had to sell their estates, some of which were large and valuable, and turn them into materials for a new plantation, with the nature of which they had no acquaintance, and of which they could derive no knowledge from the experience of others. After traversing a wide ocean they found themselves in a country full of woods, to subdue which required immense labour and patience; at a vast distance from any civilized people; in the neighbourhood of none but ignorant and barbarous savages; and in a climate, where a winter much more severe than they had been accustomed to, reigns for a third part of the year. Their stock of provisions falling short, they had the dreadful apprehension of perishing by famine, one half of their number dying before the first year was completed; the ocean on one side separated them from their friends, and the wilderness on the other presented nothing but scenes of horror, which it was impossible for them to conceive before they endured them.

But under all these difficulties, they maintained a steady and pious resolution; depending on the providence of the Supreme Ruler, and never repenting the business on which they had come into this wilderness. As purity in divine administrations was the professed object of their undertaking, so they immediately set themselves to form churches, on what they judged the gospel plan. To be out of the reach of prelatic tyranny, and at full liberty to pursue their own enquiries, and worship God according to their consciences, (which had been denied them in their own country) was esteemed the greatest of blessings, and sweetened every bitter cup which they were obliged to drink. They always professed that their principal design was to erect churches on the primitive model, and that the consideration of temporal interest and convenience had but the second place in their views.

In the doctrinal points of religion they were of the same mind with their brethren of the church of England, as expressed in their articles. The Massachusetts planters left behind them, when they sailed, a respectful declaration importing that they did not consider the church of England as antichristian, but only withdrew from the imposition of unscripural terms of communion. Some of the Plymouth planters had embraced the narrow principles of the Brownists, the first who separated from the church of England; but by the improvements which they made in religious knowledge under the instruction of the renowned John Robinson, their pastor in Holland, they were in great measure cured of that sour leaven. The congregational system of church government was the result of the studies of that truly pious, learned, humble, and benevolent divine, who seems to have had more of the genuine spirit of the reformation, and of freedom from bigotry, than any others in his day. His farewell charge to those of his flock, who were embarking in

Holland for America, deserves to be had in perpetual remembrance. "Brethren (said he), we are now quickly to part from one another, and whether I may ever live to see your face on earth any more, the God of heaven only knows; but whether the Lord hath appointed that or no, I charge you before God and his blessed angels that you follow me no further than you have seen me follow the Lord Jesus Christ. If God reveal any thing to you by any other instrument of his, be as ready to receive it, as ever you were to receive any truth by my ministry; for I am verily persuaded, I am very confident, the Lord has more truth yet to break forth out of his holy word. For my part, I cannot sufficiently bewail the condition of the reformed churches, who are come to a period in religion, and will go at present no farther than the instruments of their reformation. The Lutherans cannot be drawn to go beyond what Luther saw; whatever part of his will our good God has revealed to Calvin, they will rather die than embrace it. And the Calvinists you see stick fast where they were left by that great man of God, who yet saw not all things. This is a misery much to be lamented; for though they were burning and shining lights in their times, yet they penetrated not into the whole counsel of God; but were they now living, would be as willing to embrace farther light, as that which they at first received. I beseech you to remember it as an article of your church covenant, 'That you be ready to receive whatever truth shall be made known to you from the written word of God.' Remember that, and every other article of your sacred covenant. But I must herewithal exhort you to take heed what you receive as truth. Examine, consider, and compare it with other scriptures of truth, before you receive it; for it is not possible the christian world should come so lately out of such thick antichristian darkness, and that perfection of knowledge should break forth at once." It is much to be regretted that this excellent man did not live to reach New England, and to diffuse more generally such truly catholic and apostolic principles.

Many of the first planters of New England were persons of good education, and some of them eminent for their abilities and learning. Such men could not but see the necessity of securing to their posterity the advantages which they had so dearly purchased. One of their first concerns was to have their children considered, from their earliest years, as subjects of ecclesiastical discipline. This became a matter of controversy, and was largely discussed in sermons and pamphlets, and at length determined by the authority of a synod. A regular course of academical learning was a point of equal importance, and admitted of no dispute. They saw that the reputation and happiness of the whole country depended greatly upon it. They therefore took early care for the establishment of schools, and within ten years from their first settlement, founded a college at Cambridge, which from small beginnings, by the munificence of its patrons, has made a distinguished figure in the republic of letters. Many eminent men have there been formed for the service of the church and state; and without this advantage the country could not have arrived, in so short a time, at its present respectable state; nor have been furnished with men capable of filling the various stations of usefulness, and of defending civil and religious liberty.

Though the first planters derived from the royal grants and charters a political right, as subjects of the crown of England, to this territory; yet they

did not think themselves justly entitled to the property of it till they had fairly purchased it of its native lords, and made them full satisfaction. Nor did they content themselves with merely living peaceably among them, but exerted themselves vigorously in endeavouring their conversion to christianity, which was one of the obligations of their patent, and one of the professed designs of their settlement in this country. This duty was strictly performed, and the names of Eliot and Mayhew will always be remembered as unwearied instruments in promoting it. Great care was taken by the government to prevent fraud and injustice toward the Indians in trade, or violence to their persons. The nearest of the natives were so sensible of the justice of their English neighbours, that they lived in a state of peace with them, with but little interruption, for above fifty years.

Slavery was thought so inconsistent with the natural rights of mankind, and detrimental to society, that an express law was made, prohibiting the buying or selling of slaves, except those taken in lawful war, or reduced to servitude for their crimes by a judicial sentence; and these were to have the same privileges as were allowed by the laws of Moses. There was a remarkable instance of justice in the execution of this law, in 1645, when a Negro who had been fraudulently brought from the coast of Africa, and sold in the country, was by the special interposition of the general court taken from his master in order to be sent home to his native land. How long after this the importation of blacks continued to be disallowed is uncertain; but if the same resolute justice had always been observed, it would have been much for the credit and interest of the country; and their own struggles for liberty would not have carried so flagrant an appearance of inconsistency.

Severe laws conformable to the principles of the laws of Moses were enacted against all kinds of immorality. Blasphemy, idolatry, adultery, unnatural lusts, rape, murder, manstealing, false witness, rebellion against parents, and conspiracy against the commonwealth, were made capital crimes; and because some doubted whether the magistrate could punish breaches of the four first commands of the decalogue, this right was asserted in the highest tone, and the denial of it ranked among the most pestilent heresies, and punished with banishment. By the severity and impartiality with which those laws were executed, intemperance and profaneness were so effectually discountenanced that Hugh Peters, who had resided in the country twenty years, declared before the parliament that he had not seen a drunken man, nor heard a profane oath during that period. The report of this extraordinary strictness, while it invited many of the best men in England to come over, kept them clear of those wretches who fly from one country to another to escape the punishment of their crimes.

The professed design of the plantation being the advancement of religion, and men of the strictest morals being appointed to the chief places of government, their zeal for purity of every kind carried them into some refinements in their laws, which are not generally supposed to come within the sphere of the magistracy, and in larger communities could scarcely be attended to in a judicial way. The drinking of healths, and the use of tobacco, were forbidden, the former being considered as an heathenish and idolatrous practice, grounded on the ancient libations; the other as a species of intoxication and waste of

time. Laws were instituted to regulate the intercourse between the sexes, and the advances toward matrimony; they had a ceremony of betrothing, which preceded that of marriage. Pride and levity of behaviour came under the cognizance of the magistrate. Not only the richness but the mode of dress, and cut of the hair, were subject to state regulations. Women were forbidden to expose their arms or bosoms to view; it was ordered that their sleeves should reach down to their wrist, and their gowns be closed round their neck. Men were obliged to cut short their hair, that they might not resemble women. No person not worth two hundred pounds was allowed to wear gold or silver lace, or silk hoods and scarfs. Offences against these laws were presentable by the grand jury; and those who dressed above their rank were to be assessed accordingly. Sumptuary laws might be of use in the beginning of a new plantation; but these pious rulers had more in view than the political good. They were not only concerned for the external appearance of sobriety and good order, but thought themselves obliged, so far as they were able, to promote real religion, and enforce the observance of the divine precepts.

As they were fond of imagining a near resemblance between the circumstances of their settlement in this country, and the redemption of Israel from Egypt or Babylon; it is not strange that they should also look upon their "commonwealth as an institution of God for the preservation of their churches, and the civil rulers as both members and fathers of them." The famous John Cotton, the first minister in Boston, was the chief promoter of this sentiment. When he arrived in 1633, he found the people divided in their opinions. Some had been admitted to the privileges of freemen at the first general court, who were not in communion with the churches; after this an order was passed, that none but members of the churches should be admitted freemen; whereby all other persons were excluded from every office or privilege, civil or military. This great man, by his eloquence, confirmed those who had embraced this opinion, and earnestly pleaded "that the government might be considered as a theocracy, wherein the Lord was judge, lawgiver, and king; that the laws which he gave Israel might be adopted, so far as they were of moral and perpetual equity; that the people might be considered as God's people in covenant with him; that none but persons of approved piety and eminent gifts should be chosen rulers; that the ministers should be consulted in all matters of religion; and that the magistrate should have a superintending and coercive power over the churches." At the desire of the court, he compiled a system of laws, founded chiefly on the laws of Moses, which was considered by the legislative body as the general standard; though they never formally adopted it, and in some instances varied from it.

These principles were fundamentally the same with those on which were grounded all the persecutions which they had endured in England, and naturally led to the same extremes of conduct which they had so bitterly complained of in those civil and ecclesiastical rulers, from whose tyranny they had fled into this wilderness. They had already proceeded a step farther than the hierarchy had ever attempted. No test-law had as yet taken place in England; but they had at one blow cut off all but those of their own communion from the privileges of civil offices, however otherwise qualified. They thought that as they had suffered so much in laying

the foundation of a new state, which was supposed to be "a model of the glorious kingdom of Christ on earth," they had an exclusive right to all the honours and privileges of it; and having the power in their hands, they effectually established their pretensions, and made all dissenters and disturbers feel the weight of their indignation.

In consequence of the union thus formed between the church and state on the plan of the Jewish theocracy, the ministers were called to sit in council, and give their advice in matters of religion and cases of conscience which came before the court, and without them they never proceeded to any act of an ecclesiastical nature. As none were allowed to vote in the election of rulers but freemen, and freemen must be church members; and as none could be admitted into the church but by the elders, who first examined, and then propounded them to the brethren for their vote, the clergy acquired hereby a vast ascendancy over both rulers and people, and had in effect the keys of the state as well as the church in their hands. The magistrates, on the other hand, regulated the gathering of churches, interposed in the settlement and dismission of ministers, arbitrated in ecclesiastical controversies, and controlled synodical assemblies. This coercive power in the magistrate was deemed absolutely necessary to preserve "the order of the gospel."

The principle on which this power is grounded is expressed in the Cambridge Platform in terms as mild as possible. "The power and authority of magistrates is not for the restraining of churches, or any other good works, but for the helping in and furthering thereof, and therefore the consent and countenance of magistrates, when it may be had, is not to be slighted or lightly esteemed; but, on the contrary, it is a part of the honour due to christian magistrates to desire and crave their consent and approbation therein: which being obtained, the churches may then proceed in their way with much more encouragement and comfort." This article (like many others in that work) is curiously and artfully drawn up, so that there is an appearance of liberty and tenderness, but none in reality: for although the magistrate was not to restrain any good works, yet he was to be the judge of the good or evil of the works to be restrained; and what security could churches have that they should not be restrained in the performance of what they judged to be good works? They might indeed think themselves safe, while their rulers were so zealous for the purity of the churches of which themselves were members, and while their ministers were consulted in all ecclesiastical affairs; but if the civil powers had acted without such consultation, or if the ministers had been induced to yield to the opinion of the magistrates, when contrary to the interest of the churches, what then would have become of religious liberty?

The idea of liberty in matters of religion was in that day strangely understood, and mysteriously expressed. The venerable Higginson of Salem, in his sermon on the day of the election 1663, speaks thus: "The gospel of Christ hath a right paramount all rights in the world; it hath a divine and supreme right to be received in every nation, and the knee of magistracy is to bow at the name of Jesus. This right carries liberty along with it, for all such as profess the gospel, to walk according to the faith and order of the gospel. That which is contrary to the gospel hath no right, and therefore should have no liberty." Here the question arises, who is to be the

judge of what is agreeable or contrary to the gospel? If the magistrate, then there is only a liberty to believe and practice what the magistrate thinks right. A similar sentiment occurs in the sermon of the learned President Oakes on the same occasion in 1673; "The outcry of some is for liberty of conscience. This is the great Diana of the libertines of this age. But remember, that as long as you have liberty to walk in the faith and order of the gospel, and may lead quiet and peaceable lives in all godliness and honesty, you have as much liberty of conscience as Paul desired under any government." Here the question recurs, would Paul have submitted to walk according to the opinion which the magistrate might entertain of the faith and order of the gospel? But this was all the freedom allowed by the spirit of these times. Liberty of conscience and toleration were offensive terms, and they who used them were supposed to be the enemies of religion and government. "I look upon toleration (says the same author) as the first born of all abominations; if it should be born and brought forth among us, you may call it Gad, and give the same reason that Leah did for the name of her son, *Behold a troop cometh, a troop of all manner of abominations.*" In another of these election sermons, (which may generally be accounted the echo of the public voice, or the political pulse by which the popular opinion may be felt) it is shrewdly intimated that toleration had its origin from the devil, and the speech of the demoniac who cried out, "what have we to do with thee, let us alone, thou Jesus of Nazareth," is styled "Satan's plea for toleration." The following admonition to posterity, written by the Deputy-Governor Dudley, is another specimen:

"Let men of God in courts and churches watch
O'er such as do a toleration hatch;
Lest that ill egg bring forth a cockatrice,
To poison all with heresy and vice.
If men be left and otherwise combine,
My epitaph's *I die no libertine.*"

The champion of these sentiments was Cotton, who though eminently meek, placid and charitable, yet was strongly tinctured with the prevailing opinion, that the magistrate had a coercive power against heretics. The banishment of Roger Williams, minister of Salem, occasioned a vehement controversy on this point. Williams having written in favour of liberty of conscience, and styled the opposite principle "the bloody tenet;" was answered by Cotton, who published a treatise in 1647, with this strange title, "The bloody tenet washed, and made white in the blood of the Lamb." In this work he labours to prove the lawfulness of the magistrate's using the civil sword to extirpate heretics, from the commands given to the Jews to put to death all blasphemers and idolaters. To the objection, that persecution serves to make men hypocrites, he says, "better tolerate hypocrites and tares than briars and thorns. In such cases the civil sword doth not so much attend the conversion of seducers, as the preventing the seduction of honest minds by their means." He allows indeed that "the magistrate ought not to draw the sword against seducers till he have used all good means for their conviction: but if after their continuance in obstinate rebellion against the light, he shall still walk toward them in soft and gentle commiseration, his softness and gentleness is excessive large to foxes and wolves; but his bowels are miserably straitened and hardened against the poor sheep and lambs of Christ. Nor is it frustrating the end

of Christ's coming, which was to save souls, but a direct advancing it, to destroy, if need be, the bodies of those wolves, who seek to destroy the souls of those for whom Christ died." In pursuing his argument he refines so far as to deny that any man is to be persecuted on account of conscience "till, being convinced in his conscience of his wickedness, he do stand out therein, not only against the truth, but against the light of his own conscience, that so it may appear he is not persecuted for cause of conscience, but punished for sinning against his own conscience." To which he adds, "sometimes it may be an aggravation of sin both in judgment and practice that a man committeth it in conscience." After having said that it was toleration which made the world antichristian, he concludes his book with this singular ejaculation, "the Lord keep us from being bewitched with the whore's cup, lest while we seem to reject her with open face of profession, we bring her in by a back door of toleration; and so come to drink deeply of the cup of the Lord's wrath, and be filled with her plagues."

But the strangest language that ever was used on this or perhaps on any other subject, is to be found in a book printed in 1645, by the humorous Ward of Ipswich, entitled, "the Simple Cobler of Agawam." "My heart (says he) hath naturally detested four things; the standing of the Apocrypha in the Bible: foreigners dwelling in my country, to crowd out native subjects into the corners of the earth: alchymized coins: toleration of divers religions or of one religion in segreant shapes. He that willingly assents to the last, if he examines his heart by daylight, his conscience will tell him, he is either an atheist, or an heretic, or an hypocrite, or at best a captive to some lust. Polypietiy is the greatest impiety in the world. To authorize an untruth by toleration of the state, is to build a sence against the walls of heaven, to batter God out of his chair. Persecution of true religion and toleration of false are the Jannes and Jambres to the kingdom of Christ, whereof the last is by far the worst. He that is willing to tolerate any unsound opinion, that his own may be tolerated though never so sound, will for a need, hang God's bible at the devil's girdle. It is said that men ought to have liberty of conscience, and that it is persecution to debar them of it: I can rather stand amazed than reply to this; it is an astonishment that the brains of men should be par-boiled in such impious ignorance."

From these specimens (of which the reader will think he has had enough), it is easy to see how deeply the principle of intolerance was rooted in the minds of the first settlers. Had it stood only in their books as a subject of speculation, it might have been excused, considering the prejudices of the times; but it was drawn out into fatal practice, and caused severe persecutions, which cannot be justified consistently with christianity or true policy. Whatever may be said in favour of their proceedings against the Antinomians, whose principles had such an effect on the minds of the people as materially affected the foundations of government, in the infancy of the plantation; yet the Anabaptists and Quakers were so inconsiderable for numbers, and the colony was then so well established, that no danger could have been rationally apprehended to the commonwealth from them. Rhode Island was settled by some of the Antinomian exiles on a plan of entire religious liberty: men of every denomination being equally protected and countenanced, and enjoying the honours and offices of government. The

Anabaptists, fined and banished, flocked to that new settlement, and many of the Quakers also took refuge there; so that Rhode Island was in those days looked upon as the drain or sink of New England. and it has been said that "if any man had lost his religion, he might have found it there, among such a general muster of opinionists." Notwithstanding this invective, it is much to the honour of that government, that there never was an instance of persecution for conscience sake countenanced by them. Rhode Island and Pennsylvania afford a strong proof that toleration conduces greatly to the settlement and increase of an infant plantation.

The Quakers at first were banished; but this proving insufficient, a succession of sanguinary laws were enacted against them, of which imprisonment, whipping, cutting off the ears, boring the tongue with an hot iron, and banishment on pain of death, were the terrible punishments. In consequence of these laws four persons were put to death at Boston, bearing their punishment with patience and fortitude; solemnly protesting that their return from banishment was by divine direction, to warn the magistrates of their errors, and intreat them to repeal their cruel laws; denouncing the judgments of God upon them; and foretelling that if they should put them to death, others would rise up in their room to fill their hands with work. After the execution of the fourth person, an order from King Charles the Second, procured by their friends in England, put a stop to capital executions.

Impartiality will not suffer a veil to be drawn over these disgraceful transactions. The utmost that has been pleaded in favour of them, cannot excuse them in the eye of reason and justice. The Quakers, it is said, were heretics; their principles appeared to be subversive of the gospel, and derogatory from the honour of the Redeemer. Argument and scripture were in this case the proper weapons to combat them with; and if these had failed of success, they must have been left to the judgment of an omniscient and merciful God. They were complained of as disturbers of the peace, revilers of magistracy, "malignant and assiduous promoters of doctrines directly tending to subvert both church and state;" and the settlers thought it hard, when they had fled from opposition and persecution in one shape to be again troubled with it in another. But it would have been more to their honour, to have suffered their magistracy and church order to be insulted, than to have stained their hands with the blood of men who deserved pity rather than punishment. The Quakers indeed had no right to disturb them; and some of their conduct was to an high degree indecent and provoking; but they were under the influence of a spirit which is not easily quelled by opposition. Had not the government appeared to be jealous of their principles, and prohibited the reading of their books before any of them appeared in person, there could not have been so plausible a pretext for their reviling government. It was said that the laws by which they were condemned were grounded on the laws in England against Jesuits. But the case was by no means parallel (as the Quakers pleaded), their principles and practices not being equally detrimental to society. It was moreover urged in excuse of the severities exercised against the Quakers, that the magistrates thought themselves "bound in conscience to keep the passage with the point of the sword: this (it was said) could do no harm to him that could be warned by it; their rushing on it was their own

act, and they brought the blood on their own heads. Had they promised to depart the jurisdiction and not return without leave, the country would have been glad to have rid themselves of the trouble of executing the laws upon them; it was their presumptuous returning after banishment that caused them to be put to death." This was the plea which the court used in their address to the king; and in another vindication published by their order, the unhappy sufferers are styled "felones de se," or self-murderers. But this will not justify the putting them to death, unless the original crimes for which they were banished had deserved it. The preamble to the act by which they were condemned, charges them with "altering the received laudable custom of giving respect to equals and reverence to superiors; that their actions tend to undermine the civil government and destroy the order of the churches, by denying all established forms of worship, by withdrawing from orderly church fellowship allowed and approved by all orthodox professors of the truth, and instead thereof, and in opposition thereto, frequently meeting themselves, insinuating themselves into the minds of the simple, whereby divers of our inhabitants have been infected." Did these offences deserve death? Had any government a right to terrify with capital laws persons guilty of no other crimes than these—especially when they professed that they were obliged to go the greatest lengths in maintaining those tenets which they judged sacred, and following the dictates of that spirit which they thought divine? Was not the mere "holding the point of the sword" to them, really inviting them to "rush on it," and seal their testimony with their blood? And was not this the most likely way to strengthen and increase their party? Such punishment for offences which proceeded from a misguided zeal, increased and inflamed by opposition, will never reflect any honour on the policy or moderation of the government; and can be accounted for only by the strong predilection for coercive power in religion, retained by most or all of the reformed churches; a prejudice which time and experience were necessary to remove.

The mistakes on which their conduct was grounded cannot be detected in a more masterly manner, than by transcribing the sentiments of Doctor Increase Mather, who lived in those times, and was a strong advocate for the coercive power of the magistrate in matters of religion; but afterward changed his opinion on this point:—"He became sensible that the example of the Israelitish reformers inflicting penalties on false worshippers, would not legitimate the like proceedings among christian gentiles: for the holy land of old was, by a deed of gift from the glorious God, miraculously and indisputably granted to the Israelitish nation, and the condition on which they had it was their observance of the Mosaic institutions. To violate them was high treason against the king of the theocracy, an iniquity to be punished by the judge. At the same time sojourners in the land were not compelled to the keeping those rites and laws which Moses had given to the people. Nay the Israelites themselves fell, many of them, into the worst of heresies, yet while they kept the laws and rites of Moses, the magistrate would not meddle with them. The heresy of the Sadducees in particular struck at the foundation of all religion; yet we do not find that our Saviour ever blamed the Pharisees for not persecuting them. The christian religion brings us not into a temporal Canaan, it knows no weapons but what are purely spiritual. He

saw that until persecution be utterly banished out of the world, and Cain's club taken out of Abel's hand, 'tis impossible to rescue the world from endless confusions. He that has the power of the sword will always be in the right, and always assume the power of persecuting. In his latter times therefore he looked upon it as one of the most hopeful among the signs of the times, the people began to be ashamed of a practice which had been a mother of abominations, and he came entirely into that golden maxim, *Errantis poena doceri*."

Divers others of the principal actors and abettors of this tragedy lived to see the folly and incompetency of such sanguinary laws, to which the sufferings of their brethren, the nonconformists in England, did not a little contribute. Under the arbitrary government of King James the Second, when he, for a shew of liberty, and as a leading step to the introduction of popery, issued a proclamation of indulgence to tender consciences, the principal men of the country sent him an address of thanks, for granting them what they had formerly denied to others.—It is but justice to add, that all those disgraceful laws were renounced and repealed, and the people of New England are now as candidly disposed toward the Quakers as any other denominations of Christians. To keep alive a spirit of resentment and reproach to the country, on account of those ancient transactions which are now universally condemned, would discover a temper not very consistent with that meekness and forgiveness which ought to be cultivated by all who profess to be influenced by the gospel.

But though the early colonists are justly censurable for those instances of misconduct, yet they are not to be condemned as unworthy the Christian name; since some of the first disciples of our Lord, in a zealous imitation of the prophet Elias, would have called for fire from heaven to consume a village of the Samaritans who refused to receive him. Their zeal was of the same kind; and the answer which the benevolent author of our religion gave to his disciples on that occasion, might, with equal propriety, be addressed to them, and to all persecuting Christians, "Ye know not what spirit ye are of, for the Son of man is not come to destroy men's lives, but to save them."

Mode of Government under Massachusetts—Mason's efforts to recover the property of his ancestor—Transactions of the King's commissioners—Opposition to them—Political principles—Internal transactions—Mason discouraged.

(1643.) During the union of these plantations with Massachusetts, they were governed by the general laws of the colony, and the terms of the union were strictly observed. Exeter and Hampton were at first annexed to the jurisdiction of the courts at Ipswich, till the establishment of a new county, which was called Norfolk, and comprehended Salisbury, Haverhill, Hampton, Exeter, Portsmouth, and Dover. These towns were then of such extent, as to contain all the lands between the rivers Merrimack and Pascataqua. The shire town was Salisbury; but Dover and Portsmouth had always a distinct jurisdiction, though they were considered as part of this new county; a court being held in one or the other, sometimes once and sometimes twice in the year, consisting of one or more of the magistrates or assistants, and one or more commissioners chosen by the general court out of the principal gentlemen of each town. This was called the court

of Associates; and their power extended to causes of twenty pounds value. From them there was an appeal to the board of assistants, which being found inconvenient, it was in 1670 ordered to be made to the county court of Norfolk. Causes under twenty shillings in value were settled in each town by an inferior court, consisting of three persons. (1647.) After some time they had liberty to choose their associates, which was done by the votes of both towns, opened at a joint meeting of their select men, though sometimes they requested the court to appoint them as before. That mutual confidence between rulers and people, which springs from the genius of a republican government, is observable in all their transactions.

This extension of the colony's jurisdiction over New Hampshire, could not fail of being noticed by the heirs of Mason: but the distractions caused by the civil wars in England were invincible bars to any legal enquiry. The first heir named in Mason's will dying in infancy, the estate descended after the death of the executrix to Robert Tufton, who was not of age till 1650. In two years after this, Joseph Mason came over as agent to the executrix, to look after the interest of her deceased husband. He found the lands at Newichwannock occupied by Richard Leader, against whom he brought actions in the county court of Norfolk; but a dispute arising whether the lands in question were within the jurisdiction of Massachusetts, and the court of Norfolk judging the action not to be within their cognizance, recourse was had to the general court; who, on this occasion, ordered an accurate survey of the northern bounds of their patent to be made; a thing which they had long meditated. A committee of the general court, attended by Jonathan Ince and John Shearman, surveyors, and several Indian guides, went up the river Merrimack to find the most northerly part thereof, which the Indians told them was at Aquedochtan, the outlet of the lake Winnipiseogee. The latitude of this place was observed to be forty-three degrees, forty minutes, and twelve seconds, to which three miles being added, made the line of the patent, according to their construction, fall within the lake, in the latitude of forty-three degrees, forty-three minutes, and twelve seconds. (1653.) Two experienced ship-masters, Jonas Clarke and Samuel Andrews, were then dispatched to the eastern coast, who found the same degrees, minutes, and seconds, on the northern point of an island in Casco bay, called the Upper Clapboard Island. An east and west line, drawn through these points, from the Atlantic to the South sea, was therefore supposed to be the northern boundary of the Massachusetts patent, within which the whole claim of Mason, and the greater part of that of Gorges, were comprehended. When this grand point was determined, the court were of opinion, that "some lands at Newichwannock, with the river, were by agreement of "Sir Ferdinando Gorges and others, apportioned to Captain Mason, and that he also had right by purchase of the Indians, as also by possession and improvement;" and they ordered "a quantity of land proportionable to his disbursements, with the privilege of the river, to be laid out to his heirs." The agent made no attempt to recover any other part of the estate; but having tarried long enough in the country to observe the temper of the government, and the management used in the determination of his suit, he returned; and the estate was given up for lost unless the government of England should interpose.

(1660.) During the commonwealth, and the protectorate of Cromwell, there could be no hope of relief, as the family had always been attached to the royal cause, and the colony stood high in the favour of the parliament and of Cromwell. But the restoration of King Charles the Second encouraged Tufton, who now took the surname of Mason, to look up to the throne for favour and assistance. For though the plan of colonization adopted by his grandfather was in itself chimerical, and proved fruitless, yet he had expended a large estate in the prosecution of it, which must have been wholly lost to his heirs, unless they could recover the possession of his American territories. Full of this idea, Mason petitioned the king; setting forth "the encroachment of the Massachusetts colony upon his lands, their making grants and giving titles to the inhabitants, and thereby dispossessing him and keeping him out of his right." The king referred the petition to his attorney-general, Sir Geoffrey Palmer, who reported that "Robert Mason, grandson and heir to Captain John Mason, had a good and legal title to the province of New Hampshire." Nothing farther was done at this time, nor was the matter mentioned in the letter which the king soon after sent to the colony, though some offensive things in their conduct were therein reprehended, and divers alterations enjoined. But the directions contained in this letter not being strictly attended to, and complaints being made to the king of disputes which had arisen in divers parts of New England concerning the limits of jurisdiction, and addresses having been presented by several persons, praying for the royal interposition; a commission was issued under the great seal to Colonel Richard Nichols, Sir Robert Carre, Knight, George Carteret, and Samuel Maverick, Esqs., empowering them "to visit the several colonies of New England; to examine and determine all complaints and appeals in matters, civil, military, and criminal; to provide for the peace and security of the country, according to their good and sound discretion, and to such instructions as they should receive from the king, and to certify him of their proceedings."

This commission was highly disrelished by the colony, as inconsistent with the rights and privileges which they enjoyed by their charter, and which the king had sacredly promised to confirm. It is therefore no wonder that the commissioners were treated with much coolness at their arrival; but they severely repaid it in their report to the king.

In their progress through the country they came to Pascataqua, and enquired into the bounds of Mason's patent. They heard the allegation of Wheelwright, who when banished by the colony, was permitted to reside immediately beyond what was called the bound-house, which was three long miles to the northward of the river Merrimack. They took the affidavit of Henry Jocelyn concerning the agreement between Governor Cradock and Captain Mason, that the river should be the boundary of their respective patents. They made no determination of this controversy in their report to the king; but having called together the inhabitants of Portsmouth, Sir Robert Carre, in the name of the rest, told them that "they would release them from the government of Massachusetts, whose jurisdiction should come no farther than the bound-house." They then proceeded to appoint justices of the peace and other officers, with power to act according to the laws of England and such laws of their own as were not repugnant thereto, until the king's pleasure should be further known.

(1665) There had always been a party who were disaffected to the government of Massachusetts. One of the most active among them was Abraham Corbett, of Portsmouth, w^{ho}, since the arrival of the commissioners at Boston, and probably by authority derived from them, had taken upon him to issue warrants in the king's name on several occasions, which was construed a high misdemeanor, as he had never been commissioned by the authority of the colony. Being called to account by the general court, he was admonished, fined five pounds, and committed till the sentence was performed. Irritated by this severity, he was the fitter instrument for the purpose of the commissioners, who employed him to frame a petition to the king in the name of the four towns, complaining of the usurpation of Massachusetts over them, and praying to be released from their tyranny. Corbett, in a secret manner, procured several persons both in Portsmouth and Dover, to subscribe this petition, but the most of those to whom he offered it refused.

The sensible part of the inhabitants now saw with much concern that they were in danger of being reduced to the same unhappy state which they had been in before their union with Massachusetts. Awed by the supercilious behaviour of the commissioners, they knew not at first how to act; for to oppose the king's authority was construed treason, and it was said that Sir Robert Carre had threatened a poor old man with death for no other crime than forbidding his grandchild to open a door to them. But when the rumour was spread that a petition was drawn, and that Corbett was procuring subscribers, the people, no longer able to bear the abuse, earnestly applied to the general court, praying "that in some orderly way they might have an opportunity to clear themselves of so great and unjust aspersions as were, by this petition drawn in their name, cast upon the government under which they were settled; and also to manifest their sense of such perfidious actions, lest by their silence it should be concluded they were of the same mind with those who framed the petition." In consequence of this petition the court commissioned Thomas Danforth, Eleazar Lusher, and Major General LeWerett, to enquire into the matter, and settle the peace in these places according to their best discretion.

These gentlemen came to Portsmouth, and having assembled the inhabitants, and published their commission, they told them that they were informed of a petition subscribed in behalf of that and the neighbouring towns, complaining of the government; and desiring them if they had any just grievances to let them be known, and report should be immediately made to the general court. The next day they assembled the people of Dover and made the same challenge. Both towns respectively protested against the petition, and professed full satisfaction with the government, which they signified in addresses to the court. Dudley, the minister of Exeter, certified under his hand to the committee, that the people of that town had no concern directly nor indirectly with the obnoxious petition. They received also full satisfaction with regard to Hampton; a certificate of which might have been obtained, if they had thought it necessary.

They then proceeded to summon Corbett before them for seditious behaviour; but he eluded the search that was made for him, and they were obliged to leave a warrant with an officer to cite him to the court at Boston. The commissioners had now gone over into the province of Maine, from whence Sir

Robert Carre in their name sent a severe reprimand to this committee, forbidding them to proceed against such persons as had subscribed the petition, and enclosing a copy of a letter which the said commissioners had written to the governor and council on the same subject.

The committee returned and reported their proceedings to the court, and about the same time the commissioners came from their eastern tour to Boston; where the court desired a conference with them, but received such an answer from Sir Robert Carre as determined them not to repeat their request. A warrant was then issued by the secretary, in the name of the whole court, to apprehend Corbett and bring him before the governor and magistrates, "to answer for his tumultuous and seditious practices against the government." (1666.) The next spring he was seized and brought before them; and after a full hearing was adjudged guilty of sedition, and exciting others to discontent with the government and laws, and of keeping a disorderly house of entertainment, for which crimes he was sentenced to give a bond of one hundred pounds, with security for his peaceable behaviour and obedience to the laws; he was prohibited retailing liquors; disabled from bearing any office in the town or commonwealth, during the pleasure of the court; and obliged to pay a fine of twenty pounds, and five pounds for the costs of his prosecution.

This severity in vindication of their charter-rights they thought fit to temper with something that had the appearance of submission to the royal commands. The king's pleasure had been signified to the commissioners, that the harbours should be fortified. This instruction came to hand while they were at Pascataqua, and they immediately issued warrants to the four towns, requiring them to meet at a time and place appointed, to receive his majesty's orders. One of these warrants was sent by express to Boston, from whence two officers were dispatched by the governor and council to forbid the towns on their peril to meet, or obey the commands of the commissioners. But by their own authority they ordered a committee to look out the most convenient place for a fortification, upon whose report "the neck of land on the eastward of the Great Island, where a small fort had been already built, was sequestered for the purpose, taking in the Great Rock, and from thence all the easterly part of the said island." The court of associates being empowered to hear and determine the claims of those who pretended any title to this land, a claim was entered by George Walton, but rejected; and the appropriation confirmed. The customs and imposts on goods imported into the harbour were applied to the maintenance of the fort, and the trained bands of Great Island and Kittery-Point were discharged from all other duty to attend the service of it, under Richard Cutts, esq. who was appointed captain.

The people of Massachusetts have, both in former and latter times, been charged with disloyalty to the king, in their conduct toward these commissioners, and their disregard of authority derived from the same source with their charter. To account for their conduct on this occasion, we must consider the ideas they had of their political connexion with the parent state. They had been forced from thence by persecution; they came at their own charges into a wilderness, claimed indeed by the crown of England, but really in possession of its native lords, from whom they had purchased the soil and sovereignty, which gave them a title, considered in a

moral view superior to the grant of any European prince. For convenience only, they had solicited and accepted a patent from the crown, which in their opinion constituted the only bond of union between them and their prince, by which the nature and extent of their allegiance to him was to be determined. This patent they regarded as a solemn compact, wherein the king had granted them undisturbed possession of the soil, and power of government within certain limits—on condition that they should settle the country, christianize the natives, yield a fifth of all gold and silver mines to the crown, and make no laws repugnant to those of England. They had, on their part, sacredly performed these conditions; and therefore concluded that the grant of title, property and dominion which the crown had made to them was irrevocable. And although they acknowledged themselves subjects of the reigning prince, and owned a dependence on the royal authority; yet they understood it to be only through the medium of their charter.

The appointment of commissioners who were to act within the same limits, independently of this authority, and to receive appeals from it, whose rule of conduct was no established law, but their own "good and sound discretion," was regarded as a dangerous stretch of royal power, militating against and superseding their charter. If the royal authority was destined to flow through the patent, it could not regularly be turned into another channel: if they were to be governed by laws made and executed by officers of their own choosing, they could not at the same time be governed by the "discretion" of men in whose appointment they had no voice, and over whom they had no control. Two ruling powers in the same state was a solecism which they could not digest. The patent was neither forfeited nor revoked, but the king had solemnly promised to confirm it, and it subsisted in full force. The commission therefore was deemed an usurpation and infringement of those chartered rights, which had been solemnly pledged on the one part, dearly purchased and justly paid for on the other. They regarded "a royal donation under the great seal (to use their own words) as the greatest security that could be had in human affairs;" and they had confidence in the justice of the supreme ruler, that if they held what they in their consciences thought to be their rights, and performed the engagements by which they had acquired them, they should enjoy the protection of his providence, though they should be obliged to abandon the country, which they had planted with so much labour and expense, and seek a new settlement in some other part of the globe.

These were the principles which they had imbibed, which they openly avowed, and on which they acted. Policy might have dictated to them the same flexibility of conduct, and softness of expression, by which the other colonies on this occasion gained the royal favour. But they had so long held the sole and uninterrupted sovereignty, in which they had been indulged by the late popular government of England, and were so fully convinced it was their right, that they chose rather to risk the loss of all, than to make any concessions, thereby exposing themselves farther to the malice of their enemies and the vengeance of power.

The commissioners, having finished their business, were recalled by the order of the king, who was much displeased with the ill treatment they had received from the Massachusetts government, which was esteemed the more heinous, as the colonies of Plymouth, Rhode Island, and Connecticut had treated the com-

mission with acknowledged respect. By a letter to the colony he commanded them to send over four or five agents, promising "to hear in person, all the allegations, suggestions, and pretences to right or favour, that could be made on behalf of the colony," intimating that he was far from desiring to invade their charter; and commanding that all things should remain as the commissioners had settled them until his farther order; and that those persons who had been imprisoned for petitioning or applying to them should be released. The court, however, continued to exercise jurisdiction, appoint officers, and execute the laws in these towns as they had done for twenty-five years, to the general satisfaction of the people, who were united to them in principles and affection.

(1669.) This affection was demonstrated by their ready concurrence with the proposal for a general collection, for the purpose of erecting a new brick building at Harvard college, the old wooden one being small and decayed. The town of Portsmouth, which was now become the richest, made a subscription of 60*l.* per annum for seven years; and after five years passed a town vote to carry this engagement into effect. Dover gave 32*l.*, and Exeter 10*l.* for the same laudable purpose.

(1671.) The people of Portsmouth, having for some time employed Joshua Moody as a preacher among them, and erected a new meeting-house, proceeded to settle him in regular order. A church consisting of nine brethren was first gathered; then the general court having been duly informed of it, and having signified their approbation, according to the established practice, Moody was ordained in the presence of Governor Leverett and several of the magistrates.

(1674.) The whole attention of the government in England being at this time taken up with things that more immediately concerned themselves, nothing of moment relating to Mason's interest was transacted. He became discouraged, and joined with the heirs of Gorges in proposing an alienation of their respective rights in the provinces of New Hampshire and Maine to the Crown, to make a government for the Duke of Monmouth. The duke himself was greatly pleased with the scheme, as he had been told that an annual revenue of 5,000*l.* or more might be collected from these provinces. But by the more faithful representations of some persons who were well acquainted with the country, he was induced to lay aside the project. Many complaints were made against the government of Massachusetts, and it was thought to be highly expedient that more severe measures should be used with them; but the Dutch wars, and other foreign transactions, prevented any determination concerning them, till the country was involved in all the horrors of a general war with the natives.

Remarks on the temper and manners of the Indians. The first general war with them, called Philip's war.

At the time of the first discovery of the river Pascataqua by Captain Smith, it was found that the native inhabitants of these parts differed not in language, manners, nor government, from their eastern or western neighbours. Though they were divided into several tribes, each of which had a distinct sachem, yet they all owned subjection to a sovereign prince, called Bashaba, whose residence was somewhere about Pemaquid. It was soon after found that the Tarrateens, who lived farther eastward, had invaded his country, surprised and slain him and all the

people in his neighbourhood, and carried off his women—leaving no traces of his authority. Upon which the subordinate sachems, having no head to unite them, and each one striving for the pre-eminence, made war among themselves; whereby many of their people, and much of their provision were destroyed. When Sir Richard Hawkins visited the coast in 1615, this war was at its height; and to this succeeded a pestilence, which carried them off in such numbers, that the living were not able to bury the dead; but their bones remained at the places of their habitations for several years. During this pestilence, Richard Vines and several others, whom Sir Ferdinando Gorges had hired, at a great expense, to tarry in the country through the winter, lived among them, and lodged in their cabins, without receiving the least injury in their health, “not so much as feeling their heads to ache the whole time.” By such singular means did Divine Providence prepare the way for the peaceable entrance of the Europeans into this land.

When the first settlements were made, the remains of two tribes had their habitations on the several branches of the river Pascataqua; one of their sachems lived at the falls of Squamscoot, and the other at those of Newichwannock; their headquarters being generally seated in places convenient for fishing. Both these, together with several inland tribes, who resided at Pantucket and Winnipiseogee, acknowledged subjection to Passaconaway, the great sagamore of Pannukog, or (as it is commonly pronounced) Penacook. He excelled the other sachems in sagacity, duplicity, and moderation; but his principal qualification was his skill in some of the secret operations of nature, which gave him the reputation of a sorcerer, and extended his fame and influence among all the neighbouring tribes. They believed that it was in his power to make water burn and trees dance, and to metamorphose himself into flame; that in winter he could raise a green leaf from the ashes of a dry one, and a living serpent from the skin of one that was dead.

An English gentleman, who had been much conversant among the Indians, was invited, in 1660, to a great dance and feast; on which occasion the elderly men, in songs or speeches, recite their histories, and deliver their sentiments and advice to the younger. At this solemnity Passaconaway, being grown old, made his farewell speech to his children and people; in which, as a dying man, he warned them to take heed how they quarrelled with their English neighbours; for though they might do them some damage, yet it would prove the means of their own destruction. He told them he had been a bitter enemy to the English, and by the arts of sorcery had tried his utmost to hinder their settlement and increase; but could by no means succeed. This caution, perhaps often repeated, had such an effect, that upon the breaking out of the Indian war fifteen years afterward, Wonolanset, his son and successor, withdrew himself and his people into some remote place, that they might not be drawn into the quarrel.

While the British nations had been distracted with internal convulsions, and had endured the horrors of a civil war, produced by the same causes which forced the planters of New England to quit the land of their nativity; this wilderness had been to them a quiet habitation. They had struggled with many hardships; but providence had smiled upon their undertaking, their settlements were extended, and their churches multiplied. There had been no remarkable quarrel with the savages, ex-

cept the short war with the Pequods, who dwelt in the south-east part of Connecticut: they being totally subdued in 1637, the dread and terror of the English kept the other nations quiet for near forty years:—during which time the New England colonies being confederated for their mutual defence, and for maintaining the public peace, took great pains to propagate the gospel among the natives, and bring them to a civilized way of living, which with respect to some proved effectual; others refused to receive the missionaries, and remained obstinately prejudiced against the English. Yet the object of their hatred was at the same time the object of their fear, which lead them to forbear acts of hostility, and to preserve an outward shew of friendship, to their mutual interest.

Our historians have generally represented the Indians in a most odious light, especially when recounting the effects of their ferocity. Dogs, catiffs, miscreants and hell-hounds, are the politest names which have been given them by some writers, who seem to be in a passion at the mentioning their cruelties, and at other times speak of them with contempt. Whatever indulgence may be allowed to those who wrote in times when the mind was vexed with their recent depredations and inhumanities, it ill becomes us to cherish an inveterate hatred of the unhappy natives. Religion teaches a better temper, and providence has now put an end to the controversy, by their almost total extirpation. We should therefore proceed with calmness in recollecting their past injuries, and forming our judgment of their character.

It must be acknowledged that human depravity appeared in these unhappy creatures in a most shocking view. The principles of education and the refinements of civilized life either lay a check upon our vicious propensities, or disguise our crimes; but among them human wickedness was seen in its naked deformity. Yet, bad as they were, it will be difficult to find them guilty of any crime which cannot be paralleled among civilized nations.

They are always described as being remarkably cruel; and it cannot be denied that this disposition, indulged to the greatest excess, strongly marks their character. We are struck with horror, when we hear of their binding the victim to the stake, biting off his nails, tearing out his hair by the roots, pulling out his tongue, boring out his eyes, sticking his skin full of lighted pitch-wood, half roasting him at the fire, and then making him run for their diversion till he faints and dies under the blows which they give him on every part of his body. But is it not as dreadful to read of an unhappy wretch, sewed up in a sack full of serpents, and thrown into the sea; or broiled in a red hot iron chair; or mangled by lions and tigers, after having spent his strength to combat them for the diversion of the spectators in an amphitheatre? and yet these were punishments among the Romans in the politest ages of the empire. What greater cruelty is there in the American tortures, than in confining a man in a trough, and daubing him with honey, that he may be stung to death by wasps and other venomous insects; or flaying him alive, and stretching out his skin before his eyes, which modes of punishment were not inconsistent with the softness and elegance of the ancient court of Persia?—or, to come down to modern times, what greater misery can there be in the Indian executions, than in racking a prisoner on a wheel, and breaking his bones one by one with an iron bar; or placing his legs in a boot, and driving

in wedges one after another; which tortures are still, or have till lately been used in some European kingdoms; we forbear to name the torments of the inquisition, because they seem to be beyond the stretch of human invention. If civilized nations, and those who profess the most merciful religion that ever blessed the world, have practised these cruelties, what could be expected of men who were strangers to every degree of refinement, either civil or mental?

The Indians have been represented as revengeful. When any person was killed, the nearest relative thought himself bound to be the avenger of blood, and never left seeking, till he found an opportunity to execute his purpose. Whether in a state where government is confessedly so feeble as among them, such a conduct is not justifiable, and even countenanced by the Jewish law, may deserve consideration.

The treachery with which these people are justly charged, is exactly the same disposition which operates in the breach of solemn treaties made between nations which call themselves christian. Can it be more criminal in an Indian, than in an European, not to think himself bound by promises and oaths extorted from him when under duress?

Their jealousy and hatred of their English neighbours may easily be accounted for, if we allow them to have the same feelings with ourselves. How natural is it for us to form a disagreeable idea of a whole nation, from the bad conduct of some individuals with whom we are acquainted? and though others of them may be of a different character, yet will not that prudence which is esteemed a virtue, lead us to suspect the fairest appearances, as used to cover the most fraudulent designs, especially if pains are taken by the most politic among us to foment such jealousies, to subserve their own ambitious purposes?

Though the greater part of the English settlers came hither with religious views, and fairly purchased their lands of the Indians, yet it cannot be denied that some, especially in the eastern parts of New England, had lucrative views only; and from the beginning used fraudulent methods in trade with them. Such things were indeed disallowed by the government, and would always have been punished if the Indians had made complaint: but they knew only the law of retaliation, and when an injury was received, it was never forgotten till revenged. Encroachments made on their lands, and fraud committed in trade, afforded sufficient grounds for a quarrel, though at ever so great a length of time; and kept alive a perpetual jealousy of the like treatment again.

(1675.) Such was the temper of the Indians of New England when the first general war began. It was thought by the English in that day, that Philip, sachem of the Wompanoags, a crafty and aspiring man, partly by intrigue, and partly by example, excited them to such a general combination. He was the son of Massassoiet, the nearest sachem to the colony of Plymouth, with whom he had concluded a peace, which he maintained more through fear than good will as long he lived. His son and immediate successor Alexander, preserved the same external show of friendship; but died with cholera on being detected in a plot against them. Philip, it is said, dissembled his hostile purposes; he was ready, on every suspicion of his infidelity, to renew his submission, and testify it even by the delivery of his arms, till he had secretly infused a cruel jealousy into many of the neighbouring Indians; which excited them to attempt the recovering their country

by extirpating the new possessors. The plot, it is said, was discovered before it was ripe for execution; and as he could no longer promise himself security under the mask of friendship, he was constrained to shew himself in his true character, and accordingly began hostilities upon the plantation of Swanzy, in the colony of Plymouth, in the month of June 1675.

Notwithstanding this general opinion, it may admit of some doubt, whether a single sachem, whose authority was limited, could have such an extensive influence over tribes so remote and unconnected with him as the eastern Indians; much more improbable is it, that those in Virginia should have joined in the confederacy, as it has been intimated. The Indians never travelled to any greater distance than their hunting required; and so ignorant were they of the geography of their country, that they imagined New England to be an island, and could tell the name of an inlet or strait by which they supposed it was separated from the main land. But what renders it more improbable that Philip was so active an instrument in exciting this war, is the constant tradition among the posterity of those people who lived near him, and were familiarly conversant with him, and with those of his Indians who survived the war—which is, that he was forced on by the fury of his young men, sorely against his own judgment and that of his chief counsellors; and that as he foresaw that the English would, in time, establish themselves and extirpate the Indians, so he thought that the making war upon them would only hasten the destruction of his own people. It was always a very common, and sometimes a just excuse with the Indians, when charged with breach of faith, that the old men were not able to restrain the younger from signalizing their valour, and gratifying their revenge, though they disapproved their rashness. This want of restraint was owing to the weakness of their government; their sachems having but the shadow of sovereign authority.

The inhabitants of Bristol shew a particular spot where Philip received the news of the first Englishmen that were killed, with so much sorrow as to cause him to weep; a few days before which he had rescued one who had been taken by his Indians, and privately sent him home. Whatever credit may be given to this account, so different from the current opinion, it must be owned, that in such a season of general confusion as the first war occasioned, fear and jealousy might create many suspicions, which would soon be formed into reports of a general confederacy, through Philip's contrivance; and it is to be noted that the principal histories of this war, [Increase Mather's and Hubbard's] were printed in 1676 and 1677, when the strangest reports were easily credited, and the people were ready to believe every thing that was bad of so formidable a neighbour as Philip. But as the fact cannot now be precisely ascertained, we shall detain the reader no longer from the real causes of the war in these eastern parts.

There dwelled near the river Saco, a sachem named Squando, a noted enthusiast, a leader in the devotions of their religion, and one that pretended to a familiar intercourse with the invisible world. These qualifications rendered him a person of the highest dignity, importance, and influence among all the eastern Indians. His squaw passing along the river in a canoe, with her infant child, was met by some rude sailors, who having heard that the Indian children could swim as naturally as the young of the brutal kind, in a thoughtless and unguarded humour overset the canoe. The child sank, and the

mother instantly diving fetched it up alive, but the child dying soon after, its death was imputed to the treatment it had received from the seamen; and Squando was so provoked that he conceived a bitter antipathy to the English, and employed his great art and influence to excite the Indians against them. Some other injuries were alleged as the ground of the quarrel; and, considering the interested views and irregular lives of many of the eastern settlers, their distance from the seat of government, and the want of due subordination among them, it is not improbable that a great part of the blame of the eastern war belonged to them.

The first alarm of the war in Plymouth colony spread great consternation among the distant Indians, and held them awhile in suspense what part to act, for there had been a long external friendship subsisting between them and the English, and they were afraid of provoking such powerful neighbours. But the seeds of jealousy and hatred had been so effectually sown, that the crafty and revengeful, and those who were ambitious of doing some exploits, soon found means to urge them on to an open rupture; so that within twenty days after Philip had begun the war at the southward, the flame broke out in the most north-easterly part of the country, at the distance of 200 miles.

The English inhabitants about the river Kennebeck, hearing of the insurrection in Plymouth colony, determined to make trial of the fidelity of their Indian neighbours, by requesting them to deliver their arms. They made a show of compliance, but in doing it, committed an act of violence on a Frenchman, who lived in an English family, which being judged an offence, both by the English and the elder Indians, the offender was seized; but upon a promise, with security, for his future good behaviour, his life was spared, and some of them consented to remain as hostages, who soon made their escape, and joined with their fellows in robbing the house of Purchas, an ancient planter at Pechypscot.

The quarrel being thus begun, and their natural hatred of the English, and jealousy of their designs, having risen to a great height under the malignant influence of Squando and other leading men, and being encouraged by the example of the western Indians, who were daily making depredations on the colonies of Plymouth and Massachusetts, they took every opportunity to rob and murder the people in the scattered settlements of the province of Maine; and having dispersed themselves into many small parties, that they might be the more extensively mischievous, in the month of September they approached the plantations at Pascataqua, and made their first onset at Oyster river, then a part of the town of Dover, but now Durham. Here they burned two houses belonging to two persons named Chesley, killed two men in a canoe, and carried away two captives; both of whom soon after made their escape. About the same time a party of four laid in ambush near the road between Exeter and Hampton, where they killed one, and took another, who made his escape. Within a few days an assault was made on the house of one Tozer, at Newichwannock, wherein were fifteen women and children, all of whom except two were saved by the intrepidity of a girl of eighteen;—she first seeing the Indians as they advanced to the house, shut the door and stood against it till the others escaped to the next house, which was better secured. The Indians chopped the door to pieces with their hatchets, and then entering, they knocked her down, and leaving her for

dead, went in pursuit of the others, of whom two children, who could not get over the fence, fell into their hands. The adventurous heroine recovered, and was perfectly healed of her wound.

The two following days they made several appearances on both sides of the river, using much insolence, and burning two houses and three barns, with a large quantity of grain. Some shot were exchanged without effect, and a pursuit was made after them into the woods by eight men, but night obliged them to return without success. Five or six houses were burned at Oyster river, and two more men killed. These daily insults could not be borne without indignation and reprisal. About twenty young men, chiefly of Dover, obtained leave of Major Waldron, then commander of the militia, to try their skill and courage with the Indians in their own way. Having scattered themselves in the woods, a small party of them discovered five Indians in a field near a deserted house, some of whom were gathering corn, and others kindling a fire to roast it. The men were at such a distance from their fellows that they could make no signal to them without danger of a discovery; two of them, therefore, crept along silently, near to the house, from whence they suddenly rushed upon those two Indians who were busy at the fire, and knocked them down with the butts of their guns; the other three took the alarm and escaped.

All the plantations at Pascataqua, with the whole eastern country, were now filled with fear and confusion: business was suspended, and every man was obliged to provide for his own and his family's safety. The only way was to desert their habitations, and retire together within the larger and more convenient houses, which they fortified with a timber wall and flankarts, placing a centry-box on the roof. Thus the labour of the field was exchanged for the duty of the garrison, and they who had long lived in peace and security, were upon their guard night and day, subject to continual alarms, and the most fearful apprehensions.

The 7th of October was observed as a day of fasting and prayer; and on the 16th the enemy made an assault upon the inhabitants at Salmon-falls, in Berwick. Lieut. Roger Plaisted, being a man of true courage and of a public spirit, immediately sent out a party of seven from his garrison to make discovery. They fell into an ambush; three were killed, and the rest retreated. The lieutenant then dispatched an express to Major Waldron and Lieut. Coffin at Cochecho, begging most importunately for help, which they were in no capacity to afford, consistently with their own safety. The next day Plaisted ventured out with twenty men, and a cart to fetch the dead bodies of their friends, and unhappily fell into another ambush. The cattle affrighted ran back, and Plaisted being deserted by his men, and disdaining either to yield or fly, was killed on the spot, with his eldest son and one more; his other son died of his wound in a few weeks. Had the heroism of this worthy family been imitated by the rest of the party, and a reinforcement arrived in season, the enemy might have received such a severe check as would have prevented them from appearing in small parties. The gallant behaviour of Plaisted, though fatal to himself and his sons, had this good effect, that the enemy retreated to the woods: and the next day Captain Frost came up with a party from Sturgeon creek, and peaceably buried the dead: but before the month had expired a mill was burned there, and an assault made on Frost's garrison, who though he had only three boys with him,

kept up a constant fire, and called aloud as if he were commanding a body of men, to march here and fire there: the stratagem succeeded, and the house was saved. The enemy then proceeded down the river, killing and plundering as they found people off their guard, till they came opposite to Portsmouth; from whence some cannon being fired they dispersed, and were pursued by the help of a light snow which fell in the night, and overtaken by the side of a swamp, into which they threw themselves, leaving their packs and plunder to the pursuers. They soon after did more mischief at Dover, Lamprey river, and Exeter; and with these small, but irritating assaults and skirmishes, the autumn was spent until the end of November; when the number of people killed and taken from Kennebeck to Pascataqua amounted to upwards of fifty.

The Massachusetts government being fully employed in defending the southern and western parts, could not seasonably send succours to the eastward. Major General Denison, who commanded the militia of the colony, had ordered the majors who commanded the regiments on this side of the country, to draw out a sufficient number of men to reduce the enemy, by attacking them at their retreat to their head-quarters at Ossapay and Pigwacket. But the winter setting in early and fiercely, and the men being unprovided with rackets to travel on the snow, which by the 10th of December was four feet deep in the woods, it was impossible to execute the design. This peculiar severity of the season however proved favourable. The Indians were pinched with famine, and having lost by their own confession about ninety of their number, partly by the war, and partly for want of food, they were reduced to the necessity of suing for peace. With this view they came to Major Waldron, expressing great sorrow for what had been done, and promising to be quiet and submissive. By his mediation a peace was concluded with the whole body of eastern Indians, which continued till the next August; and might have continued longer, if the inhabitants of the eastern parts had not been too intent on private gain, and of a disposition too ungovernable to be a barrier against an enemy so irritable and vindictive. The restoration of the captives made the peace more valued: a return from the dead could not be more welcome than a deliverance from Indian captivity.

(1676.) The war at the southward, though renewed in the spring, drew toward a close. Philip's affairs were desperate; many of his dependents and allies forsook him; and in August he was slain by a party under Captain Church. Those western Indians, who had been engaged in the war, now fearing a total extirpation, endeavoured to conceal themselves among their brethren of Penacook, who had not joined in the war, and those of Ossapay and Pigwacket, who had made peace. But they could not so disguise themselves or their behaviour, as to escape the discernment of those who had been conversant with Indians. Several of them were taken at different times, and delivered up to public execution. Three of them, Simon, Andrew, and Peter, who had been concerned in killing Thomas Kimbal of Bradford, and capturing his family, did, within six weeks, voluntarily restore the women and five children. It being doubted whether this act of submission was a sufficient atonement for the murder, they were committed to Dover prison till their case could be considered. Fearing that this confinement was a prelude to farther punishment, they broke out of prison, and going to the eastward, joined with

the Indians of Kennebeck and Amorisconsin, in those depredations which they renewed on the inhabitants of those parts, in August, and were afterward active in distressing the people of Pascataqua.

This renewal of hostilities occasioned the sending of two companies to the east under Captain Joseph Syll, and Captain William Hawthorne. In the course of their march they came to Cohecho, on the sixth of September, where four hundred mixed Indians were met at the house of Major Waldron, with whom they had made the peace, and whom they considered as their friend and father. The two captains would have fallen upon them at once, having it in their orders to seize all Indians, who had been concerned in the war. The major dissuaded them from that purpose, and contrived the following stratagem. He proposed to the Indians, to have a training the next day, and a sham fight after the English mode; and summoning his own men, with those under Captain Frost of Kittery, they, in conjunction with the two companies, formed one party, and the Indians another. Having diverted them a while in this manner, and caused the Indians to fire the first volley; by a peculiar dexterity, the whole body of them (except two or three) were surrounded, before they could form a suspicion of what was intended. They were immediately seized and disarmed, without the loss of a man on either side. A separation was then made: Wonalanset, with the Penacook Indians, and others who had joined in making peace the winter before, were peaceably dismissed; but the strange Indians (as they were called) who had fled from the southward, and taken refuge among them, were made prisoners, to the number of two hundred; and being sent to Boston, seven or eight of them, who were known to have killed some Englishmen, were condemned and hanged; the rest were sold into slavery in foreign parts.

This action was highly applauded by the general voice of the colony; as it gave them opportunity to deal with their enemies in a judicial way, as rebels, and, as they imagined, to extirpate those troublesome neighbours. The remaining Indians, however, looked upon the conduct of Major Waldron as a breach of faith; inasmuch as they had taken those fugitive Indians under their protection, and had made peace with him, which had been strictly observed with regard to him and his neighbours, though it had been broken elsewhere. The Indians had no idea of the same government being extended very far, and thought they might make peace in one place, and war in another, without any imputation of infidelity; but a breach of hospitality and friendship, as they deemed this to be, merited, according to their principles, a severe revenge, and was never to be forgotten or forgiven. The major's situation on this occasion was indeed extremely critical; and he could not have acted either way without blame. It is said that his own judgment was against any forcible measure, as he knew that many of those Indians were true friends to the colony; and that in case of failure he should expose the country to their resentment; but had he not assisted the forces in the execution of their commission, (which was to seize all Indians who had been concerned with Philip in the war) he must have fallen under censure, and been deemed accessory, by his neglect, to the mischiefs which might afterward have been perpetrated by them. In this dilemma he finally determined to comply with the orders and expectations of government; imagining that he should be able to satisfy those of the Indians whom he intended to

Dismiss, and that the others would be removed out of the way of doing any further mischief; but he had no suspicion that he was laying a snare for his own life. It was unhappy for him that he was obliged, in deference to the laws of his country, and the orders of government, to give offence to a people who, having no public judicatories and penal laws among themselves, were unable to distinguish between a legal punishment and private malice.

Two days after this surprisal, the forces proceeded on their route to the eastward, being joined with some of Waldron's and Frost's men; and taking with them Blind Will, a sagamore of the Indians who lived about Cocheco, and eight of his people for pilots. The eastern settlements were all either destroyed or deserted, and no enemy was to be seen; so that the expedition proved fruitless, and the companies returned to Pascataqua.

It was then thought advisable, that they should march up toward the Ossapy ponds; where the Indians had a strong fort of timber fourteen feet high, with flankarts; which they had a few years before hired some English carpenters to build for them, as a defence against the Mohawks, of whom they were always afraid. It was thought that if the Indians could be surprised on their first return to their head quarters, at the beginning of winter, some considerable advantage might be gained against them; or if they had not arrived there, that the provisions, which they had laid in for their winter subsistence, might be destroyed. Accordingly, the companies being well provided for a march at that season, set off on the first of November; and after travelling four days through a rugged, mountainous wilderness, and crossing several rivers, they arrived at the spot; but found the fort and adjacent places entirely deserted, and saw not an Indian in all the way. Thinking it needless for the whole body to go further, the weather being severe, and the snow deep, a select party was detached eighteen or twenty miles above; who discovered nothing but frozen ponds, and snowy mountains; and supposing the Indians had taken up their winter quarters nearer the sea, they returned to Newichwannock, within nine days from their first departure.

They had been prompted to undertake this expedition by the false accounts brought by Mogg, an Indian of Penobscot, who had come to Pascataqua with a proposal of peace; and had reported that an hundred Indians were assembled at Ossapy. This Indian brought with him two men of Portsmouth, Fryer and Kendal, who had been taken on board a vessel at the eastward; he was deputed by the Penobscot tribe to consent to articles of pacification; and being sent to Boston, a treaty was drawn and subscribed by the governor and magistrates on the one part, and by Mogg on the other; in which it was stipulated, that if the Indians of the other tribes did not agree to this transaction, and cease hostilities, they should be deemed and treated as enemies by both parties. This treaty was signed on the sixth of November; Mogg pledging his life for the fulfilment of it. Accordingly, vessels being sent to Penobscot, the peace was ratified by Madokawando the sachem, and two captives were restored. But Mogg, being incautiously permitted to go to a neighbouring tribe, on pretence of persuading them to deliver their captives, though he promised to return in three days, was seen no more. It was at first thought that he had been sacrificed by his countrymen, as he pretended to fear when he left the vessels; but a captive who escaped in January, 1677,

gave an account, that he boasted of having deceived the English, and laughed at their kind entertainment of him. There was also a design talked of among them to break the peace in the spring, and join with the other Indians at the eastward in ruining the fishery. About the same time it was discovered that some of the Narraganset Indians were scattered in the eastern parts; three of whom having been decoyed by some of the Cocheco Indians into their wigwams, and scalped, were known by the cut of their hair. This raised a fear in the minds of the people, that more of them might have found their way to the eastward, and would prosecute their revenge against them.

From these circumstances it was suspected, that the truce would be but of short continuance. The treachery of Mogg, who was surety for the performance of the treaty, was deemed a full justification of the renewal of hostilities; and the state of things was, by some gentlemen of Pascataqua, represented to be so dangerous, that the government determined upon a winter expedition. Two hundred men, including sixty Natick Indians, were enlisted and equipped, and sailed from Boston the first week in February, under the command of Major Waldron; a day of prayer having been previously appointed for the success of the enterprise.

At Casco the major had a fruitless conference, and a slight skirmish with a few Indians, of whom some were killed and wounded. At Kennebeck he built a fort, and left a garrison of forty men, under the command of Captain Sylvanus Davis. At Pemaquid he had a conference with a company of Indians, who promised to deliver their captives on the payment of a ransom. Part of it being paid, three captives were delivered, and it was agreed that the conference should be renewed in the afternoon, and all arms be laid aside. Some suspicion of their infidelity had arisen, and when the major went ashore in the afternoon with five men, and the remainder of the ransom, he discovered the point of a lance hid under a board, which he drew out and advanced with it toward them; charging them with treachery in concealing their arms so near. They attempted to take it from him by force; but he threatened them with instant death, and waved his cap for a signal to the vessels. While the rest were coming on shore, the major with his five men secured the goods: some of the Indians snatching up a bundle of guns which they had hid, ran away. Captain Frost, who was one of the five, seized an Indian, who was well known to be a rogue, and with lieutenant Nutter, carried him on board. The major searching about found three guns, with which he armed his remaining three men; and the rest being come on shore by this time, they pursued the Indians, killed several of them before they could recover their canoes, and after they had pushed off, sank one with five men, who were drowned; and took four prisoners, with about a thousand pounds of dried beef, and some other plunder. The whole number of the Indians was twenty-five.

Whether the casual discovery of their arms, which they had agreed to lay aside, was sufficient to justify this severity, may be doubted; since, if their intentions had really been hostile, they had a fine opportunity of ambushing or seizing the major and his five attendants, who came ashore unarmed; and it is not likely that they would have waited for the rest to come ashore before they opened the plot. Possibly, this sudden suspicion might be groundless, and might inflame the prejudice against the major,

which had been already excited by the seizure of their friends at Cochecho some time before.

On the return of the forces, they found some wheat, guns, anchors and boards at Kennebeck, which they took with them. They killed two Indians on Arrowsick island, who, with one of the prisoners taken at Pemaquid, and shot on board, made the number of Indians killed in this expedition thirteen. They returned to Boston on the eleventh of March, without the loss of a man, bringing with them the bones of Captain Lake, which they found entire in the place where he was killed.

There being no prospect of peace at the eastward, it became necessary to maintain great circumspection and resolution, and to make use of every possible advantage against the enemy. A long and inveterate animosity had subsisted between the Mohawks and the eastern Indians, the original of which is not mentioned, and perhaps was not known by any of the historians; nor can the oldest men among the Mohawks at this day give any account of it. These Indians were in a state of friendship with their English neighbours; and being a fierce and formidable race of men, their name carried terror wherever it was known. It was now thought, that if they could be induced to prosecute their ancient quarrel with the eastern Indians, the latter might be awed into peace, or incapacitated for any farther mischief. The propriety of this measure became a subject of debate; some questioning the lawfulness of making use of their help, "as they were heathen;" but it was urged in reply, that Abraham had entered into a confederacy with the Amorites, among whom he dwelt, and made use of their assistance in recovering his kinsman Lot from the hands of their common enemy. With this argument the objectors were satisfied; and two messengers, Major Pynchon of Springfield, and Richards of Hartford, were dispatched to the country of the Mohawks, who treated them with great civility, expressed the most bitter hatred against the eastern enemy, and promised to pursue the quarrel to the utmost of their power.

Accordingly, some parties of them came down the country about the middle of March, and the first alarm was given at Amuskeeg falls; where the son of Wonolanset being hunting, discovered fifteen Indians on the other side, who called to him in a language which he did not understand; upon which he fled, while they fired near thirty guns at him without effect. Presently after this they were discovered in the woods near Cochecho. Major Waldron sent out eight of his Indians, whereof Blind Will was one, for farther information. They were all surprised together by a company of the Mohawks; two or three escaped, the others were either killed or taken: Will was dragged away by his hair; and being wounded, perished in the woods, on a neck of land, formed by the confluence of Cochecho and Isinglass rivers, which still bears the name of Blind Will's Neck. This fellow was judged to be a secret enemy to the English, though he pretended much friendship and respect; so that it was impossible to have punished him, without provoking the other neighbouring Indians, with whom he lived in amity, and of whose fidelity there was no suspicion. It was at first thought a fortunate circumstance that he was killed in this manner; but the consequence proved it to be otherwise; for two of those who were taken with him escaping, reported that the Mohawks threatened destruction to all the Indians in these parts without distinction: so that those who lived in subjection to the English grew jealous of their sincerity, and

imagined, not without very plausible ground, that the Mohawks had been persuaded or hired to engage in the war, on purpose to destroy them: since they never actually exercised their fury upon those Indians who were in hostility with the English, but only upon those who were in friendship with them; and this only in such a degree as to irritate, rather than to weaken or distress them. It cannot therefore be thought strange that the friendly Indians were alienated from their English neighbours, and disposed to listen to the seducing stratagems of the French; who in a few years after made use of them in conjunction with others, sorely to scourge these unhappy people. The English, in reality, had no such design; but the event proved, that the scheme of engaging the Mohawks in the quarrel, however lawful in itself, and countenanced by the example of Abraham, was a pernicious source of innumerable calamities.

The terror which it was thought this incursion of the Mohawks would strike into the eastern Indians, was too small to prevent their renewing hostilities very early in the spring. Some of the garrison who had been left at Kennebeck were surprised by an ambush, as they were attempting to bury the dead bodies of their friends, who had been killed the summer before, and had lain under the snow all the winter. The remainder of that garrison were then taken off and conveyed to Pascataqua; whither a company of fifty men and ten Natick Indians marched, under Captain Swaine, to succour the inhabitants, who were alarmed by scattered parties of the enemy, killing and taking people, and burning houses in Wells, Kittery, and within the bounds of Portsmouth. A young woman who was taken from Rawling's house, made her escape and came into Cochecho, stating where the enemy lay. Three parties were dispatched to ambush three places, by one of which they must pass. The enemy appearing at one of these places, were seasonably discovered; but by the too great eagerness of the party to fire on them, they avoided the ambush and escaped.

Soon after this the garrisons at Wells and Black Point were beset, and at the latter place the enemy lost their leader Mogg, who had proved so treacherous a negotiator. Upon his death they fled in their canoes, some to the eastward and others toward York, where they also did some mischief. On a sabbath morning, a party of twenty, under the guidance of Simon, surprised six of our Indians, who lay drunk in the woods, at a small distance from Portsmouth; they kept all day hovering about the town, and if they had taken advantage of the people's absence from home, in attending the public worship, they might easily have plundered and burned the outmost houses; but they were providentially restrained. At night they crossed the river at the Long Reach, killed some sheep at Kittery, and then went toward Wells; but, being afraid of the Mohawks, let their prisoners go. Four men were soon after killed at North Hill, one of whom was Edward Colcott, whose death was much regretted.

More mischief being expected, and the eastern settlements needing assistance, the government ordered 200 Indians of Natick, with forty English soldiers, under Captain Benjamin Swett, of Hampton, and Lieutenant Richardson, to march to the falls of Taconick on Kennebeck river; where it was said the Indians had six forts, well furnished with ammunition. The vessels came to an anchor off Black Point, where the captain being informed that some Indians had been seen, went on shore with a party.

and being joined by some of the inhabitants so as to make about ninety in all, marched to seek the enemy, who shewed themselves on a plain in three parties. Swett divided his men accordingly, and went to meet them. The enemy retreated till they had drawn our people two miles from the fort, and then turning suddenly and violently upon them, threw them into confusion, they being mostly young and unexperienced soldiers. Swett, with a few of the more resolute, fought bravely on the retreat, till he came near the fort, when he was killed; sixty more were left dead or wounded, and the rest got into the fort. The victorious savages then surprised about twenty fishing vessels, which put into the eastern harbours by night; the crews, not being apprehensive of danger on the water, fell an easy prey to them. Thus the summer was spent with terror and perplexity by the colonists; while the enemy rioted without control, till they had satiated their vengeance, and greatly reduced the eastern settlements.

At length, in the month of August, Major Androsse, governor of New York, sent a sloop with some forces to take possession of the land which had been granted to the Duke of York, and build a fort at Pemaquid, to defend the country against the encroachment of foreigners. Upon their arrival the Indians appeared friendly: and in evidence of their pacific disposition, restored fifteen prisoners with the fishing vessels. They continued quiet all the succeeding autumn and winter, and lived in harmony with the new garrison.

(1678.) In the spring, Major Shapleigh, of Kittery, Captain Champenoon and Mr. Fryer of Portsmouth, were appointed commissioners to settle a formal treaty of peace with Squando and the other chiefs, which was done at Casco, whither they brought the remainder of the captives. It was stipulated in the treaty, that the inhabitants should return to their deserted settlements, on condition of paying one peck of corn annually for each family, by way of acknowledgment to the Indians for the possession of their lands, and one bushel for Major Pendleton, who was a great proprietor. Thus an end was put to a tedious and distressing war, which had subsisted three years. The terms of peace were disgraceful, but not unjust, considering the former irregular conduct of many of the eastern settlers, and the native property of the Indians of the soil; certainly they were now masters of it, and it was entirely at their option whether the English should return to their habitations or not. It was therefore thought better to live peaceably, though in a sort of subjection, than to leave such commodious settlements and forego the advantages of trade and fishery, which were very considerable, and by which the inhabitants of that part of the country had chiefly subsisted.

It was a matter of great inquiry and speculation, how the Indians were supplied with arms and ammunition to carry on this war. The Dutch at New York were too near the Mohawks for the eastern Indians to adventure thither. The French in Canada were too feeble, and too much in fear of the English, to do any thing which might disturb their tranquillity; and there was peace between the two nations. It was therefore supposed that the Indians had long premeditated the war, and laid in a stock beforehand. There had formerly been severe penalties exacted by the government, on the selling of arms and ammunition to the Indians; but ever since 1657, licences had been granted to particular persons to supply them occasionally for the purpose of hunting, on paying an acknowledgment to the

public treasury. This indulgence, having been much abused by some of the eastern traders, who, far from the seat of government, were impatient of the restraint of law, was supposed to be the source of the mischief. But it was afterward discovered that the Baron de St. Castine, a reduced French officer, who had married a daughter of Madokawando, and kept a trading-house at Penobscot, where he considered himself as independent, being out of the limits of any established government, was the person from whom they had their supplies; which needed not be very great as they always husbanded their ammunition with much care, and never expended it but when they were certain of doing execution.

The whole burden and expense of this war, on the part of the colonists, were borne by themselves. It was indeed thought strange by their friends in England, and resented by those in power, that they made no application to the king for assistance. It was intimated to them by Lord Anglesey, "that his majesty was ready to assist them with ships, troops, ammunition, or money, if they would but ask it;" and their silence was construed to their disadvantage, as if they were proud, and obstinate, and desired to be considered as an independent state. They had indeed no inclination to ask favours from thence; being well aware of the consequence of laying themselves under obligations to those who had been seeking to undermine their establishment; and remembering how they had been neglected in the late Dutch wars, when they stood in much greater need of assistance: the king had then sent ammunition to New York, but had sent word to New England, "that they must shift for themselves, and make the best defence they could." It was therefore highly injurious to blame them for not making application for help. But if they had not been so ill treated, they could not be charged with disrespect, since they really did not need foreign assistance. Ships of war and regular troops must have been altogether useless; and no one that knew the nature of an Indian war could be serious in proposing to send them. Ammunition and money were necessary, but as they had long enjoyed a free trade, and had coined the bullion which they imported, there was no scarcity of money, nor of any stores which money could purchase. The method of fighting with Indians could be learned only from themselves. After a little experience, a few men in scattered parties were of more service than the largest and best equipped armies which Europe could have afforded. It ought ever to be remembered for the honour of New England, that as their first settlement, so their preservation, increase, and defence, even in their weakest infancy, were not owing to any foreign assistance, but to their own magnanimity and perseverance.

The gravest historians have recorded many omens, predictions, and other alarming circumstances, during this and the Pequot war, which in a more philosophical and less credulous age would not be worthy of notice. When men's minds were rendered gloomy by the horrors of a surrounding wilderness, and the continual apprehension of danger from its savage inhabitants; when they were ignorant of the causes of many of the common appearances in nature, and were disposed to resolve every unusual appearance into prodigy and miracle, it is not to be wondered that they should imagine they heard the noise of drums and guns in the air, and saw flaming swords and spears in the heavens, and should even interpret eclipses as ominous. Some old Indians had intimated their apprehensions concerning the

increase of the English, and the diminution of their own people, which any rational observer in a course of forty or fifty years might easily have foretold, without the least pretence to a spirit of prophecy; yet these sayings were recollected and recorded, as so many predictions by force of a supernatural impulse on their minds, and many persons of the greatest distinction were disposed to credit them as such. These things would not have been mentioned, but to give a just idea of the age. If mankind are now better enlightened, superstition is the less excusable in its remaining votaries.

Mason's renewed efforts—Randolph's mission and transactions—Attempts for the trial of Mason's title—New Hampshire separated from Massachusetts, and made a royal province—Abstract of the commission—Remarks on it.

(1675.) While the country was labouring under the perplexity and distress arising from the war, measures were taking in England to increase their difficulties, and divide their attention. The scheme of selling the provinces of New Hampshire and Maine to the crown being laid aside, Mason again petitioned the king for the restoration of his property; and the king referred the matter to his Attorney-General, Sir William Jones, and his Solicitor, General Sir Francis Winington, who reported that "John Mason, Esq., grandfather to the petitioner, by virtue of several grants from the council of New England, under their common seal, was in-stated in fee in sundry great tracts of land in New England, by the name of New Hampshire; and that the petitioner being heir at law to the said John had a good and legal title to the said lands" (1676.) Whereupon a letter was dispatched to the Massachusetts colony, requiring them to send over agents within six months, fully empowered to answer the complaints, which Mason and the heirs of Gorges had made, of their usurping jurisdiction over the territories claimed by them; and to receive the royal determination in that matter. Copies of the complaints were inclosed; and Edward Randolph, a kinsman of Mason, a man of great address and penetration, resolute and indefatigable in business, was charged with the letters, and directed by the lords of trade to make enquiry into the state of the country. When he arrived, he waited on Governor Leverett, who read the king's letter, with the petitions of Mason and Gorges in council, Randolph being present, who could obtain no other answer than that "they would consider it."

He then came into New Hampshire, and as he passed along, freely declared the business on which he was come, and publicly read a letter which Mason had sent to the inhabitants. Some of them he found ready to complain of the government, and desirous of a change; but the body of the people were highly enraged against him; and the inhabitants of Dover, in a public town-meeting, "protested against the claim of Mason; declaring that they had bona fide purchased their lands of the Indians; recognized their subjection to the government of Massachusetts, under whom they had lived long and happily, and by whom they were now assisted in defending their estates and families against the savage enemy." They appointed Major Waldron "to petition the king in their behalf, that he would interpose his royal authority, and afford them his wonted favour; that they might not be disturbed by Mason, or any other person, but continue peaceably in possession of their rights under the government of Massachu-

setts." A similar petition was sent by the inhabitants of Portsmouth, who appointed John Cutts and Richard Martyn, Esqs., Captains Daniel and Stileman, to draught and forward it.

When Randolph returned to Boston, he had a severe reproof from the governor, for publishing his errand, and endeavouring to raise discontent among the people. To which he made no other answer than that "if he had done amiss, they might complain to the king."

After about six weeks stay, he returned to England, and reported to the king, that "he had found the whole country complaining of the usurpation of the magistrates of Boston; earnestly hoping and expecting that his majesty would not permit them any longer to be oppressed; but would give them relief according to the promises of the commissioners in 1665." With the same bitterness of temper, and in the same strain of misrepresentation, he inveighed against the government in a long report to the lords of trade; which farther inflamed the prejudice that had long been conceived against the colony, and prepared the way for the separation which was meditated.

After his departure, a special council being summoned, at which the elders of the churches were present, the question was proposed to them, "whether the best way of making answer to the complaints of Gorges and Mason about the extent of their patent, be by sending agents, or by writing only?" To which they answered, "that it was most expedient to send agents, to answer by way of information, provided they were instructed with much care and caution to negotiate the affair with safety to the country, and loyalty to his majesty, in the preservation of their patent liberties." Accordingly William Stoughton, afterward lieutenant-governor, and Peter Bulkeley, then speaker of the house of deputies, were appointed agents, and sailed for England.

(1677.) At their arrival, a hearing was ordered before the lords chief justices of the King's Bench and Common Pleas; when the agents in the name of the colony disclaimed all title to the lands claimed by the petitioner, and to the jurisdiction beyond three miles northward of the river Merrimack, to follow the course of the river, so far as it extended. The judges reported to the king, "that they could give no opinion as to the right of soil, in the provinces of New Hampshire and Maine, not having the proper parties before them; it appearing that not the Massachusetts colony, but the ter-tenants (*ground-tenants*) had the right of soil, and whole benefit thereof, and yet were not summoned to defend their titles. As to Mason's right of government within the soil he claimed, their lordships, and indeed his own counsel, agreed he had none; the great council of Plymouth, under whom he claimed, having no power to transfer government to any. It was determined that the four towns of Portsmouth, Dover, Exeter, and Hampton, were out of the bounds of Massachusetts." This report was accepted, and confirmed by the king in council.

(1679.) After this, at the request of the agents, Sir William Jones, the attorney-general, drew up a complete state of the case to be transmitted to the colony; by which it seems that he had altered his opinion since the report which he gave to the king in 1675, concerning the validity of Mason's title. It was also admitted that the title could be tried only on the spot, there being no court in England that had cognizance of it.

It became necessary then to the establishment of Mason's title, that a new jurisdiction should be erected, in which the king might direct the mode of trial and appeal at his pleasure: this being resolved upon, the colony of Massachusetts was informed, by a letter from the secretary of state, of the king's intention to separate New Hampshire from their government, and required to revoke all commissions which they had granted there, and which were thereby declared to be null and void. To prevent any extravagant demand, the king obliged the claimant to declare, under his hand and seal, that he would require no rents of the inhabitants for the time passed, before the 24th of June, 1679, nor molest any in their possessions for the time to come; but would make out titles to them and their heirs for ever, provided they would pay him sixpence in the pound, according to the yearly value of all houses which they had built, and lands which they had improved.

Things being thus prepared, a commission passed the great seal on the 18th of September for the government of New Hampshire; which inhibits and restrains the jurisdiction exercised by the colony of Massachusetts over the towns of Portsmouth, Dover, Exeter, and Hampton, and all other lands extending from three miles to the northward of the river Merrimack, and of any and every part thereof, to the province of Maine; constitutes a president and council to govern the province; appoints John Cutts, esq. president, to continue one year and till another be appointed by the same authority; Richard Martyn, William Vaughan, and Thomas Daniel of Portsmouth, John Gilman of Exeter, Christopher Hussey of Hampton, and Richard Waldron of Dover, esquires, to be of the council, who were authorised to choose three other qualified persons out of the several parts of the province to be added to them. The said president and every succeeding one to appoint a deputy to preside in his absence; the president or his deputy, with any five, to be a quorum. They were to meet at Portsmouth in twenty days after the arrival of the commission and publish it. They were constituted a court of record for the administration of justice, according to the laws of England, so far as circumstances would permit; reserving a right of appeal to the king in council for actions of fifty pounds value. They were empowered to appoint military officers, and take all needful measures for defence against enemies. Liberty of conscience was allowed to all protestants, those of the church of England to be particularly encouraged. For the support of government they were to continue the present taxes, till an assembly could be called; to which end they were within three months to issue writs under the province seal, for calling an assembly, to whom the president should recommend the passing such laws as should establish their allegiance, good order and defence, and the raising taxes in such manner and proportion as they should see fit. All laws to be approved by the president and council, and then to remain in force till the king's pleasure should be known, for which purpose they should be sent to England by the first ships. In case of the president's death, his deputy to succeed, and on the death of a counsellor, the remainder to elect another, and send over his name, with the names of two other meet persons, that the king might appoint one of the three. The king engaged for himself and successors to continue the privilege of an assembly, in the same manner and form, unless by inconvenience arising therefrom he or his heirs

should see cause to alter the same. If any of the inhabitants should refuse to agree with Mason or his agents, on the terms before mentioned, the president and council were directed to reconcile the difference, or send the case stated in writing with their own opinions, to the king, that he with his privy council might determine it according to equity.

The form of government described in this commission, considered abstractedly from the immediate intentions, characters, and connexions of the persons concerned, appears to be of as simple a kind as the nature of a subordinate government and the liberty of the subject can admit. The people, who are the natural and original source of power, had a representation in a body chosen by themselves; and the king was represented by a president and council of his own appointment; each had the right of instructing their representative, and the king had the superior prerogative of disannulling the acts of the whole at his pleasure. The principal blemish in the commission was the right claimed by the king of discontinuing the representation of the people whenever he should find it inconvenient, after he had solemnly engaged to continue this privilege. The clause, indeed, is artfully worded, and might be construed to imply more or less at pleasure. Herein Charles was consistent with himself, parliaments being his aversion. However, there was in this plan as much of the spirit of the British constitution as there could be any foundation for in such a colony; for here was no third branch to form a balance between the king or his representative, and the people. The institution of an house of peers in Britain was the result of the feudal system: the barons being lords of the soil and enjoying a sovereignty within their own territories and over their own vassals; the constitution was formed by the union of these distinct estates under one common sovereign. But there was nothing similar to this in New England. The settlements began here by an equal division of property among independent freemen. Lordship and vassalage were held in abhorrence. The yeomanry were the proprietors of the soil and the natural defenders of their own rights and property; and they knew no superior but the king. A council, whether appointed by him or chosen by the people, could not form a distinct body, because they could not be independent. Had such a simple form of colony government been more generally adopted, and perseveringly adhered to, and administered only by the most delicate hands, it might have served better than any other, to perpetuate the dependence of the colonies on the British crown.

The administration of the first Council—Opposition to the acts of trade—Mason's arrival—Opposition to him—His departure—State of trade and navigation.

(1680.) The commission was brought to Portsmouth on the 1st of January by Edward Randolph, than whom there could not be a more unwelcome messenger. It was received with great reluctance by the gentlemen therein named; who, though they were of the first character, interest and influence, and had sustained the principal offices, civil and military, under the colony government; yet easily saw that their appointment was not from any respect to them or favour to the people; but merely to obtain a more easy introduction to a new form of government, for a particular purpose, which they knew would be a source of perplexity and distress. They would gladly have declined acting in their new capacity; but considering the temper of the govern-

ment in England, the unavoidable necessity of submitting to the change, and the danger (upon their refusal) of others being appointed who would be inimical to the country, they agreed to qualify themselves, determining to do what good, and keep off what harm they were able. They therefore published the commission, and took the oaths on the 22d day of January, which was beyond the utmost time limited in the commission. Agreeably to the royal direction they chose three other gentlemen into the council; Elias Stileman of Great Island, who had been a clerk in the county courts, whom they now appointed secretary, Samuel Dalton of Hampton, and Job Clements of Dover. The president nominated Waldron to be his deputy or vice president, Martyn was appointed treasurer, and John Roberts, marshal.

The president, John Cutts, was a principal merchant, of great probity and esteem in Portsmouth; but now aged and infirm. Richard Martyn, was of good character, and great influence. He had been very active in procuring the settlement of a minister in the town of Portsmouth. William Vaughan, was a wealthy, generous, and public-spirited merchant, and of undaunted resolution. He was of Welch extraction, but was educated in London under Sir Josiah Child, who had a great regard for him, and whose interest he made use of for the good of the province. Thomas Daniel, was a person of such note and importance, that when he died in a time of general sickness and mortality, Mr. Moody preached his funeral sermon from 2 Sam. ii. 30. "There lacked of David's servants nineteen men and Asael." John Gilman, was a man of considerable estimation in Exeter, as was Christopher Hussey, in Hampton. Richard Waldron, was a native of Somersetshire, and one of the first settlers in Dover. He was much respected and eminently useful, having sustained many important offices, civil and military, and approved his courage and fidelity in the most hazardous enterprises.

This change of government gratified the discontented few, but was greatly disrelished by the people in general, as they saw themselves deprived of the privilege of choosing their own rulers, which was still enjoyed by the other colonies in New England, and as they expected an invasion of their property soon to follow.

When writs were issued for calling a general assembly, the persons in each town who were judged qualified to vote were named in the writs; and the oath of allegiance was administered to each voter. The number of qualified voters in each town was, in Portsmouth 71, Dover 61, Hampton 57, Exeter 20, total 209. A public fast was observed, to ask the divine blessing on the approaching assembly, and "the continuance of their precious and pleasant things." The assembly met at Portsmouth on the 16th of March, and was opened with a prayer and a sermon by Mr. Moody.

To express their genuine sentiments of the present change, and invalidate the false reports which had been raised against them, as well as to shew their gratitude and respect to their former protectors, they wrote to the general court at Boston, "acknowledging the kindness of that colony, in taking them under their protection and ruling them well; assuring them, that it was not any dissatisfaction with their government, but merely their submission to divine providence and his majesty's commands, without any seeking of their own, which induced them to comply with the present separation, which they

should have been glad had never taken place; signifying their desire that a mutual correspondence might be continued for defence against the common enemy, and offering their service when it should be necessary."

It may not be uninteresting to give the names of the deputies in this first assembly—which were for Portsmouth, Robert Eliot, Philip Lewis, John Pickering; for Dover, Peter Coffin, Anthony Nutter, Richard Waldron, jun.; for Hampton, Anthony Stanyon, Thomas Marston, Edward Gove; for Exeter, Bartholemew Tippen, Ralph Hall.

Their next care was to frame a code of laws—of which the first, conceived in a style becoming freemen, was "that no act, disposition, law, or ordinance should be made or imposed upon them, but such as should be made by the assembly and approved by the president and council." Idolatry, blasphemy, treason, rebellion, wilful murder, manslaughter, poisoning, witchcraft, sodomy, bestiality, perjury, man stealing, cursing, and rebelling against parents, rape and arson, were made capital crimes. The other penal laws were in their main principles the same that are now in force. To prevent contentions that might arise by reason of the late change of government, all townships and grants of land were confirmed, and ordered to remain as before; and controversies about the titles of land were to be determined by juries chosen by the several towns, according to former custom. The president and council, with the assembly, were a supreme court of judicature, with a jury when desired by the parties; and three inferior courts were constituted at Dover, Hampton, and Portsmouth. The military arrangement was, one foot company in each town, one company of artillery at the fort, and one troop of horse, all under the command of Major Waldron.

During this administration, things went on as nearly as possible in the old channel, and with the same spirit, as before the separation. A jealous watch was kept over their rights and privileges, and every encroachment upon them was withstood to the utmost. The duties and restrictions established by the acts of trade and navigation were universally disgustful, and the more so as Randolph was appointed collector, surveyor and searcher of the customs throughout New England. In the execution of his commission he seized a ketch belonging to Portsmouth, but bound from Maryland to Ireland, which had been put into this port for a few days. The master, Mark Hunking, brought an action against him at a special court before the president and council, and recovered damages and costs to the amount of 13*l*. Randolph behaved on this occasion with such insolence, that the council obliged him publicly to acknowledge his offence and ask their pardon. He appealed from their judgment to the king, but what the issue was does not appear. Having constituted Captain Walter Barefoote his deputy at this port, an advertisement was published requiring that all vessels should be entered and cleared with him. Upon which Barefoote was brought to examination, and afterwards indicted before the president and council, for "having in an high and presumptuous manner set up his majesty's office of customs without leave from the president and council, in contempt of his majesty's authority in this place; for disturbing and obstructing his majesty's subjects in passing from harbour to harbour, and town to town; and for his insolence in making no other answer to any question propounded to him, but 'my name is Walter.'" He was sentenced to

pay a fine of 10*l*. and stand committed till it was paid. But though Randolph's authority was denied, yet they made an order of their own for the observation of the acts of trade, and appointed officers of their own to see them executed. They had been long under the Massachusetts government, and learned their political principles from them; and as they had been used to think that all royal authority flowed in the channel of the charter, so they now thought that no authority derived from the crown could be regularly exercised in the province but through their commission. In this they reasoned agreeably not only to their former principles, but to their fundamental law, to which they steadily adhered, though they had no reason to think it would be allowed by the crown; and though they knew that a rigid adherence to rights, however clear and sacred, was not the way to recommend themselves to royal favour. But they were not singular in these sentiments, nor in their opposition to the laws of trade. Randolph was equally hated, and his commission neglected at Boston, where the notary refused to enter his protest against the proceedings of the court, and he was obliged to post it on the exchange.

In the latter end of the year, Mason arrived from England with a mandamus, requiring the council to admit him to a seat at the board, which was accordingly done. He soon entered on the business he came about, endeavouring to persuade some of the people to take leases of him—threatening others if they did not—prohibiting them to cut firewood and timber—asserting his right to the province, and assuming the title of lord-proprietor. His agents, or stewards as they were called, had rendered themselves obnoxious by demanding rents of several persons and threatening to sell their houses for payment.

(1681.) These proceedings raised a general uneasiness, and petitions were sent from each town, as well as from divers individuals, to the council for protection, who taking up the matter judicially, published an order prohibiting Mason or his agents at their peril to repeat such irregular proceedings, and declaring their intention to transmit the grievances and complaints of the people to the king. Upon this Mason would no longer sit in council, though desired, nor appear when sent for; when they threatened to deal with him as an offender, he threatened to appeal to the king, and published a summons to the president and several members of the council, and others, to appear before his majesty in three months. This was deemed "an usurpation over his majesty's authority here established," and a warrant was issued for apprehending him, but he got out of their reach and went to England.

During these transactions president Cutts died, and Major Waldron succeeded him, appointing Captain Sibleman for his deputy, who had quitted his place of secretary upon the appointment of Richard Chamberlayne to that office by royal commission. The vacancy made in the council by the president's death, was filled by Richard Waldron, jun. On the death of Dalton, Anthony Nutter was chosen. Henry Dow was appointed marshal in the room of Roberts, who resigned.

(1682.) During the remainder of the council's administration, the common business went on in the usual manner, and nothing remarkable is mentioned, excepting another prosecution of Barefoote, with his assistants, William Haskins and Thomas Thurton, for seizing a vessel "under pretence of his majesty's name, without the knowledge of the authorities of the province, and without shewing any

breach of statute though demanded." Barefoote pleaded his deputation from Randolph, but he was amerced 20*l*. to be respited during his good behaviour, and his two assistants 5*l*. each; the complainant being left to the law for his damages. This affair was carried by appeal to the king; but the issue is not mentioned.

It will be proper to close the account of this administration with a view of the state of the province as to its trade, improvements and defence, from the following representation made by the council to the lords of trade, pursuant to their order.

"The trade of the province is in masts, planks, boards, and staves, and all other lumber, which at present is of little value in other plantations, to which they are transported, so that we see no other way for the advantage of the trade, unless his majesty please to make our river a free port.

"Importation by strangers is of little value; ships commonly selling their cargoes in other governments, and if they come here, usually come empty to fill with lumber; but if haply they are at any time loaded with fish, it is brought from other ports, there being none made in our province, nor likely to be, until his majesty please to make the south part of the Isles of Shoals part of this government, they not being at present under any.

"In reference to the improvement of lands by tillage, our soil is generally so barren, and the winters so extreme cold and long, that there is not provision enough raised to supply the inhabitants, many of whom were in the late Indian war so impoverished, their houses and estates being destroyed, and they and others remaining still so incapacitated for the improvement of the land, (several of the youth being killed also) that they even groan under the tax or rate assessed for that service, which is, great part of it, unpaid to this day.

"There is at the Great Island in Portsmouth, at the harbour's mouth, a fort well enough situated, but for the present too weak and insufficient for the defence of the place; the guns being eleven in number, are small, none exceeding a sacre (six-pounder) nor above twenty-one hundred weight, and the people too poor to make defence suitable to the occasion that may happen for the fort.

"These guns were bought, and the fortification erected, at the proper charge of the towns of Dover and Portsmouth, at the beginning of the first Dutch war, about the year 1665, in obedience to his majesty's command in his letter to the government, under which this province then was.

"There are five guns more lying at the upper part of Portsmouth, purchased by private persons, for their security and defence against the Indians in the late war with them, and whereof the owners may dispose at their pleasure. To supply the aforesaid defect and weakness of the guns and fort, we humbly supplicate his majesty to send us such guns as shall be more serviceable, with powder and shot."

By an account of the entries in the port annexed to the above, it appears, that from the 15th of June 1680, to the 12th of April 1681, were entered, twenty-two ships, eighteen ketches, two barks, three pinks, one shallop and one *fluyt* boat: in all forty-seven. "The Isles of shoals," mentioned in the foregoing report, must have been settled very early, though exactly when is uncertain: as they are most commodiously situated for the fishery, they were a principal object with the first settlers. While New Hampshire was united to Massachusetts, they were under the same jurisdiction, and the town there

erected was called Appledore. They are not named in Cutts' nor Cranfield's commission: but under Dudley's presidency, causes were brought from thence to Portsmouth, which is said to be in the same county. In Allen's and all succeeding commissions, they are particularly mentioned; the south half of them being in New Hampshire.

Taxes were commonly paid in lumber or provisions at stated prices; and whoever paid them in money was abated one-third part. The prices in 1680, were as follows:—merchantable white pine boards per thousand, 30s.; white oak pine staves per thousand, 3l.; red oak ditto per thousand, 30s.; red oak hog-head ditto per thousand, 25s.; Indian corn per bushel, 8s.; wheat per bushel, 5s.; malt per bushel, 4s. Silver was 6s. 8d. per ounce.

The administration of Cranfield—Violent measures—Insurrection, trial, and imprisonment of Governor Mason's suits—Vaughan's imprisonment—Prosecution of Moody and his imprisonment—Arbitrary proceedings—Complaints—Tumults—Weare's agency in England—Cranfield's removal—Barefoote's administration.

(1682.) Experience having now convinced Mason, that the government which he had procured to be erected was not likely to be administered in a manner favourable to his views, he made it his business, on his return to England, to solicit a change; in consequence of which it was determined to commission Edward Cranfield, esq. lieutenant-governor and commander in chief of New Hampshire. By a deed enrolled in the court of chancery, Mason surrendered to the king one-fifth part of the quit-rents, which had or should become due: these, with the fines and forfeitures which had accrued to the crown since the establishment of the province, and which should afterward arise, were appropriated to the support of the governor. But this being deemed too precarious a foundation, Mason by another deed mortgaged the whole province to Cranfield, for twenty-one years, as security for the payment of 150l. per annum, for the space of seven years. On this encouragement, Cranfield relinquished a profitable office at home, with the view of bettering his fortune here.

By the commission, which bears date the 9th of May, the governor was impowered to call, adjourn, prorogue and dissolve general courts; to have a negative voice in all acts of government; to suspend any of the council when he should see just cause (and every counsellor so suspended was declared incapable of being elected into the general assembly); to appoint a deputy governor, judges, justices, and other offices, by his sole authority; and to execute the powers of vice-admiral. The case of Mason was recited nearly in the same words as in the former commission, and the same directions were given to the governor to reconcile differences, or send cases fairly stated to the king in council, for his decision. The counsellors named in this commission were Mason, who was styled proprietor, Waldron, Daniel, Vaughan, Martyn, Gilman, Stileman, and Clements: these were of the former council, and to them were added Walter Barefoote, and Richard Chamberlayne.

Cranfield arrived and published his commission on the 4th of October, and within six days Waldron and Martyn were suspended from the council, on certain articles exhibited against them by Mason. This early specimen of the exercise of power must have been intended as a public affront to them, in revenge for their former spirited conduct; otherwise

their names might have been left out of the commission when it was drawn.

The people now plainly saw the dangerous designs formed against them. The negative voice of a governor, his right of suspending counsellors, and appointing officers, by his own authority, were wholly unprecedented in New England; and they had the singular mortification to see the crown not only appointing two branches of their legislature, but claiming a negative on the election of their representatives, in a particular case, which might sometimes be essentially necessary to their own security. They well knew that the sole design of these novel and extraordinary powers was to facilitate the entry of the claimant on the lands which some of them held by virtue of grants from the same authority, and which had all been fairly purchased of the Indians; a right which they believed to be of more validity than any other. Having by their own labour and expense subdued a rough wilderness, defended their families and estates against the savage enemy, without the least assistance from the claimant, and held possession for above fifty years; they now thought it hard and cruel, that when they had just recovered from the horrors of a bloody war, they should have their liberty abridged, and their property demanded, to satisfy a claim which was at best disputable, and in their opinion groundless. On the other hand it was deemed unjust, that grants made under the royal authority should be disregarded; and that so great a sum as had been expended by the ancestor of the claimant, to promote the settlement of the country, should be entirely lost to him; especially as he had foregone some just claims on the estate as a condition of inheritance. Had the inhabitants by any fraudulent means impeded the designs of the original grantee, or embezzled his interest, there might have been a just demand for damages; but the unsuccessfulness of that adventure was to be sought for in its own impracticability, or the negligence, inability, or inexperience of those into whose hands the management of it fell after Captain Mason's death, and during the minority of his successor.

An assembly, being summoned, met on the 14th of November; with whose concurrence a new body of laws was enacted, in some respects different from the former; the fundamental law being omitted, and an alteration made in the appointment of jurors, which was now ordered to be done by the sheriff, after the custom in England.

Cranfield, who made no secret of his intention to enrich himself, by accepting the government, on the first day of the assembly restored Waldron and Martyn to their places in the council; having, as he said, examined the allegations against them, and found them insufficient. In return for this shew of complaisance, and taking advantage of his needy situation, the assembly having ordered an assessment of five hundred pounds, appropriated one half of it as a present to the governor; hoping thereby to detach him from Mason, who they knew could never comply with his engagements to him. Preferring a certainty to an uncertainty, he passed the bill, though it was not presented to him till after he had given orders for adjourning the court, and after Mason, Barefoote, and Chamberlayne, were withdrawn from the council.

(1683.) This appearance of good humour was but short-lived; for at the next session of the assembly, the governor and council having tendered them a bill for the support of government, which they did not approve, and they having offered him several

bills which he said were contrary to law, he dissolved them; having previously suspended Stileman from the council, and dismissed him from the command of the fort, for suffering a vessel under seizure to go out of the harbour. Barefoote was made captain of the fort in his room.

The dissolution of the assembly, a thing before unknown, aggravated the popular discontent, and kindled the resentment of some rash persons in Hampton and Exeter; who, headed by Edward Gove, a member of the dissolved assembly, declared, by sound of trumpet "for liberty and reformation." There had been a town meeting at Hampton, when a new clerk was chosen, and their records secured. Gove went from town to town, proclaiming what had been done at Hampton, carrying his arms, declaring that the governor was a traitor, and had exceeded his commission, and that he would not lay down his arms till matters were set right—and endeavouring to excite the principal men in the province to join in a confederacy to overset the government. His project appeared to them so wild and dangerous, that they not only disapproved it, but informed against him, and assisted in apprehending him. Hearing of their design, he collected his company, and appeared in arms; but on the persuasion of some of his friends he surrendered. A special court was immediately commissioned for his trial, of which Major Waldron sat as judge, with William Vaughan and Thomas Daniel assistants. The grand jury presented a bill, in which Edward Gove, John Gove, his son, and William Hely, of Hampton; Joseph, John, and Robert Wadleigh, three brothers, Thomas Rawlins, Mark Baker, and John Sleeper, of Exeter, were charged with high treason. Gove, who behaved with great insolence before the court, and pretended to justify what he had done, was convicted, and received sentence of death in the usual form; and his estate was seized, as forfeited to the crown. The others were convicted of being accomplices, and respited. The king's pleasure being signified to the governor that he should pardon such as he judged objects of mercy; they were all set at liberty but Gove, who was sent to England, and imprisoned in the tower of London about three years. On his repeated petitions to the king, and by the interest of Randolph with the Earl of Clarendon, then lord chamberlain, he obtained his pardon, and returned home in 1686, with an order to the then president and council of New England to restore his estate.

Gove, in his petitions to the king, pleaded "a distemper of mind" as the cause of those actions for which he was prosecuted. He also speaks in some of his private letters of a drinking match at his house, and that he had not slept for twelve days and nights, about that time. When these things are considered, it is not hard to account for his conduct. From a letter which he wrote to the court while in prison, one would suppose him to have been disordered in his mind. His punishment was by much too severe, and his trial was hurried on too fast, it being only six days after the commission of his crime. Had he been indicted only for a riot, there would have been no difficulty in the proof, nor hardship in inflicting the legal penalty. Waldron, it is said, shed tears when pronouncing sentence of death upon him.

On the 14th of February the governor, by advertisement, called upon the inhabitants to take out leases from Mason within one month, otherwise he must, pursuant to his instructions, certify the refusal

to the king, that Mason might be discharged of his obligation to grant them. Upon this summons, and within the time set, Major Waldron, John Wingett, and Thomas Roberts, three of the principal landholders in Dover, waited on the governor to know his pleasure, who directed them to agree with Mason. They then retired into another room where Mason was, and proposed to refer the matter to the governor, that he might, according to his commission, state the matter to the king for his decision. This proposal Mason rejected, saying that unless they would own his title, he would have nothing to do with them. While they were in discourse the governor came in, and desired them to depart.

This piece of conduct is difficult to be accounted for, it being directly in the face of the commission. Had the method therein prescribed, and by these men proposed, been adopted, it was natural to expect that the king, who had all along favoured Mason's pretensions, would have determined the case as much to his wish as upon an appeal from a judicial court; besides, he had now the fairest opportunity to have it decided in the shortest way, to which his antagonists must have submitted, it being their own proposal. His refusal to accede to it was a great mistake, as it left both him and Cranfield exposed to the charge of disobedience. But it afforded a powerful plea in behalf of the people; whose confidence in the royal justice would have induced them to comply with the directions in the commission. It being now impossible to have the controversy thus decided, they determined to hearken to none of his proposals. As he generally met with opposition and contradiction, he was induced to utter many rash sayings in all companies. He threatened to seize the principal estates, beggar their owners, and provoke them to rebellion, by bringing a frigate into the harbour, and procuring soldiers to be quartered on the inhabitants. These threats were so far from intimidating the people, that they served the more firmly to unite them in their determination not to submit; and each party was now warm in their opposition and resentment.

The governor, on some fresh pretence, suspended Waldron, Martyn, and Gilman, from the council. The deaths of Daniels and Clements made two other vacancies. Vaughan held his seat the longest, but was at length thrust out for his non-compliance with some arbitrary measures. So that the governor had it in his power to model the council to his mind, which he did, by appointing at various times Nathaniel Fryer, Robert Eliot, John Hinckes, James Sherlock, Francis Shampemnoon, and Edward Randolph, Esqs. The judicial courts were also filled with officers proper for the intended business. Barefoote, the deputy-governor, was judge: Mason was chancellor; Chamberlayne was clerk and prothonotary; Randolph was attorney-general, and Sherlock provost marshal and sheriff. Some, who had always been disaffected to the country, and others who had been awed by threats, or flattered by promises, took leases from Mason; and these served for under-sheriffs, jurors, evidences, and other necessary persons.

Things being thus prepared, Mason began his law-suits by a writ against Major Waldron (who had always distinguished himself in opposition to this claim), for holding lands and felling timber to the amount of 4,000*l*. The major appeared in court, and chagelled every one of the jury as interested persons, some of them having taken leases of Mason, and all of them living upon the lands which he claimed. The judge then caused the oath of *voire*

dire to be administered to each juror, purporting "that he was not concerned in the lands in question, and that he should neither gain nor lose by the cause." Upon which the major said aloud to the people present, "That his was a leading case, and that if he were cast they must all become tenants to Mason; and that all persons in the province being interested, none of them could legally be of the jury." The case however went on; but he made no defence, asserted no title, and gave no evidence on his part. Judgment was given against him, and at the next court of sessions he was fined 5*l*. for "mutinous and seditious words."

Suits were then instituted against all the principal landholders in the province, who, following Waldron's example, never made any defence. Some, chiefly of Hampton, gave in writing their reasons for not joining issue, which were, the refusal of Mason to comply with the directions in the commission; the impropriety of a jury determining what the king had expressly reserved to himself; and the incompetency of the jury, they being all interested persons, one of whom had said that "he would spend his estate to make Mason's right good." These reasons were irritating rather than convincing to the court. The jury never hesitated in their verdicts. From seven to twelve causes were dispatched in a day, and the costs were multiplied from 5*l*. to 20*l*. Executions were issued, of which two or three only were levied; but Mason could neither keep possession of the premises nor dispose of them by sale, so that the owners still enjoyed them. Several threatened to appeal to the king, but Major Vaughan alone made the experiment.

A suit was also commenced against Martyn, who had been treasurer, for the fines and forfeitures received by him, during the former administration; and judgment was recovered for 7*l*. with costs. Martyn petitioned Mason as chancellor, setting forth that he had received and disposed of the money according to the orders of the late president and council, and praying that the whole burden might not lie upon him. A decree was then issued for the other surviving members of the late council, and the heirs of those who were dead, to bear their proportion. This decree was afterwards reversed by the king in council.

Cranfield with his council had now assumed the whole legislative power. They prohibited vessels from Massachusetts to enter the port, because the acts of trade were not observed in that colony: they fixed the dimensions of mercantile lumber; altered the value of silver money, which had always passed by weight at 6*s*. 8*d*. per ounce, and ordered that dollars should be received at 6*s*. each, which was then a great hardship, as many of them were greatly deficient in weight: they also changed the bounds of townships; established fees of office; made regulations for the package of fish, and ordered the constables to forbear collecting any town or parish taxes till the province tax was paid, and the accounts settled with the treasurer.

The public grievances having become insupportable, the people were driven to the necessity of making a vigorous stand for their liberties. The only regular way was by complaint to the king. Having privately communicated their sentiments to each other, and raised money by subscription, they appointed Nathaniel Weare, Esq., of Hampton, their agent; and the four towns having drawn and subscribed distinct petitions of the same tenor, Weare privately withdrew to Boston from whence he sailed

for England. Major Vaughan who accompanied him to Boston, and was appointed to procure depositions to send after him, was, upon his return to Portsmouth, brought to an examination, treated with great insolence, and required to find sureties for his good behaviour, which, having broken no law, he refused, and was by the governor's own warrant immediately committed to prison, where he was kept nine months to the great damage of his health, and of his own as well as the people's interest.

(1684.) Amidst these multiplied oppressions, Cranfield was still disappointed of the gains he had expected to reap from his office; and found to his great mortification, that there was no way of supplying his wants, but by application to the people through an assembly. He had already abused them so much that he could hope nothing from their favour, and was therefore obliged to have recourse to artifice. On a vague rumour of a foreign war, he pretended much concern for the preservation of the province from invasion; and presuming that they would shew the same concern for themselves, he called an assembly at Great Island where he resided, to whom he tendered a bill, which in a manner totally unparliamentary, had been drawn and passed by the council, for raising money to defray the expense of repairing the fort, and supplying it with ammunition, and for other necessary charges of government. The house debated awhile, and adjourned for the night, and the tide serving, the members went up to the town. In the morning they returned the bill with their negative, at which the governor was highly enraged, and telling them that they had been to consult with Moody, and other declared enemies of the king and church of England, he dissolved them; and afterwards by his influence with the court of sessions, divers of the members were made constables for the following year. Some of them took the oath, and others paid the fine, which was 10*l*. Thus by a mean and execrable revenge, he taxed those whom he could not persuade to tax their constituents for his purposes.

But Moody was marked as an object of peculiar vengeance. He had for some time rendered himself obnoxious by the freedom and plainness of his pulpit discourses, and his strictness in administering the discipline of the church; one instance of which merits particular notice. Randolph having seized a vessel, it was in the night carried out of the harbour. The owner, who was a member of the church, swore that he knew nothing of it, but upon trial there appeared strong suspicions that he had perjured himself: he found means to make up the matter with the governor and collector, but Moody being concerned for the purity of his church, requested of the governor copies of the evidence, that the offender might be called to account in the way of ecclesiastical discipline. Cranfield sternly refused, saying that he had forgiven him, and that neither the church nor minister should meddle with him, and even threatened Moody in case he should. Not intimidated, Moody consulted the church, and preached a sermon against false swearing; then the offender, being called to account, was censured, and at length brought to a public confession. This procedure extremely disgusted the governor, who had no way then in his power to shew his resentment. But malice, ever fruitful in expedients to attain its ends, suggested a method, which, to the scandal of the English nation, has been too often practised. The penal laws against nonconformists were at this time executing with great rigour in England; and Cran-

field, ambitious to ape his royal master, determined to play off the ecclesiastical artillery here, the direction of which he supposed to be deputed to him with his other powers. He had attempted to impose upon the people the observation of the 30th of January as a fast, and restrain them from manual labour at Christmas; but his capital stroke was to issue an order in council "That after the 1st of January, the ministers should admit all persons of suitable years and not vicious, to the lord's supper, and their children to baptism; and that if any person should desire baptism, or the other sacrament to be administered according to the liturgy of the church of England, it should be done in pursuance of the king's command to the colony of Massachusetts; and any minister refusing so to do, should suffer the penalty of the statutes of uniformity."

The same week in which he dissolved the assembly, he signified to Moody in writing, by the hands of the sheriff, that himself, with Mason and Hinckes, intended to partake of the Lord's supper the next Sunday, requiring him to administer it to them according to the liturgy; and, as they justly expected, he at once denied them. The way was now opened for a persecution; and the attorney-general, Joseph Rayn, by the governor's order exhibited an information at the next court of sessions, before Walter Barefoote, judge, Nathaniel Fryer and Henry Greene, assistants, Peter Coffin, Thomas Edgerly and Henry Robie, justices, setting forth, "that Joshua Moody, clerk, being minister of the town of Portsmouth, within the dominions of King Charles, was by the duty of his place and the laws of the realm, viz. the statutes of the fifth and sixth of Edward VI., the first of Elizabeth, and the thirteenth and fourteenth of Charles II., required to administer the Lord's supper in such form as was set forth in the book of Common Prayer, and no other. But that the said Moody, in contempt of the laws, had wilfully and obstinately refused to administer the same to the Honourable Edward Cranfield, Robert Mason, and John Hinckes, and did obstinately use some other form." Moody in his defence pleaded, that he was not episcopally ordained as the statutes required; nor did he receive his maintenance according to them, and therefore was not obliged to the performance of what had been commanded; that the alleged statutes were not intended for these plantations, the known and avowed end of their settlement being the enjoyment of freedom from the imposition of those laws; which freedom was allowed and confirmed by the king, in the liberty of conscience granted to all protestants, in the governor's commission. Four of the justices, viz. Greene, Robie, Edgerly, and Fryer, were at first for acquitting him; but the matter being adjourned till the next day, Cranfield found means before morning to gain Robie and Greene, who then joined with Barefoote and Coffin, in sentencing him to six months imprisonment, without bail or mainprize. The other two persisted in their former opinion, and were soon after removed from all their offices. Moody was immediately ordered into custody, without being permitted first to see his family; and he remained under confinement, in company with Major Vaughan, at the house of Captain Stileman, with liberty of the yard, for thirteen weeks, "his benefice" being declared forfeited to the crown. The next week after Moody's trial, the governor in a profane brayado, sent word to Seaborn Cotton, minister of Hampton, that "when he had prepared his soul, he would come and demand the sacrament of him as he had done at Portsmouth."

Upon which Cotton withdrew to Boston. The minister of Dover, John Pike, was apparently unmolested. Exeter had then no settled minister.

During Moody's imprisonment, Cranfield would neither suffer him to go up to the town to preach, nor the people to assemble at the island to hear, nor the neighbouring ministers to supply his place; only the family where he was confined were permitted to be present with him at Sabbath exercises. But while the governor was absent on a tour to New York, Mason gave leave for opening the meeting-house twice, when they obtained a minister to officiate; he also allowed both Moody and Vaughan to make a short visit to their families. At length, by the interposition of friends, Moody obtained a release, though under a strict charge to preach no more within the province, on penalty of farther imprisonment. He then accepted an invitation from the first church in Boston; where being out of the reach of his persecutors, he was employed as a preacher, and was so highly esteemed, that upon the death of President Rogers he was invited to take the oversight of the college, which he modestly declined, and continued his ministrations at Boston, frequently visiting his destitute church at Portsmouth, at their private meetings, till 1692, when, the government being in other hands, and the eastern country under trouble by the Indians, at the earnest request of his people, and by the advice of an ecclesiastical council, he returned to his charge at Portsmouth, and spent the rest of his days there in usefulness, love, and peace.

Upon a calm review of this prosecution, one can hardly tell which is most detestable, the vindictive temper which gave it birth, or the profaneness and hypocrisy with which it was conducted. The pretended zeal of the prosecutors was totally inconsistent with a due regard to those laws, and the principles of that church, for which they made themselves such contemptible champions. For it had been long before this time, a received opinion in the church of England, that the validity of all the sacramental administrations depends on authority derived from the apostles, by *episcopal* ordination, in an uninterrupted succession; and one of the statutes on which the prosecution was grounded, enacts "that no person shall presume to consecrate and administer the Lord's supper, before he be ordained a priest by episcopal ordination, on pain of forfeiting for every offence, 100*l*." The ministers then in the province, being destitute of the grand pre-requisite, were incapable by the act of doing what was so peremptorily required of them; and had they complied with the governor's order, must have exposed themselves to the penalty, if he had pleased to exact it from them. But the extending these penalties to the king's American subjects, who had fled thither from the rod of prelatic tyranny, was a most unwarrantable stretch of power; since the last of these acts, and the only one which had been made since the settlement of the colonies, was expressly restricted in its operation, to "the realm of England, dominion of Wales, and town of Berwick upon Tweed."

Disappointed in all his schemes for raising money by an assembly, Cranfield next ventured on the project of taxing the people without their consent. The pretext for this was a clause in the commission, empowering him, with the council, "to continue such taxes as had been formerly levied, until a general assembly could be called." This had been done, without offence, at the beginning both of this and the former administration, when the change of

government rendered it necessary. But the council, though too much devoted to him, were not easily persuaded into the measure at this time; till fear at length accomplished what reason could not approve: for, letters being received from the eastward, stating the discovery of a plot among the Indians, who were instigated by Castine the Frenchman to renew the war early in the spring, the council were summoned in haste, and presently agreed to the governor's proposal for continuing such taxes as had been formerly laid, which he told them were necessary for the immediate defence and security of the province. This affair, however, was kept secret for the present: and the people were first to be convinced of the governor's paternal care and kindness in taking the necessary precautions for their safety. It was ordered that the meeting-houses in each town should be fortified, and bye garrisons were established in convenient places: supplies of ammunition were ordered to be provided: circular letters were dispatched to the governors of the neighbouring colonies, informing them of the danger; and, to crown the whole, Cranfield himself, at the request of the council, undertook a tour to New York, to solicit the governor, Dongan, for a number of the Mohawks to come down and destroy the eastern Indians; promising to pay them for their services out of the money which was thus to be raised.

At his return from this excursion, he found himself under some embarrassment in his favourite views, from a letter of the lords of trade, which directed him to make use of an assembly, in raising money on the people. He could not, therefore, avoid calling one, though he immediately dissolved it, because several of the members were those whom he had formerly ordered to be made constables. At the same time, in his letters to the secretary of state, he represented the assembly as persons of such a mutinous and rebellious disposition, that it was not safe to let them convene; that they had never given any thing toward the support of government; that he was obliged to raise money without them; and that it was impossible for him to serve his majesty's interest without a ship of war to enforce his orders; and, finally, he desired leave to go to the West Indies for the recovery of his health. When this business was dispatched, warrants were issued for collecting the taxes; which caused fresh murmurings and discontent among the people.

But however disaffected to the governor and his creatures, they were always ready to testify their obedience to the royal orders; an instance of which occurred at this time. The seas of America and the West Indies being much infested with pirates, the king sent orders to all the governors and colony assemblies, directing acts to be made for the suppressing of piracy and robbery on the high seas. Cranfield, having received this order, summoned an assembly; and though it consisted almost entirely of the same persons who were in the last, he suffered them to pass the act, and then quietly dissolved them: and this was the last assembly that he called.

The tax-bills were first put into the hands of the newly-made constables; who soon returned them, informing the governor that the people were so averse from the method, that it was impossible to collect the money. The provost, Thomas Thurton, was then commanded to do it, with the assistance of his deputies and the constables. The people still refusing compliance, their cattle and goods were taken by distraint, and sold by auction: those who would neither pay nor discover their goods to the

officers, were apprehended and imprisoned; and some of the constables, who refused to assist, suffered the same fate. The more considerate of the people were disposed to bear these grievances, though highly irritating, till they could know the result of their applications to the king. But in a country where the love of liberty had ever been the ruling passion, it could not be expected but that some forward spirits would break the restraints of prudence, and take a summary method to put a stop to their oppressions. Several persons had declared that they would sooner part with their lives, than suffer distraints; and associations were formed for mutual support. At Exeter the sheriff was resisted, and driven off with clubs; the women having prepared hot spits and scalding water to assist in the opposition, as Thurton testified in his deposition on the occasion. At Hampton he was beaten, and his sword was taken from him; then he was seated on a horse, and conveyed out of the province to Salisbury with a rope about his neck, and his feet tied under the horse's belly. Justice Robe attempted to commit some of the rioters; but they were rescued by the way, and both the justice and the sheriff were struck in the execution of their office. The troop of horse, under Mason's command, was then ordered to turn out completely mounted and armed, to assist in suppressing the disorders; but when the day came not one trooper appeared. Cranfield, thus finding his efforts ineffectual, and his authority contemptible, was obliged to desist.

The agent had been a long time in England, waiting for the depositions which were to have been transmitted to him in support of the complaint which he was to exhibit. Cranfield and his creatures here did all they could to retard the business; first, by imprisoning Vaughan, and then by refusing to summon and swear witnesses when applied to by others, who were obliged to go into the neighbouring governments, to get their depositions authenticated; and after all the proof was defective, as they had not access to the public records. The agent, however, exhibited his complaint against Cranfield in general terms, consisting of eight articles. "That he had engrossed the power of erecting courts, and establishing fees exclusive of the assembly; that he had not followed the directions in his commission respecting Mason's controversy, but had caused it to be decided on the spot by courts of his own constitution, consisting wholly of persons devoted to his interest; that exorbitant charges had been exacted, and some, who were unable to satisfy them, had been imprisoned; that others had been obliged to submit, for want of money to carry on the suits; that he had altered the value of silver money; that he had imprisoned sundry persons without just cause; that he, with his council, had assumed legislative authority, without an assembly; and, that he had done his utmost to prevent the people from laying their complaints before the king, and procuring the necessary evidence."

The complaint was referred to the board of trade, who transmitted copies of it, and of the several proofs, to Cranfield, and summoned him to make his defence; directing him to deliver to the adverse party, copies of all the affidavits which should be taken in his favour; to let all persons have free access to the records; and to give all needful assistance to them in collecting their evidence against him.

When he had received this letter he suspended Mason's suits, till the question concerning the legality of the courts should be decided. He also or-

dered the secretary to give copies to those who should apply for them. At the same time it was complained that the people, on their part, had been equally reserved, in secreting the records of the several towns, so that Mason upon enquiry could not find where they were deposited; and the town clerks, when summoned, had solemnly sworn that they knew neither where the books were concealed, nor who had taken them out of their possession.

(1685.) The necessary evidence on both sides being procured, a new complaint was drawn up, consisting of twelve articles, which were, "That at the first session of the assembly, Cranfield had challenged the power of legislation and settlement of the affairs to himself against the words of the commission: That he had by purchase or mortgage from Mason, made himself owner of the province, and so was not likely to act impartially between Mason and the inhabitants: That he had made courts, whereof both judges and jurors had agreed with Mason for their own lands, and some had taken deeds of him for other men's lands, so that they were engaged by their interest to set up Mason's title: That Mason had sued forty persons, and cast all; and that the governor's interposal to state the cases, as by his commission he was directed, had been refused though desired; and that the defendants' pleas grounded on the laws of England were rejected: That they could not reconcile the verdict with the attachment, nor the execution with the verdict, nor their practice under colour of the execution with either; that the verdict found the lands sued for according to the royal commission and instructions, and that the commission only gave power to state the case if Mason and the people could not agree; but the execution took land and all: That the charge of every action was about 6*l.*, though nothing was done in court but reading the commission, and some blank grants without hand or seal; and these were not read for one case in ten: That court charges were exacted in money, which many had not; who though they tendered cattle, were committed to prison for non-payment: That ministers, contrary to his majesty's commission, which granted liberty of conscience to all protestants, had their dues withheld from them, even those that were due before Cranfield came, and were threatened with six months' imprisonment for not administering the sacrament according to the liturgy: That though the general assembly agreed that Spanish money should pass by weight, the governor and council ordered pieces of eight to pass for 6*s.*, though under weight: That men were commonly compelled to enter into bonds of great penalty, to appear and answer to what should be objected against them, when no crime was alleged: That they had few laws but those made by the governor and council, when his commission directed the general assembly to make laws: That the courts were kept in a remote corner of the province; and the sheriff was a stranger and had no visible estate, and so was not responsible for failures."

Upon this complaint a hearing was had before the lords of trade, on Tuesday the 10th of March: and their lordships reported to the king, on three articles only of the complaint, viz. "That Cranfield had not pursued his instructions with regard to Mason's controversy; but instead thereof had caused courts to be held and titles to be decided, with exorbitant costs; and that he had exceeded his power in regulating the value of coins." This report was accepted, and the king's pleasure therein signified to him. At the same time, his request for absence being granted, he,

on receipt of the letters, privately embarked on board a vessel for Jamaica; and from thence went to England, where he obtained the collectorship of Barbadoes. At his departure, Barefoote, the deputy-governor, took the chair, which he held till he was superseded by Dudley's commission, as president of New England.

Cranfield's ill conduct must be ascribed in a great measure to his disappointment of the gains which he expected to acquire by the establishment of Mason's title, which could be his only inducement to accept of the government. This disappointment inflaming his temper, naturally vindictive and imperious, urged him to actions not only illegal, but cruel and unmanly. Had there been the least colour, either of zeal or policy, for the severity exercised in the prosecution of Moody, candour would oblige us to make some allowance for human frailty. His ordering the members of the assembly to be made constables, was a mode of revenge disgraceful to the character of the supreme magistrate. From the same base disposition, he is said to have employed spies and pimps, to find matter of accusation against people in their clubs, and private discourse. And his deceit was equal to his malice; for, being at Boston when the charter of that colony was called in question, and the people were solicitous to ward off the danger, he advised them to make a private offer of two thousand guineas to the king, promising to represent them in a favourable light; but when they, not suspecting his intention, followed his advice, and shewed him the letter which they had wrote to their agents for that purpose, he treacherously represented them as "disloyal rogues;" and made them appear so ridiculous that their agents were ashamed to be seen at court. However, when he had quitted the country, and had time for reflection, he grew ashamed of his misconduct, and while he was collector at Barbadoes, made a point of treating the masters of vessels, and other persons who went thither from Patacataga, with particular respect.

Although the decision of titles in Cranfield's courts had been represented, in the report of the lords, as extrajudicial, and a royal order had been thereupon issued to suspend any farther proceedings in the case of Mason till the matter should be brought before the king in council, pursuant to the directions in the commission;—yet Barefoote suffered executions which had before been issued to be extended, and persons to be imprisoned at Mason's suit. This occasioned a fresh complaint and petition to the king, which was sent by Weare, who about this time made a second voyage to England, as agent for the province and attorney to Vaughan, to manage an appeal from several verdicts, judgments, decrees and fines, which had been given against him in the courts here, one of which was on the title to his estate. An attempt being made to levy one of the executions in Dover, a number of persons forcibly resisted the officer, and obliged him to relinquish his design. Warrants were then issued against the rioters, and the sheriff with his attendants attempted to seize them while the people were assembled for divine service. This caused an uproar in the congregation in which a young heroine distinguished herself by knocking down one of the officers with her Bible. They were all so roughly handled that they were glad to escape with their lives.

That nothing might be wanting to shew the enmity of the people to these measures, and their hatred and contempt for the authors of them, there are still preserved the original depositions on oath, of Bare-

foote and Mason, relating to an assault made on their persons by Thomas Wigen and Anthony Nutter, who had been members of the assembly. These two men came to Barefoote's house, where Mason lodged, and entered into discourse with him about his proceedings; denying his claim, and using such language as provoked him to take hold of Wigen, with an intention to thrust him out at the door. But Wigen being a stronger man, seized him by his cravat, and threw him into the fire, where his clothes and one of his legs were burned. Barefoote, attempting to help him, met with the same fate, and had two of his ribs broken and one of his teeth beaten out in the struggle. The noise alarmed the servants, who at Mason's command brought his sword, which Nutter took away, making sport of their misery. A farther specimen of the contempt in which these men were held, even by the lower class of people, expressed in their own genuine language, may be seen in the following affidavit: "Mary Rann, aged thirty years or thereabouts, witnesseth, that the 21st day of March 84, being in company with Seabank Hog, I heard her say—it was very hard for the governor of this province to strike Sam. Seavy before he spoke; the said Hog said also, that it was well the said Seavy's mother was not there for the governor, for if she had, there had been bloody work for him. I heard the said Hog say also, that the governor and the rest of the gentlemen were a crew of pitiful curs, and did they want earthly honour? if they did, she would pull off her head clothes, and come in her hair to them, like a parcel of pitiful beggarly curs as they were; come to undo us both body and soul; they could not be contented to take our estates from us, but they have taken away the gospel also, which the devil would have them for it." Sworn in the court of pleas, held at Great Island, the 7th of Nov. 1684.—R. Chamberlain, Prothon."

Nothing else occurred during Barefoote's short administration, except a treaty of friendship between the Indians of Penacook and Saco, on the one part; and the people of New Hampshire and Maine on the other. The foundation of this treaty seems to have been laid in Cranfield's project of bringing down the Mohawks on the eastern Indians; which, had once before proved a pernicious measure; as they made no distinction between those tribes which were at peace with the English, and those which were at war. Some of the Penacook Indians, who had been at Albany after Cranfield's journey to New York, reported on their return, that the Mohawks threatened destruction to all the eastern Indians, from Narrhaganset to Pechypscot. Hagkins, a chief of the tribe, had informed Cranfield in the spring of the danger he apprehended, and had implored assistance and protection, but had been treated with neglect. In August the Penacook and Saco Indians gathered their corn, and removed their families; which gave an alarm to their English neighbours, as if they were preparing for war. Messengers being sent to demand the reason of their movement, were informed that it was the fear of the Mohawks, whom they daily expected to destroy them; and being asked why they did not come in among the English for protection, they answered, lest the Mohawks should hurt the English on their account. Upon this they were persuaded to enter into an agreement; and accordingly their chiefs being assembled with the council of New Hampshire, and a deputation from the province of Maine, a treaty was concluded, wherein it was stipulated, that all future personal injuries on either side should,

upon complaint, be immediately redressed; that information should be given of approaching danger from enemies; that the Indians should not remove their families from the neighbourhood of the English without giving timely notice, and if they did that it should be taken for a declaration of war; and, that while these articles were observed the English would assist and protect them against the Mohawks and all other enemies. The danger was but imaginary, and the peace continued for about four years.

(1686.) Though Mason was hitherto disappointed in his views of recovering the inhabited part of the province, he endeavoured to lay a foundation for realising his claim to the waste lands. A purchase having been made from the Indians, by Jonathan Tyng, and nineteen others, of a tract of land on both sides the river Merrimack, six miles in breadth, from Souhegan river to Winnipiseogee lake; Mason, by deed, confirmed the same, reserving to himself and his heirs the yearly rent of ten shillings. This was called the million acre purchase. About the same time he farmed out to Hezekiah Usher and his heirs, the mines, minerals, and ores, within the limits of New Hampshire, for the term of one thousand years; reserving to himself one quarter part of the royal ores and one seventeenth of the baser sorts; and having put his affairs here in the best order that the times would admit, he sailed for England, to attend the hearing of Vaughan's appeal to the king.

The administration of Dudley as President, and Andros as Governor of New England—Mason's farther attempt—His disappointment and death—Revolution in England—Sale to Allen—His commission for the government.

When an arbitrary government is determined to infringe the liberty of the people, it is easy to find pretences to support the most iniquitous claims. King Charles the Second, in the latter part of his reign, was making large strides toward despotism. Charters, which obstructed his pernicious views, were, by a perversion of the law, decreed forfeited. The city of London, and most of the corporations in England, either suffered the execution of these sentences, or tamely surrendered their franchises to the all-grasping hand of power. It could not be expected that in this general wreck of privileges, the colonies of New England could escape. The people of Massachusetts had long been viewed with a jealous eye. Though the king had repeatedly assured them of his protection, and solemnly confirmed their charter privileges; yet their spirit and principles were so totally dissonant to the corrupt views of the court, that intriguing men found easy access to the royal ear, with complaints against them. Of these the most inveterate and indefatigable was Randolph, who made no less than eight voyages in nine years across the Atlantic, on this mischievous business. They were accused of extending their jurisdiction beyond the bounds of their patent; of invading the prerogative by coining money; of not allowing appeals to the king from their courts; and of obstructing the execution of the navigation and trade laws. By the king's command agents were sent over to answer these complaints. They found the prejudice against the colony so strong, that it was in vain to withstand it; and solicited instructions whether to submit to the king's pleasure, or to let the proceedings against them be issued in form of law. A solemn consultation being held, at which

the clergy assisted, it was determined "to die by the hands of others rather than by their own." Upon notice of this, the agents quitted England; and Randolph, as the angel of death, soon followed them, bringing a writ of quo warranto from the King's Bench; but the scire facias which issued from the chancery did not arrive till the time fixed for their appearance was elapsed: this, however, was deemed too trivial an error to stop the proceedings; judgment was entered against them, and the charter declared forfeited.

The king died before a new form of government was settled; but there could be no hope of favour from his successor, who inherited the arbitrary principles of his brother, and was publicly known to be a bigoted papist.

The intended alteration in the government was introduced in the same gradual manner as it had been in New Hampshire. A commission was issued, in which Joseph Dudley, Esq., was appointed president of his majesty's territory and dominion of New England; William Stoughton, deputy president; Simon Bradstreet, Robert Mason, John Fitz Winthrop, John Pynchon, Peter Bulkley, Edward Randolph, Wait Winthrop, Richard Warton, John Usher, Nathaniel Saltonstall, Bartholomew Gedney, Jonathan Tyng, Dudley Bradstreet, John Hinckes, and Edward Tyng, counsellors. Their jurisdiction extended over Massachusetts, New Hampshire, Maine, and the Narrhaganset or King's Province. These gentlemen were mostly natives of the country, some of them had been magistrates, and one of them governor under the charter. No house of deputies was mentioned in the commission.

The new form of government took place on the 25th day of May, 1686; and on the 10th of June, an order of council was issued for settling the county courts, which consisted of such members of the council as resided in each county, and any others of them who might be present, with such justices as were commissioned for the purpose. These courts had the power of trying and issuing all civil causes, and all criminal matters under life or limb; from them an appeal was allowed to a superior court, held three times in the year at Boston for the whole territory; and from thence appeals, in certain cases, might be had to the king in council. Juries were pricked by the marshal and one justice of each county, in a list given them by the select men of the towns. A probate court was held at Boston by the president, and "in the other provinces and remote counties" by a judge and clerk appointed by the president. The territory was divided into four counties, viz., Suffolk, Middlesex, Essex, and Hampshire; and three provinces, viz., New Hampshire, Maine, and King's province. By another order of the same date, town taxes could not be assessed but by allowance of two justices; and the members of the council were exempted from paying any part thereof.

Things were conducted with tolerable decency, and the innovations were rendered as little grievous as possible; that the people might be induced more readily to submit to the long meditated introduction of a governor-general.

In December following, Sir Edmund Andros, who had been governor of New York, arrived at Boston with a commission, appointing him captain-general and governor in chief of the territory and dominion of New England, in which the colony of Plymouth was now included. By this commission, the governor with his council, five of whom were a quorum, were empowered to make such laws, im-

pose such taxes, and apply them to such purposes, as they should think proper. They were also empowered to grant lands on such terms, and subject to such quit-rents, as should be appointed by the king. Invested with such powers, these men were capable of the most extravagant actions. Though Andros, like his master, began his administration with the fairest professions, yet like him he soon violated them, and proved himself a fit instrument for accomplishing the most execrable designs. Those of his council who were backward in aiding his rapacious intentions were neglected. Seven being sufficient for a full board, he selected such only as were devoted to him, and with their concurrence did what he pleased. Randolph and Mason were at first among his confidants; but afterward, when New York was annexed to his government, the members from that quarter were most in his favour.

(1687.) To particularize the many instances of tyranny and oppression which the country suffered from these men, is not within the design of this work. Let it suffice to observe, that the press was restrained, liberty of conscience infringed, exorbitant fees and taxes demanded without the voice or consent of the people, who had no privilege of representation. The charter being vacated, it was pretended that all titles to land were annulled; and as to Indian deeds, Andros declared them no better than "the scratch of a bear's paw." Landholders were obliged to take out patents for their estates which they had possessed forty or fifty years; for these patents extravagant fees were exacted, and those who would not submit to this imposition, had writs of intrusion brought against them, and their land patented to others. To hinder the people from consulting about the redress of their grievances, town meetings were prohibited, except one in the month of May for the choice of town officers; and to prevent complaints being carried to England, no person was permitted to go out of the country without express leave from the governor. But notwithstanding all the vigilance of the governor, his emissaries and his guards, the resolute and indefatigable Increase Mather, minister of the second church in Boston, and president of the college, got on board a ship and sailed for England, with complaints in the name of the people against the governor, which he delivered with his own hand to the king; but finding no hope of redress, he waited the event of the revolution which was then expected.

(1688.) When the people groaned under so many real grievances, it is no wonder that their fears and jealousies suggested some that were imaginary. They believed Andros to be a papist; that he had hired the Indians, and supplied them with ammunition to destroy their frontier settlements; and that he was preparing to betray the country into the hands of the French. At the same time, the large strides that King James the Second was making toward the establishment of popery and despotism raised the most terrible apprehensions; so that the report of the landing of the Prince of Orange in England was received here with the greatest joy. Andros was so alarmed at the news, that he imprisoned the man who brought a copy of the prince's declaration, and published a proclamation, commanding all persons to be in readiness to oppose "any invasion from Holland," which met with as much disregard as one he had issued before, appointing a day of thanksgiving for the birth of a Prince of Wales.

(1689.) The people had now borne these innova-

tions and impositions for about three years: their patience was worn out, and their native love of freedom kindled at the prospect of deliverance. The news of a complete revolution in England had not reached them; yet so sanguine were their expectations, so eager were they to prove that they were animated by the same spirit with their brethren at home, that upon the rumour of an intended massacre in the town of Boston by the governor's guards, they were wrought up to a degree of fury. On the morning of the 18th of April the town was in arms, and the country flocking in to their assistance. The governor, and those who had fled with him to the fort, were seized and committed to prison. The gentlemen who had been magistrates under the charter, with Bradstreet, the late governor, at their head, assumed the name of a council of safety, and kept up a form of government, in the exigency of affairs, till orders arrived from England; when Andros and his accomplices were sent home as prisoners of state, to be disposed of according to the king's pleasure.

The people of New Hampshire had their share of sufferings under this rapacious administration; and Mason himself did not escape. Having attended the hearing of Vaughan's appeal to the king, which was decided in Mason's favour; the judgment obtained here, being affirmed; and having now the fairest prospect of realising his claim, he returned hither in the spring of 1687, but found his views obstructed in a manner which he little expected. The government was in the hands of a set of unprincipled men, who looked with envy on the large share of territory which Mason claimed, and were for parcelling it out among themselves. The new judges delayed issuing executions on the judgments which he had formerly recovered, and the attorney-general, Graham, would not allow that he had power to grant lands by leases. This confirmed the people in their opinion of the invalidity of his claim, and rendered them more averse to him than ever. At length, however, he obtained from Dudley, the chief justice, a writ of certiorari, directed to the late judges of New Hampshire, by which his causes were to be removed to the supreme court of the whole territory, then held at Boston; but before this could be done, death put an end to his hopes, and relieved the people for a time from their fears. Being one of Sir Edmund's council, and attending him on a journey from New York to Albany; he died at Esopus, in the fifty-ninth year of his age; leaving two sons, John and Robert, the heirs of his claim and controversy.

The revolution at Boston, though extremely pleasing to the people of New Hampshire, left then in an unsettled state. They waited the arrival of orders from England; but none arriving, and the people's minds being uneasy, it was proposed by some of the principal gentlemen, that a convention of deputies from each of the towns should consider what was best to be done. The convention-parliament in England was a sufficient precedent to authorize this proceeding. Deputies were accordingly chosen, and instructed to resolve upon some method of government (1690.) At their first meeting they came to no conclusion; but afterward they thought it best to return to their ancient union with Massachusetts. A petition for this purpose being presented, they were readily admitted till the king's pleasure should be known, and members were sent to the general court which met there in this and the two following years. The gentlemen who had formerly been in commission for the peace, the militia and the civil

offices, were by town votes approved by the general court, restored to their places, and ancient laws and customs continued to be observed.

(1691.) Had the inclination of the people been consulted, they would gladly have been annexed to that government. This was well known to Mather and the other agents, who, when soliciting for a new charter, earnestly requested that New Hampshire might be included in it. But it was answered that the people had expressed an aversion from it, and desired to be under a distinct government. This could be founded only on the reports which had been made by the commissioners in 1665, and by Randolph in his narrative. The true reason for denying the request was, that Mason's two heirs had sold their title to the lands in New Hampshire to Samuel Allen of London, merchant, for seven hundred and fifty pounds—the entail having been previously docked by a fine and recovery in the Court of King's Bench; and Allen was now soliciting a recognition of his title from the crown, and a commission for the government of the province. When the inhabitants were informed of what was doing, they again assembled by deputies in convention, and sent (1691) a petition to the king, praying that they might be annexed to the Massachusetts. The petition was presented by Sir Henry Ashurst, and they were amused by some equivocal promises of success by the Earl of Nottingham; but Allen's importunity coinciding with the king's inclination, effectually frustrated their attempt. The claim which Allen had to the lands from Naumkeag, to three miles northward of Merrimack, was noticed in the Massachusetts charter (1692); and he obtained a commission for the government of New Hampshire, in which his son-in-law, John Usher, then in London, was appointed lieutenant-governor, with power to execute the commission in Allen's absence. The counsellors named in the governor's instructions were John Usher, lieutenant-governor, John Hinckes, Nathaniel Fryer, Thomas Graffort, Peter Coffin, Henry Green, Robert Eliot, John Gerrish, John Walford, and John Love. The governor was instructed to send to the secretary of state the names of six other persons suitable for counsellors. Three were a quorum, but the instructions were that nothing should be done unless five were present, except in extraordinary emergencies. Major Vaughan, Nathaniel Wear, and Richard Waldron, were afterward added to the number.

The council was composed of men who, in general, had the confidence of the people; but Usher was very disagreeable, not only as he had an interest in Allen's claim to the lands, but as he had been one of Sir Edmund Andros's adherents, and an active instrument in the late oppressive government. He arrived with the commission and took upon him the command, on the 13th day of August. The people again submitted, with extreme reluctance, to the unavoidable necessity of being under a government distinct from Massachusetts.

The year 1692 was remarkable for a great mortality in Portsmouth and Greenland by the small pox. The infection was brought in bags of cotton from the West Indies, and there being but few people who were acquainted with it, the patients suffered greatly, and but few recovered.

The war with the French and Indians, commonly called King William's war.

It was the misfortune of this country to have enemies of different kinds to contend with at the same time.

While the changes above related were taking place in their government, a fresh war broke out on their frontiers, which, though ascribed to divers causes, was really kindled by the rashness of the same persons who were making havock of their liberties.

The lands from Penobscot to Nova Scotia had been ceded to the French, by the treaty of Breda, in exchange for the island of St. Christopher. On these lands the baron de St. Castine had for many years resided, and carried on a large trade with the Indians, with whom he was intimately connected; having several of their women, beside a daughter of the sachem Madokawando, for his wives. The lands which had been granted by the crown of England to the duke of York (at that time King James the Second) interfered with Castine's plantation, as the duke claimed to the river St. Croix. A fort had been built by his order at Pemaquid, and a garrison stationed there to prevent any intrusion on his property. In 1686 a ship belonging to Pascataqua landed some wines at Penobscot, supposing it to be within the French territory. Palmer and West, the duke's agents at Pemaquid, went and seized the wines; but by the influence of the French ambassador in England, an order was obtained for the restoration of them. Hereupon a new line was run, which took Castine's plantation into the duke's territory. In the spring of 1688, Androsse went in the *Rose* frigate, and plundered Castine's house and fort, leaving only the ornaments of his chapel to console him for the loss of his arms and goods. This base action provoked Castine to excite the Indians to a new war, pretences for which were not wanting on their part. They complained that the tribute of corn which had been promised by the treaty of 1678, had been withheld; that the fishery of the river Saco had been obstructed by seines; that their standing corn had been devoured by cattle belonging to the English; that their lands at Pemaquid had been patented without their consent; and that they had been fraudulently dealt with in trade. Some of these complaints were doubtless well grounded; but none of them were ever enquired into or redressed.

They began to make reprisals at North Yarmouth by killing cattle. Justice Blackman ordered sixteen of them to be seized and kept under guard at Falmouth; but others continued to rob and capture the inhabitants. Androsse, who pretended to treat the Indians with mildness, commanded those whom Blackman had seized to be set at liberty. But this mildness had not the desired effect; the Indians kept their prisoners, and murdered some of them in their barbarous sports. Androsse then changed his measures, and thought to frighten them with an army of 700 men, which he led into their country in the month of November. The rigor of the season proved fatal to some of his men; but he never saw an Indian in his whole march. The enemy were quiet during the winter.

(1689.) After the revolution, the gentlemen who assumed the government took some precautions to prevent the renewal of hostilities. They sent messengers and presents to several tribes of Indians, who answered them with fair promises; but their prejudice against the English was too inveterate to be allayed by such means as these.

Thirteen years had almost elapsed since the seizure of the 400 Indians, at Cochecho, by Major Waldron; during all which time an inextinguishable thirst of revenge had been cherished among them, which never till now found opportunity for gratification. Wonolanaset, one of the sachems of

Penacook, who was dismissed with his people at the time of the seizure, always observed his father's dying charge, not to quarrel with the English; but Hagkins, another sachem, who had been treated with neglect by Cranfield, was more ready to listen to the seducing invitations of Castine's emissaries. Some of those Indians, who were then seized and sold into slavery abroad, had found their way home, and could not rest till they had their revenge. Accordingly a confederacy being formed between the tribes of Penacook and Pigwacket, and the strange Indians (as they were called) who were incorporated with them, it was determined to surprise the major and his neighbours, among whom they had all this time been peaceably conversant.

In that part of the town of Dover which lies about the first falls in the river Cochecho, were five garrisoned houses; three on the north side, called respectively, Waldron, Otis, and Heard; and two on the south side, Peter Coffin and his son's. These houses were surrounded with timber walls, the gates of which, as well as the house doors, were secured with bolts and bars. The neighbouring families retired to these houses by night; but by an unaccountable negligence, no watch was kept. The Indians who were daily passing through the town, visiting and trading with the inhabitants, as usual in time of peace, viewed their situation with an attentive eye. Some hints of a mischievous design had been given out by their squaws; but in such dark and ambiguous terms that no one could comprehend their meaning. Some of the people were uneasy; but Waldron, who, from a long course of experience, was intimately acquainted with the Indians, and on other occasions had been ready enough to suspect them, was now so thoroughly secure, that when some of the people hinted their fears to him, he merrily bad them to go and plant their pumpkins, saying that he would tell them when the Indians would break out. The very evening before the mischief was done, being told by a young man that the town was full of Indians, and the people were much concerned; he answered that he knew the Indians very well, and there was no danger.

The plan which the Indians had preconceived was, that two squaws should go to each of the garrisoned houses in the evening, and ask leave to lodge by the fire; that in the night when the people were asleep they should open the doors and gates, and give the signal by a whistle, upon which the strange Indians, who were to be within hearing, should rush in, and take their long meditated revenge. This plan being ripe for execution, on the evening of Thursday the 27th of June, two squaws applied to each of the garrisons for lodging, as they frequently did in time of peace. They were admitted into all but the younger Coffin's, and the people, at their request, shewed them how to open the doors, in case they should have occasion to go out in the night. Mesandowit, one of their chiefs, went to Waldron's garrison, and was kindly entertained, as he had often been before. The squaws told the major, that a number of Indians were coming to trade with him the next day, and Mesandowit while at supper, with his usual familiarity, said, "Brother Waldron, what would you do if the strange Indians should come?" The major carelessly answered, that he could assemble 100 men, by lifting up his finger. In this unsuspecting confidence the family retired to rest.

When all was quiet, the gates were opened and the signal given. The Indians entered, set a guard at the door, and rushed into the major's apartment,

which was an inner room. Awakened by the noise, he jumped out of bed, and though now advanced in life to the age of eighty years, he retained so much vigour as to drive them with his sword through two or three doors, but as he was returning for his other arms, they came behind him, stunned him with a hatchet, drew him into his hall, and seating him in an elbow chair on a long table insultingly asked him, "Who shall judge Indians now?" They then obliged the people in the house to get them some victuals: and when they had done eating, they cut the major across the breast and belly with knives, each one with a stroke saying, "I cross out my account." They then cut off his nose and ears, forcing them into his mouth—and when, spent with the loss of blood, he was falling down from the table, one of them held his own sword under him, which put an end to his misery. They also killed his son in law Abraham Lee; but took his daughter Lee with several others, and having pillaged the house, left it on fire. Otis's garrison, which was next to the major's, met with the same fate; he was killed, with several others, and his wife and child were captured. Heard's was saved by the barking of a dog just as the Indians were entering: Elder Wentworth, who was awakened by the noise, pushed them out, and falling on his back, set his feet against the gate and held it till he had alarmed the people; two balls were fired through it but both missed him. Coffin's house was surprised, but as the Indians had no particular enmity to him, they spared his life, and the lives of his family, and contented themselves with pillaging the house. Finding a bag of money, they made him throw it by handfulls on the floor, while they amused themselves in scrambling for it. They then went to the house of his son who would not admit the squaws in the evening, and summoned him to surrender, promising him quarter: he declined their offer, and determined to defend his house, till they brought out his father and threatened to kill him before his eyes; filial affection then overcame his resolution, and he surrendered. They put both families together into a deserted house, intending to reserve them for prisoners; but while the Indians were busy in plundering, they all escaped.

Twenty-three people were killed in this surprisal, and twenty-nine were captured; five or six houses with the mills were burned; and so expeditious were the Indians in the execution of their plot, that before the people could be collected from the other parts of the town to oppose them, they fled with their prisoners and booty. As they passed by Heard's garrison in their retreat, they fired upon it, but the people being prepared and resolved to defend it, and the enemy being in haste, it was preserved. The preservation of its owner was more remarkable.

Elizabeth Heard, with her three sons and a daughter, and some others, were returning in the night from Portsmouth; they passed up the river in their boat unperceived by the Indians, who were then in possession of the houses; but suspecting danger by the noise which they heard, after they had landed they betook themselves to Waldron's garrison, where they saw lights, which they imagined were set up for direction to those who might be seeking a refuge. They knocked and begged earnestly for admission, but no answer being given, a young man of the company climbed up the wall, and saw, to his inexpressible surprise, an Indian standing in the door of the house with his gun. The woman was so overcome with the fright that she was unable to fly, but begged her children to shift for them-

selves, and they with heavy hearts left her. When she had a little recovered she crawled into some bushes, and lay there till day-light: she then perceived an Indian coming toward her with a pistol in his hand, he looked at her and went away; returning, he looked at her again, and she asked him what he would have. He made no answer, but ran yelling to the house, and she saw him no more. She kept her place till the house was burned and the Indians were gone, and then returning home found her own house safe. Her preservation in these dangerous circumstances was more remarkable, if (as it is supposed) it was an instance of justice and gratitude in the Indians: for at the time when the 400 were seized in 1676, a young Indian escaped and took refuge in her house, where she concealed him; in return for which kindness he promised her that he would never kill her, nor any of her family in any future war, and that he would use his influence with the other Indians to the same purpose. This Indian was one of the party who surprised the place, and she was well known to the most of them.

The same day, after the mischief was done, a letter from Secretary Addington, written by order of the government, directed to Major Waldron, giving him notice of the intention of the Indians to surprise him under pretence of trade, fell into the hands of his son. This design was communicated to Governor Bradstreet by Major Henchman of Chelmsford, who had learned it of the Indians. The letter was dispatched from Boston, the day before, by Mr. Weare; but some delay which he met with at Newbury ferry prevented its arrival in season.

The prisoners taken at this time were mostly carried to Canada, and sold to the French; and these, so far as can be learned, were the first that ever were carried thither. One of these prisoners was Sarah Gerrish, a remarkably fine child, of seven years old, and grand-daughter of Major Waldron, in whose house she lodged that fatal night. Some circumstances attending her captivity are truly affecting. When she was awakened by the noise of the Indians in the house, she crept into another bed, and hid herself under the clothes to escape their search. She remained in their hands till the next winter, and was sold from one to another several times. An Indian girl once pushed her into a river; but, catching by the bushes, she escaped drowning, yet durst not tell how she came to be wet. Once she was so weary with travelling, that she did not awake in the morning till the Indians were gone, and then found herself alone in the woods, covered with snow, and without any food; having found their tracks, she went crying after them till they heard her and took her with them. At another time they kindled a great fire, and the young Indians told her she was to be roasted. She burst into tears, threw her arms round her master's neck, and begged him to save her, which he promised to do if she would behave well. Being arrived in Canada, she was bought by the Intendant's lady, who treated her courteously, and sent her to a nunnery for education. But when Sir William Phips was at Quebec she was exchanged, and returned to her friends, with whom she lived till she was sixteen years old.

The wife of Richard Otis was taken at the same time, with an infant daughter of three months old. The French priests took this child under their care, baptised her by the name of Christina, and educated her in the Romish religion. She passed some time in a nunnery, but declined taking the veil, and was married to a Frenchman, by whom she had two

children. But her desire to see New England was so strong, that upon an exchange of prisoners in 1714, being then a widow, she left both her children, who were not permitted to come with her, and returned home, where she abjured the Romish faith. M. Sigenot, her former confessor, wrote her a flattering letter, warning her of her danger, inviting her to return to the bosom of the catholic church, and repeating many gross calumnies which had formerly been vented against Luther and the other reformers. This letter being shewn to Governor Burnet, he wrote her a sensible and masterly answer, refuting the arguments, and detecting the falsehoods it contained: both these letters were printed. She was married afterwards to Captain Thomas Baker, who had been taken at Deerfield in 1704, and lived in Dover, where she was born, till the year 1773. The Indians had been seduced to the French interest by popish emissaries, who had begun to fascinate them with their religious and national prejudices. They had now learned to call the English heretics, and that to extirpate them as such was meritorious in the sight of heaven. When their minds were filled with religious frenzy, they became more bitter and implacable enemies than before; and finding the sale of scalps and prisoners turn to good account in Canada, they had still farther incitement to continue their depredations, and prosecute their vengeance.

The necessity of vigorous measures was now so pressing, that parties were immediately dispatched, one under Captain Noyes to Penacook, where they destroyed the corn, but the Indians escaped; another from Pascataqua, under Captain Wincal, to Winnipiseogee, whither the Indians had retired, as John Church, who had been taken at Cocheco, and escaped from them, reported: one or two Indians were killed there, and their corn cut down. But these excursions proved of small service, as the Indians had little to lose, and could find a home wherever they could find game and fish.

In the month of August Major Swaine, with seven or eight companies raised by the Massachusetts government, marched to the eastward; and Major Church, with another party, consisting of English and Indians, from the colony of Plymouth, soon followed them. While these forces were on their march, the Indians, who lay in the woods about Oyster river, observed how many men belonged to Hucking's garrison; and seeing them all go out one morning to work, nimbly ran between them and the house, and killed them all, being in number eighteen, except one who had passed the brook. They then attacked the house, in which were only two boys, one of whom was lame, with some women and children. The boys kept them off for some time, and wounded several of them. At length the Indians set the house on fire, and even then the boys would not surrender till they had promised them to spare their lives. They perfidiously murdered three or four of the children; one of them was set on a sharp stake, in the view of its distressed mother, who, with the other women and the boys, were carried captive. One of the boys escaped the next day. Captain Garner, with his company, pursued the enemy, but did not come up with them.

The Massachusetts and Plymouth companies proceeded to the eastward, settled garrisons in convenient places, and had some skirmishes with the enemy at Casco and Blue Point. On their return, Major Swaine sent a party of the Indian auxiliaries under Lieutenant Flagg toward Winnipiseogee to

make discoveries. These Indians held a consultation in their own language; and having persuaded their lieutenant, with two men, to return, nineteen of them tarried out eleven days longer; in which time they found the enemy, staid with them two nights, and informed them of every thing which they desired to know; upon which the enemy retired to their inaccessible deserts, and the forces returned without finding them, and in November were disbanded.

Nothing was more welcome to the distressed inhabitants of the frontiers than the approach of winter, as they then expected a respite from their sufferings. The deep snows and cold weather were commonly a good security against an attack from the Indians; but when resolutely set on mischief, and instigated by popish enthusiasm, no obstacles could prevent the execution of their purposes.

(1690.) The Count de Frontenac, now governor of Canada, was fond of distinguishing himself by enterprises against the American subjects of King William, with whom his master was at war in Europe. For this purpose he detached three parties of French and Indians from Canada in the winter, who were to take three different routes into the English territories. One of these parties marched from Montreal, and destroyed Schenectada, a Dutch village on the Mohawk river, in the province of New York. This action, which happened at an unusual time of the year, in the month of February, alarmed the whole country; and the eastern settlements were ordered to be on their guard. On the 18th day of March, another party, which came from Trois Rivières, under the command of the Sieur Hertel, an officer of great repute in Canada, found their way to Salmon falls, a settlement on the river which divides New Hampshire from the province of Maine. This party consisted of fifty-two men, of whom twenty-five were Indians under Hoophood, a noted warrior. They began the attack at day-break, in three different places. The people were surprised; but flew to arms, and defended themselves in the garrisoned houses, with a bravery which the enemy themselves applauded. But as in all such onsets the assailants have the greatest advantage, so they here proved too strong for the defendants; about thirty of the bravest were killed, and the rest surrendered at discretion, to the number of fifty-four, of whom the greater part were women and children. After plundering, the enemy burned the houses, mills and barns, with the cattle, which were within doors, and then retreated into the woods, whither they were pursued by about one hundred and forty men, suddenly collected from the neighbouring towns, who came up with them in the afternoon, at a narrow bridge on Wooster's river. Hertel, expecting a pursuit, had posted his men advantageously on the opposite bank. The pursuers advanced with great intrepidity, and a warm engagement ensued, which lasted till night, when they retired with the loss of four or five killed; the enemy, by their own account, lost two, one of whom was Hertel's nephew; his son was wounded in the knee; another Frenchman was taken prisoner, who was so tenderly treated that he embraced the protestant faith, and remained in the country. Hertel, on his way homeward, met with a third party who had marched from Quebec, and joining his company to them, attacked and destroyed the fort and settlement at Casco, the next May. Thus the three expeditions planned by Count Frontenac proved successful; but the glory of them was much tarnished

by acts of cruelty, which christians should be ashamed to countenance, though perpetrated by savages.

The following instances of cruelty, exercised towards the prisoners taken at Salmon falls, are mentioned by Dr. Mather. Robert Rogers, a corpulent man, being unable to carry the burden which the Indians imposed upon him, threw it in the path and went aside in the woods to conceal himself. They found him by his track, stripped, beat, and pricked him with their swords; then tied him to a tree and danced round him till they had kindled a fire. They gave him time to pray, and take leave of his fellow prisoners, who were placed round the fire to see his death. They pushed the fire toward him, and when he was almost stifled, took it away to give him time to breathe, and thus prolong his misery; they drowned his dying groans with their hideous singing and yelling, all the while dancing round the fire, cutting off pieces of his flesh and throwing them in his face. When he was dead they left his body broiling on the coals, in which state it was found by his friends and buried. Mehetabel Goodwin was taken with a child of five months old; when it cried they threatened to kill it, which made the mother go aside and sit for hours together in the snow to lull it to sleep; her master seeing that this hindered her from travelling, took the child, struck its head against a tree, and hung it on one of the branches; she would have buried it but he would not let her, telling her that if she came again that way she might have the pleasure of seeing it. She was carried to Canada, and after five years returned home. Mary Plaisted was taken out of her bed, having lain in but three weeks: they made her travel with them through the snow, and "to ease her of her burden," as they said, struck the child's head against a tree, and threw it into a river. An anecdote of another kind may relieve the reader after these tragical accounts. Thomas Toogood was pursued by three Indians and overtaken by one of them, who having enquired his name, was preparing strings to bind him, holding his gun under his arm, which Toogood seized and went backward, keeping the gun presented at him, and protesting that he would shoot him if he alarmed the others who had stopped on the opposite side of the hill. By this dexterity he escaped and got safe into Cochecho; while his adversary had no recompense in his power but to call after him by the name of Nogood.

After the destruction of Casco the eastern settlements were all deserted, and the people retired to the fort at Wells. The Indians then came up westward, and a party of them under Hoophood some time in May made an assault on Fox Point, in Newington, where they burned several houses, killed about fourteen people, and carried away six. They were pursued by the Captains Floyd and Greenleaf, who came up with them and recovered some of the captives and spoil, after a skirmish in which Hoophood was wounded and lost his gun. This fellow was soon after killed by a party of Canada Indians, who mistook him for one of the Iroquois, with whom they were at war. On the 4th day of July, eight persons were killed as they were mowing in a field near Lamprey river, and a lad was captured. The next day they attacked Captain Hilton's garrison at Exeter, which was relieved by Lieutenant Bancroft with the loss of a few of his men; one of them, Simon Stone, received nine wounds with shot, and two strokes of a hatchet; when his friends came to bury him, they perceived life in him, and by the application of cordials he revived, to the amazement of all.

Two companies under the Captains Floyd and Wiswal were now scouting, and on the 6th day of July discovered an Indian track, which they pursued till they came up with the enemy at Wheelwright's Pond, [in Lee] where a bloody engagement ensued for some hours, in which Wiswal, his lieutenant, Flagg, and serjeant Walker, with twelve more, were killed, and several wounded. It was not known how many of the enemy fell, as they always carried off their dead. Floyd maintained the fight after Wiswal's death, till his men, fatigued and wounded, drew off, which obliged him to follow. The enemy retreated at the same time; for when Captain Convers went to look after the wounded, he found seven alive, whom he brought in by sunrise the next morning, and then returned to bury the dead. The enemy then went westward, and in the course of one week killed, between Lamprey river and Almsbury, not less than forty people.

The cruelties exercised upon the captives in this war exceeded, both in number and degree, any in former times. The most healthy and vigorous of them were sold in Canada, the weaker were sacrificed and scalped; and for every scalp they had a premium. Two instances only are remembered of their releasing any without a ransom; one was a woman taken from Fox Point, who obtained her liberty by procuring them some of the necessaries of life: the other was at York, where, after they had taken many of the people, they restored two aged women and five children, in return for a generous action of Major Church, who had spared the lives of as many women and children when they fell into his hands at Amariscongin.

The people of New England now looked on Canada as the source of their troubles, and formed a design to reduce it to subjection to the crown of England. The enterprise was bold and hazardous; but had their ability been equal to the ardour of their patriotism, it might probably have been accomplished. Straining every nerve, they equipped an armament in some degree equal to the service. What was wanting in military and naval discipline was made up in resolution; and the command was given to Sir William Phips, an honest man, and a friend to his country, but by no means qualified for such an enterprise. Unavoidable accidents retarded the expedition, so that the fleet did not arrive before Quebec till October, when it was more than time to return. It being impossible to continue there to any purpose, and the troops growing sickly and discouraged, after some ineffectual parade, they abandoned the enterprise.

This disappointment was severely felt. The equipment of the fleet and army required a supply of money which could not readily be collected, and occasioned a paper currency, which has often been drawn into precedent on like occasions, and has proved a fatal source of the most complicated and extensive mischief. The people were almost dispirited with the prospect of poverty and ruin. In this melancholy state of the country, it was a happy circumstance that the Indians voluntarily came in with a flag of truce, and desired a cessation of hostilities. (1691.) A conference being held at Sagadahock, they brought in ten captives, and settled a truce till the 1st day of May, which they observed till the 9th of June, when they attacked Storer's garrison at Wells, but were bravely repulsed. About the same time they killed two men at Exeter, and on the 29th of September, a party of them came from the eastward in canoes to Sandy Beach, Rye, where

they killed and captured twenty-one persons. Captain Sherburne of Portsmouth, a worthy officer, was this year killed at Macquoit.

(1692.) The next winter, the country being alarmed with the destruction of York, some new regulations were made for the general defence. Major Elisha Hutchinson was appointed commander in chief of the militia, by whose prudent conduct the frontiers were well guarded, and so constant a communication was kept up, by ranging parties, from one post to another, that it became impossible for the enemy to attack in their usual way by surprise. The good effect of this regulation was presently seen. A young man being in the woods near Cochecho, was fired at by some Indians. Lieutenant Wilson immediately went out with eighteen men; and finding the Indians, killed or wounded the whole party excepting one. This struck them with terror, and kept them quiet the remainder of the winter and spring. But on the 10th day of June, an army of French and Indians made a furious attack on Storer's garrison at Wells, where Captain Convers commanded; who after a brave and resolute defence, was so happy as to drive them off with great loss.

Sir William Phips, being now governor of Massachusetts, continued the same method of defence, keeping out continual scouts under brave and experienced officers. This kept the Indians so quiet, that except one poor family which they took at Oyster river, and some small mischief at Quaboag, there is no mention of any destruction made by them during the year 1693. Their animosity against New England was not quelled; but they needed time to recruit; some of their principal men were in captivity, and they could not hope to redeem them without a peace. To obtain it, they came into the fort at Pemaquid; and there entered into a solemn covenant, wherein they acknowledged subjection to the crown of England; engaged to abandon the French interest; promised perpetual peace; to forbear private revenge; to restore all captives, and even went so far as to deliver hostages for the due performance of their engagements. This peace, or rather truce, gave both sides a respite, which both earnestly desired.

The people of New Hampshire were much reduced, their lumber trade and husbandry being greatly impeded by the war. Frequent complaints were made of the burden of the war, the scarcity of provisions, and the dispiritedness of the people. Once it is said in the council minutes that they were even ready to quit the province. The governor was obliged to impress men to guard the outposts: they were sometimes dismissed for want of provisions, and then the garrison officers called to account and severely punished: yet all this time the public debt did not exceed 400*l*. In this situation they were obliged to apply to their neighbours for assistance; but this was granted with a sparing hand. The people of Massachusetts were much divided and at variance among themselves, both on account of the new charter which they had received from King William, and the pretended witchcrafts which have made so loud a noise in the world.

(1694.) The engagements made by the Indians in the treaty of Pemaquid, might have been performed if they had been left to their own choice. But the French missionaries had been for some years very assiduous in propagating their tenets among them, one of which was, "that to break faith with heretics was no sin." The Sieur de Villieu, who had distinguished himself in the defence of Quebec

when Phips was before it, and had contracted a strong antipathy to the New Englanders, being now in command at Penobscot, he, with M. Thury, the missionary, diverted Madokawando and the other sachems from complying with their engagements; so that pretences were found for detaining the English captives, who were more in number, and of more consequence, than the hostages whom the Indians had given. Influenced by the same pernicious councils, they kept a watchful eye on the frontier towns, to see what place was most secure and might be attacked to the greatest advantage. The settlement at Oyster river, within the town of Dover, was pitched upon as the most likely place; and it is said that the design of surprising it was publicly talked of at Quebec two months before it was put in execution. Rumours of Indians lurking in the woods thereabout, made some of the people apprehend danger: but no mischief being attempted, they imagined them to be hunting parties, and returned to their security. At length, the necessary preparations being made, Villieu, with a body of 250 Indians, collected from the tribes of St. John, Penobscot, and Norridgewog, attended by a French priest marched for the devoted place.

Oyster river is a stream which runs into the western branch of Pascataqua: the settlements were on both sides of it, and the houses chiefly near the water. Here were twelve garrisoned houses sufficient for the defence of the inhabitants; but apprehending no danger, some families remained at their own unfortified houses, and those who were in the garrisons were but indifferently provided for defence, some being even destitute of powder. The enemy approached the place undiscovered, and halted near the falls on Tuesday evening, the 17th of July. Here they formed into two divisions, one of which was to go on each side of the river and plant themselves in ambush, in small parties, near every house, so as to be ready for the attack at the rising of the sun, the first gun to be the signal. John Dean, whose house stood by the saw-mill at the falls, intending to go from home very early, arose before the dawn of day, and was shot as he came out of his door. This disconcerted their plan: several parties who had some distance to go, had not then arrived at their stations: the people in general were immediately alarmed: some of them had time to make their escape, and others to prepare for their defence. The signal being given, the attack began in all parts where the enemy was ready.

Of the twelve garrisoned houses five were destroyed, viz. Adams's, Drews's, Edgerly's, Medar's, and Beard's. They entered Adams's without resistance, where they killed fourteen persons; one of them, being a woman with child, they ripped open. The grave is still to be seen in which they were all buried. Drew surrendered his garrison on the promise of security, but was murdered when he fell into their hands; one of his children, a boy of nine years old, was made to run through a lane of Indians as a mark for them to throw their hatchets at, till they had dispatched him. Edgerly's was evacuated; the people took to their boat, and one of them was mortally wounded before they got out of reach of the enemy's shot. Beard's and Medar's were also evacuated, and the people escaped. The defenceless houses were nearly all set on fire, the inhabitants being either killed or taken in them, or else in endeavouring to fly to the garrisons. Some escaped by hiding in the bushes and other secret places. Thomas Edgerly, by concealing himself in his

cellar, preserved his house, though twice set on fire. The house of John Buss, the minister, was destroyed with a valuable library. He was absent, his wife and family fled to the woods and escaped. The wife of John Dean, at whom the first gun was fired, was taken with her daughter, and carried about two miles up the river, where they were left under the care of an old Indian while the others returned to their bloody work. The Indian complained of a pain in his head, and asked the woman what would be a proper remedy. She answered, Occapee, which is the Indian word for rum, of which she knew he had taken a bottle from her house. The remedy being agreeable, he took a large dose and fell asleep; and she took that opportunity to make her escape, with her child, into the woods, and kept concealed till they were gone.

The other seven garrisons, viz. Burnham's, Bickford's, Smith's, Bunker's, Davis's, Jones and Woodman's, were resolutely and successfully defended. At Burnham's the gate was left open: the Indians, ten in number, who were appointed to surprise it, were asleep under the bank of the river, at the time that the alarm was given. A man within, who had been kept awake by the toothache, hearing the first gun, roused the people and secured the gate, just as the Indians who were awakened by the same noise were entering. Finding themselves disappointed, they ran to Pitman's defenceless house, and forced the door at the moment that he had burst a way through that end of the house which was next to the garrison, to which he with his family, taking advantage of the shade of some trees, it being moonlight, happily escaped. Still defeated, they attacked the house of John Davis, which after some resistance he surrendered on terms; but the terms were violated, and the whole family either killed or made captives. Thomas Bickford preserved his house in a singular manner. It was situated near the river, and surrounded with a palisade. Being alarmed before the enemy had reached the house, he sent off his family in a boat, and then shutting his gate, betook himself alone to the defence of his fortress. Despising alike the promises and threats by which the Indians would have persuaded him to surrender, he kept up a constant fire at them, changing his dress as often as he could, shewing himself with a different cap, hat or coat, and sometimes without either, and giving directions aloud as if he had a number of men with him. Finding their attempt vain the enemy withdrew, and left him sole master of the house which he had defended with such admirable address. Smith's, Bunker's, and Davis's garrisons, being seasonably apprised of the danger, were resolutely defended—one Indian was supposed to be killed and another wounded by a shot from Davis's. Jones's garrison was beset before day; Captain Jones hearing his dogs bark, and imagining wolves might be near, went out to secure some swine and returned unmolested. He then went up into the flankart and sat on the wall. Discerning the flash of a gun he dropped backward; the ball entered the place from whence he had withdrawn his legs. The enemy from behind a rock kept firing on the house for some time and then quitted it. During these transactions the French priest took possession of the meeting-house, and employed himself in writing on the pulpit with chalk, but the house received no damage.

Those parties of the enemy who were on the south side of the river, having completed their destructive work, collected in a field adjoining Burnham's garrison, where they insultingly shewed their prisoners,

and derided the people, thinking themselves out of reach of their shot. A young man from the centry-box fired at one who was making some indecent signs of defiance, and wounded him in the heel. Both divisions then met at the falls, where they had parted the evening before, and proceeded together to Captain Woodman's garrison. The ground being uneven, they approached without danger, and from behind a hill kept up a long and severe fire at the hats and caps which the people within held up on sticks above the walls, without any other damage than galling the roof of the house. At length, apprehending it was time for the people in the neighbouring settlements to be collected in pursuit of them, they finally withdrew; having killed and captured between ninety and a hundred persons, and burned about twenty houses, of which five were garrisons. The main body of them retreated over Winpiseogee lake, where they divided their prisoners, separating those in particular who were most intimately connected, in which they often took a pleasure suited to their savage nature.

Among these prisoners were Thomas Drew and his wife, who were newly married: he was carried to Canada, where he continued two years and was redeemed; she to Norridgewog, and was gone four years, in which she endured every thing but death. She was delivered of a child in the winter, in the open air, and in a violent snow storm; being unable to suckle her child, or provide it any food, the Indians killed it. She lived fourteen days on a decoction of the bark of trees. Once they set her to draw a sled up a river against a piercing north-west wind, and left her. She was so overcome with the cold that she grew sleepy, laid down, and was nearly dead when they returned: they carried her senseless to a wigwam, and poured warm water down her throat, which recovered her. After her return to her husband she had fourteen children; they lived together till he was ninety-three and she eighty-nine years of age; they died within two days of each other and were buried in one grave.

About forty of the enemy under Toux, a Norridgewog chief, resolving on farther mischief, went westward and did execution as far as Groton. A smaller party having crossed the river Pascataqua, came to a farm where Ursula Cutts, widow of the deceased president, resided, who imagining the enemy had done what mischief they intended for that time, could not be persuaded to remove into town till her haymaking should be finished. As she was in the field with her labourers, the enemy fired from an ambush and killed her, with three others. Colonel Richard Waldron and his wife with her infant son (afterward secretary) had almost shared the same fate; they were taking boat to go and dine with this lady, when they were stopped by the arrival of some friends at their house; while at dinner they were informed of her death. She lived about two miles above the town of Portsmouth, and had laid out her farm with much elegance. The scalps taken in this whole expedition were carried to Canada by Madokawando, and presented to Count Frontenac, from whom he received the reward of his treacherous adventure.

There is no mention of any more mischief by the Indians within this province till the next year (1695), when, in the month of July, two men were killed at Exeter. The following year (1696), on the 7th of May, John Church, who had been taken and escaped from them seven years before, was killed and scalped at Coheco, near his own house. On the 26th of June, an attack was made at Portsmouth plain

about two miles from the town. The enemy came from York-nubble to Sandy-beach in canoes, which they hid there among the bushes near the shore. Some suspicion was formed the day before by reason of the cattle running out of the woods at Little-harbour; but false alarms were frequent, and this was not much regarded. Early in the morning the attack was made on five houses at once; fourteen persons were killed on the spot, one was scalped and left for dead, but recovered, and four were taken. The enemy having plundered the houses of what they could carry, set them on fire, and made a precipitate retreat through the great swamp. A company of militia under Captain Shackford and Lieutenant Libbey pursued, and discovered them cooking their breakfast, at a place ever since called Break-fast-hill. The Indians were on the farther side, having placed their captives between themselves and the top of the hill, that in case of an attack they might first receive the fire. The lieutenant urged to go round the hill, and come upon them below to cut off their retreat; but the captain fearing in that case, that they would, according to their custom, kill the prisoners, rushed upon them from the top of the hill, by which means they retook the captives and plunder, but the Indians rolling down the hill escaped into the swamp and got to their canoes. Another party, under another commander, was then sent out in shallops to intercept them as they should cross over to the eastward by night. The captain ranged his boats in a line, and ordered his men to reserve their fire till he gave the watch-word. It being a calm night the Indians were heard as they advanced; but the captain, unhappily giving the word before they had come within gun-shot, they tacked about to the southward, and going round the Isles of Shoals, by the favour of their light canoes escaped. The watch-word was Crambo, which the captain ever after bore as an appendage to his title. On the 26th day of July, the people of Dover were waylaid as they were returning from the public worship, when three were killed, three wounded, and three carried to Penobscot, from whence they soon found their way home.

(1697.) The next year, on the 10th of June, the town of Exeter was remarkably preserved from destruction. A body of the enemy had placed themselves near the town, intending to make an assault in the morning of the next day. A number of women and children, contrary to the advice of their friends, went into the fields, without a guard, to gather strawberries. When they were gone, some persons, to frighten them, fired an alarm; which quickly spread through the town, and brought the people together in arms. The Indians, supposing that they were discovered, and quickened by fear, after killing one, wounding another, and taking a child, made a hasty retreat, and were seen no more there. But on the fourth day of July they waylaid and killed the worthy Major Frost at Kittery, to whom they had owed revenge ever since the seizure of the four hundred at Cocheco, in which he was concerned.

The same year an invasion of the country was projected by the French. A fleet was to sail from France to Newfoundland, and thence to Penobscot, where, being joined by an army from Canada, an attempt was to be made on Boston, and the sea coast ravaged from thence to Pascataqua. The plan was too extensive and complicated to be executed in one summer. The fleet came no further than Newfoundland; when the advanced season, and scanti-

ness of provisions obliged them to give over the design. The people of New England were apprised of the danger, and made the best preparations in their power. They strengthened their fortifications on the coast, and raised a body of men to defend the frontiers against the Indians, who were expected to co-operate with the French. Some mischief was done by lurking parties at the eastward; but New Hampshire was unmolested by them during the remainder of this and the whole of the following year.

(1698.) After the peace of Ryswick, Count Frontenac informed the Indians that he could not any longer support them in a war with the English, with whom his nation was now at peace. He therefore advised them to bury the hatchet, and restore their captives. Having suffered much by famine, and being divided in their opinions about prosecuting the war, after a long time they were brought to a treaty (1699) at Casco, where they ratified their former engagements; acknowledged subjection to the crown of England; lamented their former perfidy, and promised future peace and good behaviour in such terms as the commissioners dictated, and with as much sincerity as could be expected. At the same time they restored those captives who were able to travel from the places of their detention to Casco in that unfavourable season of the year; giving assurance for the return of the others in the spring; but many of the younger sort, both males and females, were detained; who, mingling with the Indians, contributed to a succession of enemies in future wars against their own country.

A general view of an Indian war will give a just idea of those distressing times, and be a proper close to this narration.

The Indians were seldom or never seen before they did execution. They appeared not in the open field, nor gave proofs of a truly masculine courage; but did their exploits by surprise, chiefly in the morning, keeping themselves hid behind logs and bushes, near the paths in the woods, or the fences contiguous to the doors of houses; and their lurking holes could be known only by the report of their guns, which was indeed but feeble, as they were sparing of ammunition, and as near as possible to their object before they fired. They rarely assaulted a house unless they knew there would be but little resistance, and it has been afterwards known that they have lain in ambush for days together, watching the motions of the people at their work, without daring to discover themselves. One of their chiefs, who had got a woman's riding-hood among his plunder, would put it on, in an evening, and walk into the streets of Portsmouth, looking into the windows of houses, and listening to the conversation of the people.

Their cruelty was chiefly exercised upon children, and such aged, infirm, or corpulent persons as could not bear the hardships of a journey through the wilderness. If they took a woman far advanced in pregnancy, their knives were plunged into her bowels. An infant, when it became troublesome, had its brains dashed out against the next tree or stone. Sometimes, to torment the wretched mother, they would whip and beat the child till almost dead, or hold it under water till its breath was just gone, and then throw it to her to comfort and quiet it. If the mother could not readily still its weeping, the hatchet was buried in its skull. A captive, wearied with the burden laid on his shoulders, was often sent to rest in the same way. If any one proved refractory, or was known to be instrumental to the death of an In-

dian, or related to one who had been so, he was tortured with a lingering punishment, generally at the stake, while the other captives were insulted with the sight of his miseries. Sometimes a fire would be kindled and a threatening given out against one or more, though there was no intention of sacrificing them, only to make sport of their terrors. The young Indians often signalized their cruelty in treating captives inhumanly out of sight of the elder, and when inquiry was made into the matter, the insulted captive must either be silent, or put the best face on it, to prevent worse treatment for the future. If a captive appeared sad and dejected, he was sure to meet with insult; but if he could sing and dance and laugh with his masters, he was caressed as a brother. They had a strong aversion to negroes, and generally killed them when they fell into their hands.

Famine was a common attendant on these captivities; the Indians when they caught any game devoured it all at one sitting, and then girding themselves round the waist, travelled without sustenance till chance threw more in their way. The captives, unused to such canine repasts and abstinences, could not support the surfeit of the one nor the cravings of the other. A change of masters, though it sometimes proved a relief from misery, yet rendered the prospect of a return to their home more distant. If an Indian had lost a relative, a prisoner bought for a gun, a hatchet, or a few skins, must supply the place of the deceased, and be the father, brother, or son of the purchaser; and those who could accommodate themselves to such barbarous adoption, were treated with the same kindness as the persons in whose place they were substituted. A sale among the French of Canada was the most happy event to a captive, especially if he became a servant in a family; though sometimes even there a prison was their lot, till an opportunity was presented for their redemption; while the priests employed every seducing art to pervert them to the popish religion, and induce them to abandon their country. These circumstances, joined with the more obvious hardships of travelling half naked and barefoot through pathless deserts, over craggy mountains and deep swamps, through frost, rain and snow, exposed by day and night to the inclemency of the weather, and in summer to the venomous stings of those numberless insects with which the woods abound; the restless anxiety of mind; the retrospect of past scenes of pleasure, the remembrance of distant friends, the bereavements experienced at the beginning or during the progress of the captivity, and the daily apprehension of death either by famine or the savage enemy; these were the horrors of an Indian captivity.

On the other hand, it must be acknowledged that there have been instances of justice, generosity, and tenderness, during these wars, which would have done honour to a civilized people. A kindness shewn to an Indian was remembered as long as an injury, and persons have had their lives spared for acts of humanity done to the ancestors of those Indians into whose hands they have fallen. They would sometimes "carry children on their arms and shoulders, feed their prisoners with the best of their provision, and pinch themselves rather than their captives should want food." When sick or wounded they would afford them proper means for their recovery, which they were very well able to do by their knowledge of simples. In thus preserving the lives and health of their prisoners, they doubtless had a view of gain. But the most remarkably favourable circumstance in an Indian captivity, was their decent

behaviour to women. It has never been found that any woman who fell into their hands was treated with the least immodesty; but testimonies to the contrary are very frequent. Mary Rowlandson, who was captured at Lancaster in 1675, has this passage in her narrative: "I have been in the midst of these roaring lions and savage bears, that feared neither God nor man nor the devil, by day and night, alone and in company; sleeping all sorts together, and yet not one of them ever offered me the least abuse of unchastity in word or action."

Elizabeth Hanson who was taken from Dover in 1724, testifies in her narrative, that "the Indians are very civil toward their captive women, not offering any incivility by any indecent carriage."

William Fleming, who was taken in Pennsylvania, in 1755, says, the Indians told him, "he need not be afraid of their abusing his wife, for they would not do it, for fear of offending their God (pointing their hands toward heaven) for the man that affronts his God will surely be killed when he goes to war." He farther says, that one of them gave his wife a shift and petticoat which he had among his plunder, and though he was alone with her, yet "he turned his back, and went to some distance while she put them on."

Charlevoix in his account of the Indians of Canada, says, "There is no example that any have ever taken the least liberty with the French women, even when they were their prisoners." Whether this negative virtue is to be ascribed to a natural frigidity of constitution, let philosophers enquire. the fact is certain: and it was a most happy circumstance for the female captives, that in the midst of all their distresses, they had no reason to fear from a savage foe the perpetration of a crime, which has too frequently disgraced not only the personal but the national character of those who make large pretences to civilization and humanity.

The civil affairs of the province during the administrations of Usher, Partridge, Allen, the Earl of Bellamont, and Dudley—comprehending the controversy with Allen and his heirs.

John Usher was a native of Boston, and by profession a stationer. He was possessed of an handsome fortune, and sustained a fair character in trade. He had been employed by the Massachusetts government, when in England, to negotiate the purchase of the province of Maine from the heirs of Sir Ferdinando Gorges, and had thence got a taste for speculating in landed interest. He was one of the partners in the million purchase, and had sanguine expectations of gain from that quarter. He had rendered himself unpopular among his countrymen, by accepting the office of treasurer under Sir Edmund Andros, and joining with apparent zeal in the measures of that administration, and he continued a friendly connection with that party after they were displaced.

Though not illnatured, but rather of an open and generous disposition, yet he wanted those accomplishments which he might have acquired by a learned and polite education. He was but little of the statesman and less of the courtier. Instead of an engaging affability he affected a severity in his deportment, was loud in conversation, and stern in command. Fond of presiding in government, he frequently journeyed into the province, (though his residence was at Boston, where he carried on his business as usual,) and often summoned the council when he had little or nothing to lay before

them. He gave orders, and found fault like one who felt himself independent, and was determined to be obeyed. He had an high idea of his authority and the dignity of his commission, and when opposed and insulted, as he sometimes was, he treated the offenders with a severity which he would not relax till he had brought them to submission. His public speeches were always incorrect, and sometimes coarse and reproachful.

He seems, however, to have taken as much care for the interest and preservation of the province, as one in his circumstances could have done. He began his administration in the height of a war which greatly distressed and impoverished the country, yet his views from the beginning were mercenary. The people perceived these views, and were aware of the danger. The transfer of the title from Mason to Allen was only a change of names: they expected a repetition of the same difficulties under a new claimant. After the opposition they had hitherto made, it could not be thought strange that men whose pulse beat high for freedom, should refuse to submit to vassalage; nor, while they were on one side defending their possessions against a savage enemy, could it be expected, that on the other, they should tamely suffer the intrusion of a landlord. Usher's interest was united with theirs in providing for the defence of the country, and contending with the enemy; but when the property of the soil was in question, they stood on opposite sides; and as both these controversies were carried on at the same time, the conduct of the people toward him varied according to the exigency of the case; they sometimes voted him thanks for his services, and at other times complained of his abusing and oppressing them.

Some of them would have been content to have held their estates under Allen's title, but the greater part, including the principal men, were resolved to oppose it to the last extremity. They had an aversion not only to the proprietary claim on their lands, but their separation from the Massachusetts government, under which they had formerly enjoyed so much freedom and peace. They had petitioned to be reannexed to them at the time of the revolution of 1688, and they were always very fond of applying to them for help in their difficulties, that it might appear how unable they were to subsist alone. They knew also that the Massachusetts people were as averse as themselves to Allen's claim, which extended to a great part of their lands, and was particularly noticed in their new charter.

Soon after Usher's arrival, he made enquiry for the papers which contained the transactions relative to Mason's suits. During the suspension of government in 1689, Captain John Pickering, a man of a rough and adventurous spirit, and a lawyer, had gone with a company of armed men to the house of Chamberlayne, the late secretary and clerk, and demanded the records and files which were in his possession. Chamberlayne refused to deliver them without some legal warrant or security; but Pickering took them by force, and conveyed them over the river to Kittery. Pickering was summoned before the governor, threatened and imprisoned, but for some time would neither deliver the books, nor discover the place of their concealment, unless by order of the assembly and to some person by them appointed to receive them. At length, however, he was constrained to deliver them, and they were put into the hands of the secretary, by the lieutenant-governor's order.

(1693.) Another favourite point with Usher was the boundary between New Hampshire and

Massachusetts ascertained: there were reasons which induced some of the people to fall in with this desire. The general idea was, that New Hampshire began at the end of three miles north of the river Merrimack; which imaginary line was also the boundary of the adjoining townships on each side. The people who lived, and owned lands near these limits, pretended to belong to either province, as best suited their convenience; which caused a difficulty in the collecting taxes and cutting timber. (1695.) The town of Hampton was sensibly affected with these difficulties, and petitioned the council that the line might be run. The council appointed a committee of Hampton men to do it, and gave notice to the Massachusetts of their intention, desiring them to join in the affair. They disliked it and declined to act; upon which the lieutenant-governor and council of New Hampshire, caused the boundary line to be run from the sea-shore three miles northward of Merrimack, and parallel to the river, as far as any settlements had been made, or lands occupied.

The only attempt made to extend the settlement of the lands during these times, was that in the spring of the year 1694, while there was a truce with the Indians. Usher granted a charter for the township of Kingston to about twenty petitioners from Hampton. They were soon discouraged by the dangers and difficulties of the succeeding hostilities, and many of them returned home within two years. After the war they resumed their enterprise; but it was not till the year 1725, that they were able to obtain the settlement of a minister. No alterations took place in the old towns, except the separation (in 1693) of Great Island, Little Harbour, and Sandy Beach, from Portsmouth, and their erection into a town by the name of New Castle; together with the annexation of that part of Squamscot patent which now bears the name of Stretham, to Exeter, it having before been connected with Hampton.

The lieutenant-governor was very forward in these transactions, thinking them circumstances favourable to his views, and being willing to recommend himself to the people by seconding their wishes, so far as was consistent with the interest he meant to serve. The people, however, regarded the settling and dividing of townships, and the running of lines, only as matters of general convenience, and continued to be disgusted with his administration. His repeated calls upon them for money were answered by repeated pleas of poverty, and requests for assistance from the neighbouring province. Usher used all his influence with that government to obtain a supply of men to garrison the frontiers; and when they wanted provisions for the garrisons, and could not readily raise the money, he would advance it out of his own purse and wait till the treasury could reimburse it.

For the two or three first years of his administration the public charges were provided for as they had been before, by an excise on wines and other spirituous liquors, and an impost on merchandize. (1695.) These duties being laid only from year to year, Usher vehemently urged upon the assembly a renewal of the act, and an extension of the duty to articles of export; and that a part of the money so raised might be applied to the support of government. The answer he obtained was, that "considering the exposed state of the province, they were obliged to apply all the money they could raise to their defence; and therefore they were not capable of doing any thing for the support of government, though they were sensible his honour had been at

considerable expense: they begged that he would join with the council in representing to the king, the poverty and danger of the province, that such methods might be taken for their support and preservation as to the royal wisdom should seem meet." Being further pressed upon the subject, they passed a vote to lay the proposed duties for one year, "provided he and the council would join with them in petitioning the king to annex them to the Massachusetts."

He had the mortification of being disappointed in his expectations of gain, not only from the people, but from his employer. Allen had promised him 250*l.* per annum for executing his commission; and when at the end of the third year, Usher drew on him for the payment of this sum, his bill came back protested. This was the more mortifying, as he had assiduously and faithfully attended to Allen's interest, and acquainted him from time to time with the means he had used, the difficulties he had encountered, the pleas he had urged, the time he had spent, and the expense he had incurred in defence and support of his claim. He now desired him to come over and assume the government himself, or get a successor to him appointed in the office of lieutenant-governor. He did not know that the people were beforehand with him in this latter request.

On a pretence of disloyalty he had removed Hinckes, Waldron and Vaughan from their seats in the council. The former of these was a man who could change with the times; the two latter were steady opposers of the proprietary claim. Their suspension irritated the people, who, by their influence, privately agreed to recommend William Partridge, Esq. as a proper person for their lieutenant-governor in Usher's stead. Partridge was a native of Portsmouth, a shipwright, of an extraordinary mechanical genius, of a political turn of mind, and a popular man. He was treasurer of the province, and had been ill used by Usher. Being largely concerned in trade, he was well known in England, having supplied the navy with masts and timber. His sudden departure for England was very surprising to Usher, who could not imagine he had any other business than to settle his accounts. (1697.) But the surprise was greatly increased when he returned with a commission appointing him lieutenant-governor and commander-in-chief in Allen's absence. It was obtained of the lords justices in the king's absence, by the interest of Sir Henry Ashurst, and was dated June 6, 1696.

Immediately on his arrival, his appointment was publicly notified to the people; though, either from the delay of making out his instructions, or for want of the form of an oath necessary to be taken, the commission was not published in the usual manner: but the party in opposition to Usher triumphed. The suspended counsellors resumed their seats, Pickering was made king's attorney, and Hinckes, as president of the council, opened the assembly with a speech. This assembly ordered the records which had been taken from Pickering to be deposited in the hands of Major Vaughan, who was appointed recorder. In consequence of which they have been kept in that office ever since.

Usher being at Boston when this alteration took place, wrote to them, declaring that no commission could supersede his till duly published; and intimated his intention of coming hither, "if he could be safe with his life." He also dispatched his secretary, Charles Story, to England, with an account of this transaction, which in one of his private letters he styles "the Pascataqua rebellion;" adding, that

"the militia were raised, and forty horse sent to seize him;" and intimating that the confusion was so great, that "if but three French ships were to appear, he believed they would surrender on the first summons." The extreme imprudence of sending such a letter across the Atlantic in time of war, was still heightened by an apprehension which then prevailed, that the French were preparing an armament to invade the country, and that "they particularly designed for Pascataqua river."

In answer to his complaint, the lords of trade directed him to continue in the place of lieutenant-governor till Partridge should qualify himself, or till Richard, Earl of Bellamont, should arrive, who was commissioned to the government of New York, Massachusetts Bay, and New Hampshire; but had not yet departed from England. Usher received the letter from the lords, together with the articles of peace which had been concluded at Ryswick, and immediately set off for New Hampshire, (where he had not been for a year) proclaimed the peace, and published the orders he had received, and having proceeded thus far, "thought all well and quiet." But his opposers having held a consultation at night, Partridge's commission was the next day published in form; he took the oaths, and entered on the administration of government, to the complete vexation and disappointment of Usher, who had been so elated with the confirmation of his commission, that as he passed through Hampton, he had forbidden the minister of that place to observe a thanksgiving day, which had been appointed by President Hinckes.

(1698.) An assembly being called, one of their first acts was to write to the lords of trade, "acknowledging the favour of the king in appointing one of their own inhabitants to the command of the province, complaining of Usher, and alleging that there had been no disturbances but what he himself had made; declaring that those counsellors whom he had suspended were loyal subjects, and capable of serving the king; and informing their lordships that Partridge had now qualified himself, and that they were waiting the arrival of the earl of Bellamont."

They also deputed Ichabod Plaisted to wait on the earl at New York, and compliment him on his arrival. "If he should find his lordship high, and reserved, and not easy of access, he was instructed to employ some gentleman who was in his confidence to manage the business; but if easy and free, he was to wait on him in person: to tell him how joyfully they received the news of his appointment, and that they daily expected Governor Allen, whose commission would be accounted good till his lordship's should be published, and to ask his advice how they should behave in such a case." The principal design of this message was to make their court to the earl, and get the start of Usher or any of his friends who might prepossess him with an opinion to their disadvantage. But if this should have happened, Plaisted was directed "to observe what reception they met with. If his lordship was ready to come this way, he was to beg leave to attend him as far as Boston, and then ask his permission to return home;" and he was furnished with a letter of credit to defray his expenses. This message, which shews the contrivers to be no mean politicians, had the desired effect.

The earl continued at New York for the first year after his arrival in America; during which time Governor Allen came over, as it was expected, and his commission being still in force, he took the oaths and assumed the command. Upon which Usher again made his appearance in council, where he

produced the letter from the lords of trade, claimed his place as lieutenant-governor, and declared that the suspended counsellors had no right to sit till restored by the king's order. This brought on an altercation, wherein Elliot affirmed that Partridge was duly qualified and in office, that Waldron and Vaughan had been suspended without cause, and that if they were not allowed to sit, the rest were determined to resign. The governor declared Usher to be of the council; upon which Elliot withdrew.

(1699.) At the succeeding assembly two new counsellors appeared—Joseph Smith, and Kingsly Hall. The first day passed quietly. The governor approved Pickering as speaker of the house; told them he had assumed the government because the Earl of Bellamont had not arrived; recommended a continuance of the excise and powder money, and advised them to send a congratulatory message to the earl at New York. The next day the house answered, that they had continued the customs and excise till November, that they had already congratulated the earl, and received a kind answer, and were waiting his arrival; when they should enter further on business. They complained that Allen's conduct had been grievous in forbidding the collecting of the last tax, whereby the public debts were not paid; in displacing sundry fit persons, and appointing others less fit, and admitting Usher to be of the council, though superseded by Partridge's commission. These things they told him had obliged some members of the council and assembly to apply to his lordship for relief, and "unless he should manage with a 'more moderate hand,' they threatened him with a second application.

The same day Coffin and Weare moved a question in council, whether Usher was one of that body. He asserted his privilege, and obtained a majority. They then entered their dissent, and desired a dismission. The governor forbade their departure. Weare answered that he would not, by sitting there, put contempt on the king's commission, meaning Partridge's, and withdrew. The next day the assembly ordered the money arising from the impost and excise to be kept in the treasury, till the earl of Bellamont's arrival; and the governor dissolved them.

These violences on his part were supposed to originate from Usher's resentment, and his overbearing influence upon Allen, who is said to have been rather of a pacific disposition. The same ill temper continued during the remainder of this short administration. The old counsellors, excepting Fryer, refused to sit. Sampson, Sheaffe, and Peter Weare, made up the quorum. Sheaffe was also secretary, Smith treasurer, and William Ardell sheriff. The constables refused to collect the taxes of the preceding year, and the governor was obliged to revoke his orders, and commission the former constables to do the duty which he had forbidden.

In the spring the Earl of Bellamont set out for the eastern governments. The council voted an address, and sent a committee, of which Usher was one, to present it to him at Boston; and preparations were made for his reception in New Hampshire; where he at length came and published his commission to the great joy of the people, who now saw at the head of the government a nobleman of distinguished figure and polite manners, a firm friend to the revolution, a favourite of King William, and one who had no interest in oppressing them.

During the controversy with Allen, Partridge had withdrawn; but upon this change he took his

seat as lieutenant-governor, and the displaced counsellors were again called to the board. A petition was presented against the judges of the superior court, and a proclamation was issued for justices of the peace and constables only to continue in office, whereby the judges' commissions determined. Richard Jose was made sheriff in the room of Ardell, and Charles Story secretary in the room of Sheaffe.

The government was now modelled in favour of the people, and they rejoiced in the change, as they imagined the way was opened for an effectual settlement of their long-continued difficulties and disputes. Both parties laid their complaints before the governor, who wisely avoided censuring either, and advised to a revival of the courts of justice, in which the main controversy might be legally decided. This was agreed to, and the necessary acts being passed by an assembly, (who also presented the earl with 500*l.*, which he obtained the king's leave to accept), after about eighteen days stay he quitted the province, leaving Partridge, now quietly seated in the chair, to appoint the judges of the respective courts. Hinckes was made chief justice of the superior court, with Peter Coffin, John Gerrish, and John Plaisted, for assistants; Waldron, chief justice of the inferior court, with Henry Dow, Theodore Atkinson, and John Woodman, for assistants.

One principal object of the earl's attention was to fortify the harbour, and provide for the defence of the country in case of another war. He had recommended to the assembly in his speech the building a strong fort on Great Island, and afterwards in his letters, assured them that if they would provide materials, he would endeavour to prevail on the king to be at the expense of erecting it. (1700.) Colonel Romer, a Dutch engineer, having viewed the spot, produced to the assembly an estimate of the cost and transportation of materials, amounting to above six thousand pounds. They were amazed at the proposal; and returned for answer to the governor, that in their greatest difficulties, when their lives and estates were in the most imminent hazard, they were never able to raise one thousand pounds in a year; that they had been exceedingly impoverished by a long war; and were now struggling under a heavy debt, besides being engaged in a controversy with a "pretended proprietor;" that they had expended more "blood and money" to secure his majesty's interest and dominion in New England than the intrinsic value of their estates, and that the fortifying the harbour did as much concern the Massachusetts as themselves; but they concluded with assuring his lordship, that if he were "thoroughly acquainted with their miserable, poor, and mean circumstances, they would readily submit to whatever he should think them capable of doing." They were also required to furnish their quota of men to join with the other colonies in defending the frontiers of New York in case of an attack. This they thought extremely hard, not only because they had never received the least assistance from New York in the late wars, but because an opinion prevailed among them that their enemies had received supplies from the Dutch at Albany, and that the plunder taken from their desolated towns had been sold in that place. There was, however, no opportunity for affording this assistance, as the New Yorkers took care to maintain a good understanding with the French and Indians, for the benefit of trade. The quotas of men to be furnished by each government for the defence of New York, if attacked, were as follows; viz. Massachusetts 350, New Hampshire

40, Rhode Island 48, Connecticut 120, New York, 200, East New Jersey 60, West New Jersey 60, Pennsylvania 80, Maryland 160, Virginia 240.

But to return to Allen. He had as little prospect of success in the newly established courts, as the people had when Mason's suits were carried on under Cranfield's government. On examining the records of the superior court, it was found that twenty-four leaves were missing, in which it was supposed the judgments recovered by Mason were recorded. No evidence appeared of his having obtained possession. The work was to begin anew; and Waldron, being one of the principal landholders, and most strenuous opposers of the claim, was singled out to stand foremost in the controversy with Allen, as his father had done with Mason. The cause went through the courts, and was invariably given in favour of the defendant with costs. Allen's only refuge was in an appeal to the king, which the court, following the example of their brethren in the Massachusetts, refused to admit. He then petitioned the king; who, by an order in council, granted him an appeal, allowing him eight months to prepare for its prosecution.

(1701.) The refusal of an appeal could not fail of being highly resented in England. It was severely animadverted on by the lords of trade, who, in a letter to the Earl of Bellamont upon this occasion, say, "This declining to admit appeals to his Majesty in council, is a matter that you ought very carefully to watch against in all your governments. It is an humour that prevails so much in proprietries and charter colonies, and the independency they thirst after is now so notorious, that it has been thought fit those considerations, together with other objections against those colonies, should be laid before the parliament; and a bill has thereupon been brought into the house of lords for reuniting the right of government in their colonies to the crown."

Before this letter was written the earl died at New York, to the great regret of the people in his several governments, among whom he had made himself very popular. A copy of the letter was sent to New York, but the bill mentioned in it was not passed into an act of parliament. For some reasons of state it was rejected by the house of lords.

The assembly of New Hampshire, having now a fair opportunity, endeavoured as much as possible to provide for their own security; and passed two acts, the one for confirming the grants of lands which had been made within their several townships; the other for ascertaining the bounds of them. Partidge gave his consent to these acts; but Allen had the address to get them disallowed and repealed, because there was no reserve made in them of the proprietor's right.

The controversy being brought before the king, both sides prepared to attend the suit. Allen's age, and probably want of money, prevented his going in person; he therefore appointed Usher to act for him, having previously mortgaged one half of the province to him for 1,500*l*. (1702.) Vaughan was appointed agent for the province, and attorney to Waldron. It being a general interest, the assembly bore the expense, and notwithstanding their pleas of poverty on other occasions, provided a fund on which the agent might draw in case of emergency.

In the mean time King William died, and Queen Anne appointed Joseph Dudley, Esq., formerly president of New England, to be governor of Massachusetts and New Hampshire; whose commission being published at Portsmouth, the assembly by a

well-timed present interested him in their favour, and afterwards settled a salary on him during his administration, agreeably to the queen's instructions, who about this time forbade her governors to receive any but settled salaries.

When Allen's appeal came before the queen in council, it was found that his attorney had not brought proof that Mason had ever been legally in possession; for want of this, the judgment recovered by Waldron was affirmed; but the order of council directed that the appellant "should be at liberty to begin *de novo* by a writ of ejectment in the courts of New Hampshire, to try his title to the lands, or to quit-rents payable for the same; and that if any doubt in law should arise, the jury should declare what titles each party did severally make out to the lands in question, and that the points in law should be referred to the court; or if any doubt should arise concerning the evidence, it should be specially stated in writing, that if either party should appeal to her majesty she might be more fully informed, in order to a final determination."

While this appeal was depending, a petition was presented to the queen, praying that Allen might be put in possession of the waste lands. This petition was referred to Sir Edward Northey, attorney general, who was ordered to report on three questions, viz.: 1. Whether Allen had a right to the wastes. 2. What lands ought to be accounted waste. 3. By what method her majesty might put him into possession. At the same time Usher was making interest to be reappointed lieutenant-governor of the province. Upon this Vaughan entered a complaint to the queen, setting forth "that Allen claimed as waste ground not only a large tract of unoccupied land, but much of that which had been long enjoyed by the inhabitants as common pasture, within the bounds of their several townships. That Usher, by his former managements and misdemeanors when in office, had forced some of the principal inhabitants to quit the province, and had greatly harassed and disgusted all the rest, rendering himself quite unacceptable to them. That he was interested in the suits now depending, as on Allen's death he would in right of his wife be entitled to part of the estate. Wherefore it was humbly submitted whether it would be proper to appoint, as lieutenant-governor, one whose interest and endeavour it would be to disseize the people of their ancient estates, and render them uneasy; and it was prayed that no letters might be wrote to put Allen in possession of the wastes till the petitioner should be heard by council."

(1703.) Usher's interest however prevailed. The attorney-general reported, that "Allen's claim to the wastes was valid; that all lands uninclosed and unoccupied were to be reputed waste; that he might enter into and take possession of them, and if disturbed might assert his right and prosecute trespassers in the courts there; but that it would not be proper for her majesty to interpose, unless the question came before her by appeal from those courts; save, that it might be reasonable to direct (if Allen should insist on it at the trials) that matters of fact be found specially by the juries, and that these special matters should be made to appear on an appeal."

Soon after this Usher obtained a second commission as lieutenant-governor; but was expressly restricted from intermeddling "with the appointment of judges or juries, or otherwise, in matters relating to the disputes between Allen and the inhabitants." The people did not relish this reappointment, nor did his

subsequent conduct reconcile them to it. Upon his first appearance in council Partridge took his seat as counsellor; but the next day desired his dismissal on account of a ship in the river which demanded his constant attention. This request was granted, and he soon after removed to Newbury, where he spent the rest of his days in a mercantile department, and in the business of his profession.

It had always been a favourite point with Usher to get the books and files, which had been taken from Chamberlayne, lodged in the secretary's office. Among these files were the original minutes of the suits which Mason had carried on, and the verdicts, judgments, and bills of costs he had recovered. As they were committed to the care of the recorder, who was appointed by the general court, and removable only by them, no use could be made of these papers but by consent of the assembly. When Usher produced to the council an order from Whitehall that these records should be deposited with the secretary, Penhallow, the recorder, (1704), who was a member of the council, refused to deliver them without an act of the general assembly authorising him so to do.

Usher succeeded but little better in his applications for money. He alleged that he had received nothing for his former services, though they had given hundreds to Partridge; and complained that no house was provided for him to reside in, which obliged him to spend most of his time at Boston. The plea of poverty always at hand, was not forgotten in answer to these demands. But at length, upon his repeated importunity and Dudley's earnest recommendation, after the assembly had refused making any provision for him, and the governor had expressly directed him to reside at the New Castle, and exercise a regular command, it being a time of war; the council were prevailed upon to allow him two rooms in any house he could procure "till the next morning of the assembly," and to order thirty-eight shillings to be given him for the expense of his "journey to and from Boston."

When Dudley acquainted the assembly with the royal determination in Allen's suits, they appeared tolerably satisfied with the equitable intention discovered therein; but begged him to represent to her majesty that the province was at least sixty miles long and twenty wide, containing twelve hundred square miles; that the inhabitants claimed only the property of the lands contained within the bounds of their townships, which was less than one-third of the province, and had been possessed by them and their ancestors more than sixty years; that they had nothing to offer as a grievance if the other two-thirds were adjudged to Allen; but should be glad to see the same planted and settled for the better security and defence of the whole; withal desiring it might be considered how much time, blood and treasure had been spent in settling and defending this part of her majesty's dominion, and that the cost and labour bestowed thereon far exceeded the true value of the land, so that they hoped it was not her majesty's intention to deprive them of all the herbage, timber, and fuel, without which they could not subsist, and that the lands comprehended within the bounds of their townships was little enough to afford these necessary articles; it not being usual in these plantations to fence in more of their lands than would serve for tillage, leaving the rest unfenced for the feeding their cattle in common."

Notwithstanding this plea, which was often alleged, Allen, by virtue of the queen's permission, in December, 1703, had entered upon and taken

possession by turf and twig of the common land in each township, as well as of that which was without their bounds, and brought his writ of ejectment, *de novo*, against Waldron, and when the trial was coming on informed Governor Dudley thereof, that he might come into court, and demand a special verdict agreeably to the queen's instructions. Dudley from Boston informed the court of the day when he intended to be at Portsmouth, and directed the judges to adjourn the court to that day. Before it came he heard of a body of Indians above Lancaster, which had put the country in alarm, and ordered the court to be again adjourned. At length he began his journey; but was taken ill at Newbury, with a seasonable fit of the gravel, and proceeded no farther. The jury in the meantime refused to bring in a special verdict; but found for the defendant with costs. Allen again appealed from the judgment.

Perplexed, however, with these repeated disappointments, and at the same time being low in purse, as well as weakened with age, he sought an accommodation with the people, with whom he was desirous to spend the remainder of his days in peace. It has been said that he made very advantageous offers to Vaughan and Waldron if they would purchase his title; but that they utterly refused it. The people were sensible that a door was still open for litigation; and that after Allen's death they might, perhaps, meet with as much or more difficulty from his heirs, among whom Usher would probably have a great influence: they well-knew his indefatigable industry in the pursuit of gain, that he was able to harass them in law, and had great interest in England. They therefore thought it best to fall in with Allen's views, and enter into an accommodation with him. (1705.) A general meeting of deputies being held at Portsmouth, the following resolutions and proposals were drawn up, viz. "That they had no claim or challenge to any part of the province without the bounds of the four towns of Portsmouth, Dover, Hampton, and Exeter, with the hamlets of Newcastle and Kingston, which were all comprehended within lines already known and laid out, and which should forthwith be revised; but that Allen and his heirs might peaceably hold and enjoy the said great waste, containing forty miles in length and twenty in breadth, or thereabouts, at the heads of the four towns aforesaid, if it should so please her majesty; and that the inhabitants of the four towns would be so far from interrupting the settlement thereof, that they desired the said waste to be planted and filled with inhabitants, to whom they would give all the encouragement and assistance in their power. That in case Allen would, for himself and heirs, for ever quit claim, to the present inhabitants and their heirs, all that tract of land comprehended within the bounds of the several towns, and variant and defend the same against all persons, free of mortgage, entailment, and every other incumbrance, and that this agreement should be accepted and confirmed by the queen; then they would lot and lay out to him and his heirs 500 acres within the town of Portsmouth and Newcastle, 1500 in Dover, 1500 in Hampshire and Kingston, and 1500 in Exeter, out of the commonages of the said towns, in such places, not exceeding three divisions in each town, as should best accommodate him and be least detrimental to them; and that they would pay him or his heirs 2000*l.* current money of New England, at two payments, one within a year after receiving the royal confirmation of this agreement, and the other

within a year after the first payment. That all contracts made either by Mason or Allen, with any of the inhabitants, or others, for lands or other privileges in the possession of their tenants in their own just right, beside the claim of Mason and Allen, and no other, should be accounted valid; but that if any of the purchasers, lessees, or tenants, should refuse to pay their just part of the sums agreed on, according to the lands they held, their share should be abated by Allen out of the 2000% payable by this agreement. That upon Allen's acceptance, and underwriting of these articles, they would give personal security for the aforesaid payment; and that all actions and suits depending in law concerning the premises should cease till the queen's pleasure should be known."

These articles were ordered to be presented to Allen for his acceptance: but so desirable an issue of the controversy was prevented by his sudden death, which happened on the next day.

Colonel Allen is represented as a gentleman of no remarkable abilities, and of a solitary rather than a social disposition; but mild, obliging, and charitable. His character, while he was a merchant in London, was fair and upright, and his domestic deportment amiable and exemplary. He was a member of the church of England by profession, but constantly attended divine worship in the congregation at New-castle, and was a strict observer of the christian sabbath. He died intestate on the 5th of May 1705, in the 70th year of his age, leaving a son and four daughters, and was buried in the fort.

(1706.) After his death his only son, Thomas Allen, Esq. of London, renewed the suit, by petitioning the queen, who allowed him to bring a new writ of ejectment, and ordered a revival of the directions given to the governor in 1703, with respect to the jury's finding a special verdict. Accordingly Allen, having previously conveyed one half of the lands in New Hampshire by deed of sale to Sir Charles Hobby, and appointed his mother, Elizabeth Allen, his attorney, brought his writ of ejectment against Waldron in the inferior court of common pleas, where he was cast. He then removed it by appeal to the superior court, where it had been tried three years before. As this was the last trial, and as all the strength of both parties was fully displayed on the occasion, it will be proper to give as just a view of the case as can now be collected from the papers on file in the office of the superior court.

On Allen's part were produced copies of the charter by which King James I. constituted the council of Plymouth; their grants to Mason in 1629 and 1635; his last will and testament; an inventory of artillery, arms, ammunition, provisions, merchandize, and cattle, left in the care of his agents there at his death; depositions of several ancient persons taken in 1685, who remembered the houses, fields, forts, and other possessions of Captain Mason, at Portsmouth and Newichwannock, and were acquainted with his agents, stewards, factors, and other servants, who divided the cattle and merchandize among them after his death; the opinions of Sir Geoffrey Palmer, Sir Francis Winington and Sir William Jones, in favour of the validity of Mason's title; King Charles's letter to the president and council of New Hampshire in 1680; the paragraph of Cranfield's commission which respects Mason's claim in 1682; the writ, verdict, judgment, and execution against Major Waldron in 1683; the decision of the king in council against Vaughan in 1686; Dudley's writ of certiorari in 1688; the fine

and recovery in Westminster hall, whereby the entail was cut off, and the consequent deed of sale to Allen in 1691; Sir Edward Northey's report in 1703; and evidence of Allen's taking possession of the wastes, and of his enclosing and occupying some land at Great Island. (1707.) On this evidence, it was pleaded that the title derived from Mason, and his possession of the province, of which the lands in question were part, was legal; that the appellee's possession had been interrupted by the appellant, and those from whom he derived his title, more especially by the judgment recovered by Robert Mason against Major Waldron; and a special verdict was moved for, agreeably to the royal directions. The counsel on this side were James Meinziez and John Valentine.

On Waldron's part was produced the deed from four Indian sachems to Whelewright and others in 1629; and depositions taken from several ancient persons who testified that they had lived with Major Waldron, when he began his plantation at Cochecho, about the year 1640, and assisted him in building his houses and mills, and that no person had disturbed him in the possession thereof for above forty years. To invalidate the evidence of the title produced on the opposite side, it was pleaded, That the alleged grant from the council of Plymouth to Mason in 1629, was not signed; that livery of seizin was not endorsed on it as on other of their grants, and as was then the legal form; nor was it ever enrolled according to statute: that the sale of part of the same lands in 1628 to the Massachusetts company, by an instrument signed and executed according to law, renders this subsequent grant suspicious; and that his pretending to procure another grant of part of the same lands in 1635, was an argument that he himself could not rely on the preceding one, nor was it credible that the same council should grant the same lands twice, and to the same person: that the alleged grant in 1635 was equally defective; and that he must relinquish one or the other, it being contrary to the reason and usage of law to rely on two several titles at once. It was urged, that Waldron's possession was grounded on a deed from the native lords of the soil, with whom his father had endeavoured to cultivate a friendly connexion; that he had taken up his land with their consent, when the country was a wilderness; had cultivated it, had defended it in war at a great expense, and at the hazard of his life, which he finally lost in the attempt; that the Indian deed was legally executed in the presence of the factors and agents of the company of Laconia, of which Mason was one; that this was done with the allowance of the council of Plymouth, and in pursuance of the great ends of their incorporation, which were to cultivate the lands, to people the country, and christianize the natives, for the honour and interest of the crown and the trade of England, all which ends had been pursued and attained by the appellee and his ancestor. It was also alleged, that the writ against Major Waldron in 1683, was for "lands and tenements," of which the quantity, situation and bounds were not described, for want of which no legal judgment could be given; that no execution had ever been levied, nor was the possessor ever disturbed or amoved by reason thereof; and that the copies produced were not attested, no book of records being to be found. To invalidate the evidence of Mason's possession, it was observed, that he himself was never there in person; that all the settlement made by his agents or successors was only a factory for

trade with the Indians, and principally for the discovery of a country called Laconia; and that this was done in company with several other merchant-adventurers in London, who for the security of their goods erected a fort; but that this could not amount to a legal possession, nor prove a title to the country, especially as, upon the failure of trade, the object of their enterprise, they quitted their factory, after a few years stay in those parts.

As to the motion for a special verdict, it was said that a jury could not find one if they had no doubt of the law or fact, for the reason of a special verdict is a doubt either in point of law or evidence; nor was it consistent with the privileges of Englishmen that a jury should be compelled to find specially. In addition to these pleas, it was further alleged, that by the statute law no action of ejectment can be maintained except the plaintiff, or those under whom he claims, have been in possession within twenty years; and if they have been out of possession sixty years, then not only an ejectment, but a writ of right, and all other real actions are barred in respect of a subject, and that in such cases the right of the crown is also barred: and that by the statute of 32 Hen. 8. ch. 9. it is enacted, that no person shall purchase any lands or tenements, unless the seller, or they by whom he claims, have been in possession of the same, or the reversion, or the remainder thereof, or having taken the rents or profits thereof, by the space of one whole year next before such bargain is made; and that the appellee and his ancestor, and no other person whatever had been in possession of the premises, nor was it ever pretended by the appellant that the Masons, of whom the purchase was made, were in possession within one year, or at any time before the alleged purchase; that all the mischiefs provided against by the above statute have been experienced by the people of New Hampshire from the purchase made by the appellant's father, of the bare title of the propriety of the province. The counsel on this side were John Pickering and Charles Story.

A certificate from the lieutenant-governor respecting the queen's directions was delivered to the jury, who returned the following verdict:—"In the cause depending between Thomas Allen, Esq., appellant, and Richard Waldron, Esq., defendant, the jury finds for the defendant a confirmation of the former judgment and costs of courts. Mark Hunking, foreman."

The court then sent out the jury again with this charge, "Gentlemen, you are further to consider this case and observe her majesty's directions to find specially and your oaths." They returned the second time with the same verdict; upon which the court ordered judgment to be entered, and that the defendant recover costs of the appellant. The counsel for the appellant then moved for an appeal to her majesty in council, which was allowed on their giving bond in 200*l.* to prosecute it.

But the loyalty of the people, and the distresses under which they laboured by reason of the war, prevailed on the queen's ministry to suspend a final decision; and before the appeal could be heard, Allen's death, which happened in 1715, put an end to the suit, which his heirs, being minors, did not renew.

The war with the French and Indians, called Queen Anne's war—Conclusion of Dudley's and Usher's administration.

The peace which followed the treaty of Ryswick was but of short duration, for the seeds of war were

ready sown both in Europe and America. Louis had proclaimed the pretender king of England, and his governor, Villebon, had orders to extend his province of Acadia to the river Kennebeck, though the English court understood St. Croix to be the boundary between their territories and those of the French. The fishery was interrupted by French men of war, and by the orders of Villebon, who suffered no English vessels to fish on the banks of Nova Scotia. A French mission was established, and a chapel erected at Norridgewog, on the upper part of Kennebeck, which served to extend the influence of the French among the Indians. The governor of Canada, assuming the character of their father and protector, instigated them to prevent the settlement of the English to the east of Kennebeck, and found some among them ready to listen to his advice. The people in those parts were apprehensive of danger and meditating a removal, and those who had entertained thoughts of settling there were restrained.

Things were in this posture when Dudley entered on his government. He had particular orders from England to rebuild the fort at Pemaquid; but could not prevail on the Massachusetts assembly to bear the expense of it. However he determined on a visit to the eastern country, and having notified his intention to the Indians, took with him a number of gentlemen of both provinces, (1703) and held a conference at Casco with delegates from the tribes of Norridgewog, Penobscot, Pigwacket, Penacook and Amariscooggin, who assured him that "as high as the sun was above the earth, so far distant was their design of making the least breach of the peace." They presented him a belt of wampum in token of their sincerity, and both parties went to two heaps of stones which had formerly been pitched, and called the "two brothers," where the friendship was further ratified by the addition of other stones. They also declared, that although the French emissaries among them had been endeavouring to break the union, yet it was "firm as a mountain, and should continue as long as the sun and moon." Notwithstanding these fair appearances, it was observed that when the Indians fired a salute their guns were charged with shot; and it was suspected that they had then formed a design to seize the governor and his attendants, if a party which they expected from Canada, and which arrived two or three days after, had come in proper season to their assistance. However this might be, it is certain that in the space of six weeks, a body of French and Indians, 500 in number, having divided themselves into several parties, attacked all the settlements from Casco to Wells, and killed and took 130 people, burning and destroying all before them.

The next week (August 17) a party of thirty Indians under Capt. Tom killed five people at Hampton village; among whom was a widow Mussy, a noted speaker among the Friends, and much lamented by them; they also plundered two houses, but the people being alarmed, and pursuing them, they fled.

The country was now in terror and confusion. The women and children retired to the garrisons. The men went armed to their work and posted sentinels in the fields. Troops of horse were quartered at Portsmouth and in the province of Maine. A scout of 360 men marched toward Pigwacket, and another to the Ossapoy Pond, but made no discoveries. Alarms were frequent, and the whole frontier country, from Deerfield on the west to Casco on the east, was kept in continual terror by small parties of the enemy.

In the fall, Col. March of Casco made a visit to Pigwacket, where he killed six of the enemy and took six more; this encouraged the government to offer a bounty of 40*l.* for scalps.

As the winter came on, the frontier towns were ordered to provide a large number of snow-shoes; and an expedition was planned in New Hampshire against the head-quarters of the Indians. Major Winthrop Hilton and Captain John Gilman of Exeter, Captain Chesley and Captain Davis of Oyster river, marched with their companies on snow shoes into the woods, but returned without success. This is called in the council books, "an honourable service." Hilton received a gratuity of 12*l.*, and each of the captains 5*l.*

(1704.) With the return of spring there was a return of hostilities, for notwithstanding the posting a few southern Indians in the garrison at Berwick, the enemy appeared at Oyster river, and shot Nathaniel Medar near his own field, and the next day killed Edward Taylor near Lamprey river, and captured his wife and son. These instances of mischief gave colour to a false alarm at Cohecho, where it was said they lay in wait for Col. Waldron a whole day, but missing him by reason of his absence from home, took his servant maid as she went to a spring for water; and having examined her as to the state of the garrison, stunned her with an hatchet but did not scalp her.

In May, Col. Church, by Governor Dudley's order, having planned an expedition to the eastern shore, sailed from Boston with a number of transports, furnished with whaleboats for going up rivers. In this way he stopt at Pascataqua, where he was joined by a body of men under Major Hilton, who was of eminent service to him in this expedition, which lasted the whole summer, and in which they destroyed the towns of Minas and Chiegnecto, and did considerable damage to the French and Indians at Penobscot and Passamaquoddy, and even insulted Port Royal. While they were at Mount Desart, Church learned from nine of his prisoners, that a body of 600 Indians were preparing for an attack on Casco, and the head of Pascataqua river, and sent an express to Portsmouth which obliged the people to be vigilant. No such great force as this appeared, but small parties kept hovering on the outskirts. At Oyster river they wounded William Tasker; and at Dover they laid in ambush for the people on their return from public worship, but happily missed their aim. They afterwards mortally wounded Mark Gyles at that place, and soon after killed several people in a field at Oyster river, whose names are not mentioned.

In the former was New Hampshire had received much assistance from their brethren of Massachusetts; but these now remonstrated to the governor that his other province did not bear their proportion of the charge for the common defence. The representatives of New Hampshire urged, in reply, the different circumstances of the two provinces, "most of the towns in Massachusetts being out of the reach of the enemy, and no otherwise affected by the war, than in the payment of their part of the expense, while this province was wholly a frontier by sea and land, and in equal danger with the county of York, in which four companies were stationed, and the inhabitants were abated their proportion of the public charges." They begged that twenty of the friendly Indians might be sent to scout on their borders, which request the governor complied with.

(1705.) In the winter, Col. Hilton with 270 men, including the 20 Indians, were sent to Norridgewog

on snow shoes. They had a favourable season for their march, the snow being four feet deep. When they arrived there, finding no enemy to contend with, they burnt the deserted wigwams and the chapel. The officers who went on this expedition complained that they had only the pay of private soldiers.

The late repairs of fort William and Mary at New-castle were always complained of as burdensome to the people, and a representation thereof had been made to the queen, who instructed Dudley to press the assembly of Massachusetts to contribute to the expense; as the river belonged equally to both provinces. They urged in excuse that the fort was built at first at the sole charge of New Hampshire, to whom it properly belonged; that the whole expense of the repairs did not amount to what several of their towns singly paid towards the support of the war for one year; that all the trade and navigation of the river, on both sides, paid a duty toward maintaining that fortress; and that they had been at a great expense in protecting the frontiers of New Hampshire, and the parties who were employed in getting timber and masts for her majesty's service; while New Hampshire had never contributed any thing to the support of the garrisons, forces, and guards by sea, which were of equal benefit to them as to Massachusetts. One thing, which made New Hampshire more in favour with the queen was, that they had settled a salary on her governor, which the others never could be persuaded to do. The repairs of the fort, however, went on without their assistance, under the direction of Colonel Romer; and when they were completed, a petition was sent home for a supply of cannon, ammunition, and stores.

The next summer was chiefly spent in negotiating an exchange of prisoners; and Dudley had the address to protract the negotiation, under pretence of consulting with the other governments about a neutrality proposed by the governor of Canada, by which means the frontiers in general were kept tolerably quiet, although the enemy appeared once or twice in the town of Kittery. The line of pickets which inclosed the town of Portsmouth was repaired, and a friendly patrolle established on the sea-shore, from Rendezvous Point to the bounds of Hampton, to prevent any surprise by sea; the coast being at this time infested by the enemy's privateers.

During this truce, the inhabitants of Kingston, who had left the place, were encouraged to petition for leave to return to their lands; which the court granted, on condition that they should build a fort in the centre of the town, lay out a parsonage, and settle a minister within three years. This last condition was rendered impracticable by the renewal of hostilities.

The governor of Canada had encouraged the Indians who inhabited the borders of New England to remove to Canada, where, being incorporated with the tribe of St. Francis, they have ever since remained. By this policy they became more firmly attached to the interests of the French, and were more easily dispatched on their bloody business to the frontiers of New England, with which they were well acquainted. Dudley, who was generally apprised of their movements, and kept a vigilant eye upon them, apprehended a rupture in the winter; and gave orders, 1706, for a circular scouting march, once a month, round the head of the towns from Kingston to Salmon falls; but the enemy did not appear till April; when a small party of them attacked the house of John Drew at Oyster river, where they killed eight and wounded two. The gar-

ri-son was near, but not a man in it: the women, however, seeing but death before them, fired an alarm, and then putting on hats, and loosening their hair, that they might appear like men, they fired so briskly, that the enemy, apprehending the people were alarmed, fled without burning or even plundering the house which they had attacked. John Wheeler, meeting this party, and mistaking them for friendly Indians, unhappily fell into their hands, and was killed, with his wife and two children. Four of his sons took refuge in a cave by the bank of the Little Bay, and though pursued by the Indians, escaped unhurt.

In July, Colonel Schuyler, from Albany, gave notice to Dudley that 270 of the enemy were on their march toward Pascataqua, of which he immediately informed the people, and ordered them to close garrison, and one half of the militia to be ready at a minute's warning. The first appearance of this body of the enemy was at Dunstable; from whence they proceeded to Amesbury and Kingston, where they killed some cattle. Hilton, with sixty-four men, marched from Exeter; but was obliged to return without meeting the enemy. The reason he gave to the council for returning so soon was the want of provision, there being none in readiness at the garrisons, notwithstanding a law lately enacted, enjoining every town to have stores ready, and deposited in the hands of their captains. For the same reason he had been obliged to discontinue a small scout which he had for some time kept up. Hilton was so brave and active an officer that the enemy had marked him for destruction; and for this purpose a party of them kept lurking about his house, where they observed ten men to go out one morning with their scythes, and lay aside their arms to mow; they then crept between the men and their guns, and suddenly rushing on them, killed four, wounded one, and took three; two only of the whole number escaped. They missed the major for this time, and two of the prisoners escaped; but suffered much in their return, having nothing to subsist on for three weeks but lily roots and rinds of trees. After this they killed William Pearl, and took Nathaniel Tibbets at Dover. It was observed during this war that the enemy did more damage in small bodies than in larger, and by scattering along the frontiers kept the people in continual apprehension and alarm; and so very few of them were taken prisoners, that in computing the expense of the war it was judged that every Indian killed or taken cost the country a thousand pounds.

(1707.) In the following winter Hilton made another excursion to the eastward, and a shallop was sent to Casco with stores and provisions for his party, consisting of two hundred and twenty men. The winter being mild, and the weather unsettled, prevented their marching so far as they intended: cold dry weather, and deep snow, being most favourable to winter expeditions. However, they came on an Indian track near Black Point, and pursuing it, killed four, and took a squaw who conducted them to a party of eighteen, whom they surprised as they lay asleep on a neck of land at break of day, and of whom they killed seventeen, and took the other. This was matter of triumph considering the difficulty of finding their haunts. It is asserted, that on the very morning this affair happened, it was reported, with but little variation from the truth, at Portsmouth, though at the distance of sixty miles.

When Church went to Nova Scotia, he very

earnestly solicited leave to make an attempt on Port Royal; but Dudley would not consent, and the reason he gave was, that he had written to the ministry in England, and expected orders and naval help to reduce the place. His enemies however assigned another reason for his refusal; which was that a clandestine trade was carried on by his connivance, and to his emolument, with the French there. This report gained credit, and occasioned a loud call for justice. Those who were directly concerned in the illegal traffic, were prosecuted and fined; and the governor suffered much in his reputation. To wipe off these aspersions he now determined to make an attack in earnest on Port Royal, even though no assistance should come from England. It was intended that an armament should be sent to America, and the commander was appointed; but the state of affairs in Europe prevented their coming.

Early in the spring the governor applied to the assemblies of both his provinces, and to the colonies of Rhode Island and Connecticut, requesting them to raise one thousand men for the expedition. Connecticut declined; but the other three raised the whole number, who were disposed into two regiments, of which Colonel Wainwright commanded the one, and Colonel Hilton the other. They embarked at Nantasket in twenty-three transports, furnished with whaleboats, under convoy of the Deptford man of war, Captain Stuckley, and the province galley, Captain Southack. The chief command was given to Colonel March, who had behaved well in several scouts and rencounters with the Indians, but had never been tried in such service as this. They arrived before Port Royal in a few days, and after burning some houses, killing some cattle round the fort, and making some ineffectual attempts to bombard it, a jealousy and disagreement among the officers, and a misapprehension of the state of the fort and garrison, caused the army to break up and reembark in a disorderly manner. Some of the officers went to Boston for orders, some of the transports put in at Casco; a sloop, with Captain Chesley's company of sixty men, arrived at Portsmouth: Chesley suffered his men to disperse, but ordered them to return at the beat of the drum: being called to account for this conduct, he alleged that "general orders were given at Port Royal for every man to make the best of his way home." The governor, highly chagrined, and very angry, sent orders from Boston that if any more vessels arrived the men should not be permitted to come on shore "on pain of death." After a while he ordered Chesley's company to be collected and reembarked, offering a pardon to those who voluntarily returned, the rest to be severely punished. By the latter end of July they got on board, and with the rest of the army, returned to the place of action. At the landing, an ambuscade of Indians from among the sedge on the top of a sea-wall, greatly annoyed the troops. Major Walten, and Captain Chesley, being then on shore with the New Hampshire companies, pushed their men up the beach, flanked the enemy, and after an obstinate struggle, put them to flight. The command was now given to Wainwright, and the army put under the direction of three supervisors; but no means could inspire that union, firmness, and skill which were necessary. By the last of August the whole affair was at an end, and the army returned sickly, fatigued, disheartened, and ashamed; but with no greater loss than sixteen killed, and as many wounded.

While this unfortunate expedition was in hand, the frontiers were kept in continual alarm. Two men were taken from Oyster river, and two more killed as they were driving a team between that place and Dover. Captain Summersby pursued with his troop and recovered the contents of the cart. Stephen and Jacob Gilman, brothers, were ambushed between Exeter and Kingston; their horses were killed, but both of them escaped to the garrison. Kingston, being a new plantation, was much exposed, and was this summer weakened by the desertion of eight men. The remaining inhabitants complained to government, who ordered the captains of Exeter and Hampton to take them up as deserters, and oblige them to return to the defence of their settlements, or do duty at the fort during the governor's pleasure. They were afterwards bound over to the sessions for contempt of orders. The state of the country at this time was truly distressing; a large quota of their best men were abroad, the rest harassed by the enemy at home, obliged to continual duty in garrisons and in scouts, and subject to severe discipline for neglects. They earned their bread at the continual hazard of their lives, never daring to stir abroad unarmed; they could till no lands but what were within call of the garrisoned houses into which their families were crowded; their husbandry, lumber-trade and fishery were declining, their taxes increasing, their apprehensions both from the force of the enemy and the failure of the Port Royal expedition were exceedingly dismal, and there was no prospect of an end to the war, in which they were now advanced to the fifth summer. Yet under all these distresses and discouragements, they resolutely kept their ground and maintained their garrisons—not one of which was cut off during the whole of this war, within the limits of New Hampshire.

In September one man was killed at Exeter, and two days after Henry Elkins at Kingston. But the severest blow on the frontiers happened at Oyster river, a place which suffered more than all the rest. A party of French Mohawks, painted red, attacked with a hideous yell a company who were in the woods, some hewing timber and others driving a team, under the direction of Captain Chesley, who was just returned the second time from Port Royal. At the first fire they killed seven and mortally wounded another. Chesley, with the few who were left, fired on the enemy with great vigour, and for some time checked their ardour; but being overpowered, he at length fell. He was much lamented, being a brave officer. Three of the scalps taken at this time were soon after recovered at Berwick.

(1708.) The next year a large army from Canada was destined against the frontiers of New England. Dudley received information of it in the usual route from Albany, and immediately ordered guards in the most exposed places of both his provinces. A troop under Captain Robert Coffin patrolled from Kingston to Cochecho, and scouts were kept out continually. Spy-boats were also kept out at sea between Pascataqua and Winter harbours. Four hundred Massachusetts soldiers were posted in this province. The towns were ordered to provide ammunition, and all things were in as good a state of preparation as could be expected. At length the storm fell on Haverhill; but the enemy's force having been diminished by various accidents, they proceeded no farther, and every part of New Hampshire was quiet. Hilton made another winter march to Pigwacket with 170 men, but made no discovery.

(1709.) The next spring William Moody, Samuel

Stevens, and two sons of Jeremy Gilman, were taken at Pickpocket-mill in Exeter, and soon after Bartholomew Stevenson was killed at Oyster river. Colonel Hilton and Captain Davis performed their usual tour of duty in scouting, and the people this summer kept close in garrison, on a report that two hundred Indians had marched against them from Montreal. But the principal object now in view was a desire of wiping off the disgrace of a former year, by an attempt, not on Port Royal, but on Canada itself. For this purpose solicitations had been made in England by Francis Nicholson, Esq. who had been lieutenant-governor of Virginia, and Captain Samuel Vetch, a trader to Nova Scotia, who was well acquainted with the French settlements there, and made a full representation of the state of things in America to the British ministry. An expedition being determined upon, they came over early in the spring with the queen's command to the governors of the several provinces to raise men for the service. Vetch was appointed a colonel, and Nicholson, by nomination of the governor of New York, and consent of the other governments, was made commander in chief. The people of New Hampshire were so much exhausted, and their men had been so ill paid before, that it was with great difficulty, and not without the dissolution of one assembly and the calling of another, that they could raise money to levy 100 men, and procure two transports for conveying them. After the utmost exertions had been made by the several governments, and Nicholson with part of the troops had marched to Wood creek, and the rest with the transports had lain at Nantasket three months waiting for a fleet, news arrived that the armament promised from England was diverted to another quarter. Upon which the commander of the frigates on the Boston station refused to convoy the troops, the whole army was disbanded, and the expense the colonies had been at was fruitless. A congress of governors and delegates from the assemblies met late in the year at Rhode Island, who recommended the sending home agents to assist Colonel Nicholson in representing the state of the country, and soliciting an expedition against Canada the next spring. The ministry at first seemed to listen to this proposal, but afterward (1710) changed their minds, and resolved only on the reduction of Port Royal. For this purpose Nicholson came over in July with five frigates and a bomb ketch; the colonies then had to raise their quotas; the New Hampshire assembly ordered 100 men, who were got ready as soon as possible, and put under the command of Colonel Shadrach Walton. The whole armament sailed from Boston the 18th of September, and on the 24th arrived at the place. The force now being equal to its reduction, Suberease, the governor, waited only the compliment of a few shot and shells as a decent pretence for a surrender; which was completed on the 5th of October, and Vetch was appointed governor of the place, which in honour of the queen was called Annapolis.

While this expedition was in hand, and before the appointment of the commanders, New Hampshire sustained a heavy loss in the death of Col. Winthrop Hilton. This worthy officer being concerned in the masting business, and having several large trees felled about fourteen miles from home, went out with a party to peel the bark that the wood might not be injured by worms. While engaged in this business they were ambushed by a party of Indians, who at the first fire killed Hilton with two

more, and took two; the rest being terrified, and their guns being wet, made no opposition but escaped. The next day 100 men marched in pursuit, but discovered only the mangled bodies of the dead. The enemy in their barbarous triumph had struck their hatchets into the colonel's brains, and left a lance in his heart. He was a gentleman "of good temper, courage and conduct, respected and lamented by all that knew him," and was buried with the honours due to his rank and character.

Flushed with this success, they insolently appeared in the open road at Exeter, and took four children who were at their play. They also took John Wedgwood, and killed John Magoon near his brother's barn, a place which for three days he had visited with a melancholy apprehension arising from a dream that he should there be murdered.

The same day that Hilton was killed, a company of Indians who had pretended friendship, and the year before had been peaceably conversant with the inhabitants of Kingston, and seemed to be thirsting after the blood of the enemy, came into the town, and ambushing the road, killed Samuel Winslow and Samuel Huntoon; they also took Philip Huntoon and Jacob Gilman, and carried them to Canada, where, after some time, they purchased their own redemption by building a saw-mill for the governor after the English mode.

The last that fell this summer was Jacob Garland, who was killed at Cochecho on his return from the public worship. As the winter approached, Colonel Walton with 170 men traversed the eastern shores, which the Indians usually visited at this season for the purpose of gathering clams. On an island where the party was encamped, several Indians, decoyed by their smoke, and mistaking them for some of their own tribe, came among them and were made prisoners. One of them was a sachem of Norridgewog, active, bold, and sullen; when he found himself in the hands of enemies he would answer none of their questions, and laughed with scorn at their threatening him with death. His wife, being an eye-witness of the execution of the threatening, was so intimidated as to make the discoveries which the captors had in vain desired of the sachem; in consequence of which, three were taken at the place of which she informed, and two more at Saco river, where also five were killed. This success, inconsiderable as it may appear, kept up the spirits of the people, and added to the loss of the enemy, who were daily diminishing by sickness and famine.

(1711.) In the spring they renewed their ravages on the frontiers in small parties. Thomas Downs, John Church, and three more were killed at Cochecho; and on a sabbath-day several of the people there fell into an ambush as they were returning from public worship. John Horn was wounded, and Humphrey Foss was taken; but by the determined bravery of Lieutenant Heard, he was recovered out of the hands of the enemy. Walton with two companies marched to the ponds about the fishing season, but the Indians had withdrawn, and nothing was to be seen but their deserted wigwags.

After the reduction of Port Royal, Nicholson went to England to solicit an expedition against Canada. The tory ministry of Queen Anne, to the surprise of all the Whigs in England and America, fell in with the proposal; and on the 8th of June, Nicholson came to Boston with orders for the northern colonies to get ready their quotas of men and provision by the arrival of the fleet and army from Europe, which happened within sixteen days, and while the several

governors were holding a consultation on the subject of their orders. A compliance with them in so short a time was impossible, yet every thing that could be done was done; the nature of the service conspiring with the wishes of the people, made the governments exert themselves to the utmost. New Hampshire raised 100 men, which was more than they could well spare; one half of the militia being continually employed in guarding the frontiers. They also voted them subsistence for 126 days, besides providing for them on shore before their embarkation. Two transports were taken up at 8s. per month per ton, and artillery stores were issued from the fort. The colony forces formed two regiments, under the command of Vetch and Walton. The army which came from England were seven veteran regiments of the Duke of Marlborough's army, and a battalion of marines under the command of Brigadier-General Hill, which, joined with the New England troops, made a body of about 6,500 men, provided with a fine train of artillery. The fleet consisted of fifteen ships of war from eighty to thirty-six guns, with forty transports and six storeships under the command of Admiral Walker. A force fully equal to the reduction of Quebec.

The fleet sailed from Boston on the 30th of July; and a fast was ordered by Dudley to be kept on the last Thursday of that, and each succeeding month, till the enterprise should be finished. This was an imitation of the conduct of the long parliament, during the civil wars in the previous century. But the sanguine hopes of success which had been entertained by the nation and the colonies, were all blasted in one fatal night: for, the fleet having advanced ten leagues into the river St. Lawrence, in the night of the 23d of August, the weather being thick and dark, eight transports were wrecked on Egg Island near the north shore, and 1,000 people perished; of whom there was but one man who belonged to New England. The next day the fleet put back, and were eight days beating down the river against an easterly wind, which would in two days have carried them to Quebec. After collecting together at Spanish river in the island of Cape Breton, and holding a fruitless consultation about annoying the French at Placentia, the expedition was broken up; the fleet returned to England, and the New England troops to their homes. Loud complaints and heavy charges were made on this occasion; the ignorance of the pilots—the obstinacy of the admiral—the detention of the fleet at Boston—its late arrival there—the want of seasonable orders—and the secret intentions of the ministry, were all subjects of bitter altercation; but the miscarriage was never regularly enquired into, and the disasters of the voyage were finally completed by the blowing up of the admiral's ship, with most of his papers, and 400 seamen, at Spithead.

(1712.) The failure of this expedition encouraged the Indians to harass the frontiers as soon as the season would permit. In April one Cunningham was killed at Exeter, Ensign Tuttle at Dover, and Jeremy Crommet at Oyster river; on one of the upper branches of this stream the enemy burned a saw-mill with a large quantity of boards. A scouting party who went up the river Merrimack, had the good fortune to surprise and kill eight Indians, and recover a considerable quantity of plunder, without the loss of a man. The frontiers were well guarded; one half of the militia did duty at the garrisons and were ready to march at a minute's warning; a scout of forty men kept ranging on the heads of the towns,

and the like care was taken by sea—spy-boats being employed in coasting from Cape Neddock to the Great Boar's-head. Notwithstanding this vigilance, small parties of the enemy were frequently seen. Stephen Gilman and Ebenezer Stevens were wounded at Kingston—the former was taken and put to death. In July an ambush was discovered at Dover, but the enemy escaped; and while a party was gone in pursuit of them, two children of John Waldron were taken, and for want of time to scalp them, their heads were cut off. There being no man at that time in Heard's garrison, a woman named Esther Jones mounted guard, and with a commanding voice called so loudly and resolutely as made the enemy think there was help at hand, and prevented farther mischief.

In autumn the news of the peace of Utrecht arrived in America; and on the 29th of October the suspension of arms was proclaimed at Portsmouth. The Indians, being informed of this event, came in with a flag of truce to Captain Moody at Casco, and desired a treaty; which the governor, with the council of each province (1713), held at Portsmouth, where the chiefs and deputies of the several belligerent tribes, by a formal writing under hand and seal, acknowledged their perfidy, promised fidelity, renewed their allegiance, submitted to the laws, and begged the queen's pardon for their former miscarriages. The frequent repetition of such engagements, and as frequent violations of them, had by this time much abated the sense of obligation on the one part, and of confidence on the other. But it being for the interest of both parties to be at peace, the event was peculiarly welcome.

To preserve the dependence of the Indians, and to prevent all occasions of complaint, private traffic with them was forbidden; and truck houses established at the public expense; and the next summer (1714), a ship was fitted out by both provinces, and sent to Quebec, where an exchange of prisoners was effected.

During the whole of this long war, Usher behaved as a faithful servant of the crown; frequently coming into the province by Dudley's direction, and sometimes residing in it several months, enquiring into the state of the frontiers and garrisons, visiting them in person, consulting with the officers of militia about the proper methods of defence and protection, and offering his service on all occasions: yet his austere and ungracious manners, and the interest he had in Allen's claim, effectually prevented him from acquiring that popularity which he seems to have deserved. He was solicitous to support the dignity of his commission; but could never prevail with the assembly to settle a salary upon him. The council generally paid his travelling expenses by a draught on the treasury, which never amounted to more than 5*l.* for each journey, until he came from Boston to proclaim the accession of King George; when in a fit of loyalty and good humour they gave him 10*l.*, which served as a precedent for two or three other grants. He often complained, and sometimes in harsh and reproachful terms, of their neglect; and once told them that his "Negro servants were much better accommodated in his house than the queen's governor was in the queen's fort."

Dudley had the good fortune to be more popular. Beside his attention to the general interest of the province and his care for its defence, he had the particular merit of favouring the views of those who were most strongly opposed to Allen's claim; and they made him amends by promoting in the assembly addresses to the queen, defending his cha-

racter when it was attacked, and praying for his continuance in office when petitions were presented for his removal. One of these addresses was in 1706, and another in 1707, in both which they represent him as a "prudent, careful, and faithful governor;" and say they "are perfectly satisfied with his disposal of the people, and their arms and the public money." Addresses to the crown were very frequent during this female reign. Scarce a year passed without one or two; they either congratulated her majesty on her victories in Europe, or petitioned for arms and military stores for their defence, or for ships and troops to go against Canada, or represented their own poverty or Dudley's merits, or thanked her majesty for her care and protection; and for interposing in the affair of Allen's suit and not suffering it to be decided against them. A good harmony subsisted between the governor and people, and between the two branches of the legislature, during the whole of this administration.

On the accession of King George (1715), a change was expected in the government, and the assembly did what they could to prevent it by petitioning the king for Dudley's continuance. But it being now a time of peace, and a number of valuable officers who had served with reputation in the late wars, being out of employ; interest was made for their obtaining places of profit under the crown. Colonel Eliseus Burges who had served under General Stanhope was, by his recommendation, commissioned governor of Massachusetts and New Hampshire; and by the same interest George Vaughan, Esq., then in London, was made lieutenant-governor of the latter province; he arrived and published his commission on the thirteenth of October. Usher had some scruples about the validity of it, as he had formerly had of Partridge's, and wrote on the subject to the assembly, who assured him that, on inspection, they had found Vaughan's commission "strong and authentic;" and that his own was "null and void." Upon his dismission from office he retired to his elegant seat at Medford, where he spent the rest of his days, and died on the 5th of September, 1726, in the 78th year of his age.

Burges wrote a letter to the assembly in July, in which he informed them of his appointment, and of his intention to sail for America in the following month. But Sir William Ashurst, with Jeremy Dummer the Massachusetts agent, and Jonathan Belcher, then in London, apprehending that he would not be an acceptable person to the people of New-England, prevailed with him for the consideration of 1000*l.* sterling, which Dummer and Belcher generously advanced, to resign his commission; and Colonel Samuel Shute was appointed in his stead to the command of both provinces. He arrived in New Hampshire and his commission was published the 17th of October, 1716. Dudley being thus superseded, retired to his family-seat at Roxbury, where he died in 1720, in the 73rd year of his age.

The administration of Governor Shute, and his Lieutenants, Vaughan and Wentworth.

(1715.) George Vaughan, Esq. was the son of Major William Vaughan, who had been so ill used by former governors, and had suffered so much in the cause of his country, that the advancement of his son to the office of lieutenant-governor was esteemed a mark of particular favour from the crown to the province, and a singular gratification to the parent, then in the decline of life. The lieutenant-

governor had been employed by the province, as their agent in England, to manage their defence against Allen. There he was taken notice of, by some persons of quality and influence, with whom his father had been connected; and by them he was recommended as a candidate for the honour to which he was now advanced.

After he had arrived, and opened his commission, Dudley, though not actually superseded, yet daily expecting Burges to succeed him, did not think it proper to come into the province, or perform any acts of government; so that, during a year, Vaughan had the sole command. In this time he called an assembly, who granted him the product of the impost and excise for one year, but refused to establish these duties for any longer time; upon which (1716) he dissolved them, and called another; to whom he recommended, in a style too peremptory, the establishment of a perpetual revenue to the crown; a matter in which he had been so much engaged, that while in England, "he presented a memorial to the king and ministry, to bring New England into the land tax of Great Britain; and proposed that a receiver should be appointed by the crown." The assembly was of opinion, that the public charges might be defrayed in the usual manner, by an equal tax on polls and estates; and declined laying an impost, or entering on any but the common business of the year, till the arrival of a governor.

When Governor Shute came to the chair, several of the old counsellors were laid aside, and six new ones appointed, all of whom were inhabitants of Portsmouth. That town, at the same time, was unhappily agitated by a controversy, which had for some years subsisted between the two parishes. This had not only embittered the minds of the people, but had prejudiced some of the members of the council and assembly, so as to affect the proceedings of the legislature, and break the harmony which had been preserved in that body during the preceding administration. (1717.) The governor, in his first speech to the assembly, took notice of their division, and advised them to unanimity. They thanked him for his advice, but remonstrated against the removal of the old counsellors, and the confining of the new appointments, both in the council and the judicial courts, to residents in one town, as being contrary to former usage, and giving an advantage to the trading above the landed interest. This, they said, was the reason that an impost could not now be obtained, and that the whole burden of taxes was laid on the husbandman and the labourer, who had been greatly impoverished by the late war. The governor wisely avoided an answer to this remonstrance, by putting it on the council, who were a party in the controversy. The council, in their answer, acknowledged that the province had been much distressed by the war, but had in a great measure recovered; that there would have been no opposition to an impost, if the representatives had agreed to an act of export, according to the practice in England; that the king had a right to appoint his counsellors from any part of the province; that it was an affront to the prerogative to find fault with the exercise of this right; and that it was most convenient for the affairs of government, especially upon sudden emergencies, that the council should reside near the seat of government. This answer might have appeared decent enough if they had not added, that they were "gentlemen of the best quality, and greatest ability to serve the government, in that station; and had

as good or better estates in land, and land securities, than any in the house, and not inferior to the gentlemen who were laid aside."

While these alterations were in hand there was a great complaint of the scarcity of money, and some expedient was judged necessary to supply the place of current coin. A proposal was made to issue ten thousand pounds in bills, on loan, for twenty-three years, at five per cent. on land security. In this both houses agreed; but the next day the council proposed to enlarge the sum to 15000*l.*, to which the house would not consent. The governor then ordered the house to attend a conference with the council; they desired to know on what subject; he gave them no answer, but commanded their attendance. Having conferred about the proposed loan to no purpose, the circumstance of asking on what subject they were to confer was deemed an affront, and served as a pretext for dissolving them. The next assembly was more pliant, and issued 15,000*l.* on loan, for eleven years, at ten per cent.

A controversy also arose between the governor and lieutenant-governor about the power of the latter, in the absence of the former. Vaughan contended, that when the governor was present in his other province, he was absent from New Hampshire, and consequently that the administration devolved on him. The position was a metaphysical truth, but the inference was to be measured by political rules. Shute alleged that his commissions being published and recorded in New Hampshire and Massachusetts, he had the power of commander in chief over both provinces, during his residence in either; and thought it an absurdity to suppose, that the king had appointed the governor commander in chief, for five or six weeks only in the year, and the lieutenant-governor during the rest of the time; and that if the lieutenant-governor should happen, in that time, to step over the province line, the senior counsel must take the chair; this he said would make the province "a monster with three heads." The controversy was soon brought to an issue; for Vaughan received an order from Shute, while at Boston, to appoint a fast, which he did not obey; he received another to prorogue the assembly, instead of which he dissolved them, without the advice of council. He required the opinion of the council on the extent of his power, but they declined giving it. Penhallow, the governor's chief friend, was a warm opposer of Vaughan's pretensions, and incurred so much of his displeasure, that he publicly charged him with sowing discord in the government, and suspended him from his seat in council. On hearing this, Shute hastened to Portsmouth, and having summoned the council, ordered the king's instruction to him for suspending counsellors to be read, and demanded of Vaughan whether he had any instruction which superseded it. He answered, no. The governor then asked the council's advice whether the suspension of Penhallow was legal; they answered in the negative. He then restored him to his seat, and suspended Vaughan.

The assembly, which Vaughan had assumed the right to dissolve, met again, and approved the proceedings against him, justifying the construction which the governor had put on his commission, and his opinion of the lieutenant-governor's power; which was "to observe such orders as he should from time to time receive from the king or the governor in chief." The representatives of Hampton presented a remonstrance, in which, admitting the lieutenant-governor's opinion that "when the governor is out of the province, the lieutenant-governor is empowered to

execute the king's commission," and asserting that the governor was not in the province when the lieutenant-governor dissolved the assembly, they declared that they could not act with the house, unless they were re-elected. This remonstrance was deemed a libel, and the governor in council having summoned them before him, laid them under bonds of 400*l.* each, for their good behaviour. He then issued a proclamation, asserting his sole power, as commander in chief; and declaring that the lieutenant-governor had no right to exercise any acts of government without his special order.

To maintain a controversy with a superior officer on the extent of power, equally claimed by both, requires a delicacy and address which does not fall to the lot of every man. An aspiring and precipitate temper may bring on such a contention, but disqualifies the person from managing it with propriety. Had Vaughan proposed to submit the question to the king, he would have acted more in character, and might have preserved his reputation, though he had lost his power; but having offended the governor and disgusted the council and assembly, he could hope for no favour from the crown. When the report of the proceedings was sent to England, Sir William Ashurst, who had great interest at court and was a friend to New England, and who greatly disrelished the memorial which Vaughan had formerly presented to the king, easily found means to displace him; and in his room was appointed John Wentworth, Esq., whose commission was published on the 7th of December. The celebrated Mr. Addison being then secretary of state, this commission is countersigned by a name particularly dear to the friends of liberty and literature.

John Wentworth, Esq., grandson of William Wentworth, formerly mentioned as one of the first settlers of the country, had been in the early part of his life commander of a ship, and had acquired a handsome fortune by mercantile industry. Without any superior abilities or learning, by a steady attention to business, and a prudent, obliging deportment, he had recommended himself to the esteem of the people. Having been five years in the council before his appointment as lieutenant-governor, he had carried the same useful qualities into public life, and preserved or increased that respect which he had acquired in a private station. The rancour of contending parties made moderation a necessary character in a chief magistrate; and the circumstances of the province, at that time, required a person of experience in trade at its head.

It being a time of peace, after a long and distressing war, the improvement of which the province was capable, in regard to its natural productions, lumber and naval stores, rose into view and became objects of close attention, both here and in England. As early as 1668, the government of Massachusetts, under which the province then was, had reserved for the public use all white pine trees of twenty-four inches in diameter, at three feet from the ground. In King William's reign, a surveyor of the woods was appointed by the crown; and an order was sent to the Earl of Bellmont, to cause acts to be passed in his several governments for the preservation of the white pines. In 1708 a law made in New Hampshire prohibited the cutting of such as were twenty-four inches in diameter, at twelve inches from the ground, without leave of the surveyor, who was instructed by the queen to mark with the broad arrow those which were, or might be, fit for the use

of the navy, and to keep a register of them. Whatever severity might be used in executing the law, it was no difficult matter for those who knew the woods and were concerned in lumber to evade it; though sometimes they were detected and fined. Great complaints were frequently made of the destruction of the royal woods; every governor and lieutenant-governor had occasion to declaim on the subject in their speeches and letters; it was a favourite point in England, and recommended them to their superiors as careful guardians of the royal interest. On the other hand, the people made as loud complaints against the surveyor, for prohibiting the cutting of pine trees, and yet neglecting to mark such as were fit for masts; by which means, many trees which never could be used as masts, and might be cut into logs for sawing, were rotting in the woods; or the people who got them were exposed to a vexatious prosecution. When no surveyor was on the spot, the governor and council appointed suitable persons to take care that no waste should be made of the mast trees; and these officers, with a very moderate allowance, performed the duty to much better purpose than those who were sent from England and maintained at a great expense to the crown.

(1718.) As those trees which grew within the limits of the townships were deemed private property, the people were desirous to get other townships laid out, that the trees might be secured for their own use. This was a difficult point. The assembly, in 1704, during the controversy with Allen, had explicitly disclaimed all title to the waste lands, by which they understood all those without the bounds of their towns. The heirs of Allen kept a jealous eye upon them. Usher, who claimed by mortgage from Governor Allen, was still living, and was daily inviting purchasers by advertisements. The heir of Sir Charles Hobby, whose claim was founded on purchase from Thomas Allen, had offered his title to the assembly, but they had refused it. The creditors of Hobby's estate had applied for letters of administration; and though the matter had been by the judge of probate submitted to the general court, and by their advice suspended, yet the letters had been granted. Allen's other heirs were in a state of minority in England; but their guardian was attentive to their interest. The controversy had become more complex than before; and the claimants, however multiplied in number and discordant in their views, yet had an interest separate from that of the public. The royal determination could not be had, but on an appeal from a verdict at law; but no suits were now pending; nor could the lands be granted by royal charter, without seeming to intrench on the property of the claimants. Notwithstanding these difficulties, the necessity of extending the settlements, and improving the natural advantages of the country, was too apparent to be neglected.

(1719.) Great quantities of iron ore were found in many places; and it was in contemplation to erect forges on some of the rivers and to introduce foreign artists and labourers to refine it. A law was made laying a penalty of ten pounds per ton on the transporting of it out of the province; but for the further encouragement of the manufacture, it was deemed necessary that some lands should be appropriated to the purpose of supplying with fuel the iron works which were to be erected on Lamprey river, and of settling the people who were to be employed in that service. On this occasion it was recollected that in 1672, while this province was subject to the Massa-

chusetts government, and after the town of Portsmouth had made a liberal contribution for the rebuilding of Harvard College, a promise had been made by the general court to grant to that town a quantity of "land for a village, when they should declare to the court the place where they desired it." Upon this, a petition was presented to the governor and council praying for a fulfilment of this promise; and after some hesitation, a grant was made of a slip of land two miles in breadth above the head line of Dover, for the use of the iron works, which was called the "renewing a grant formerly made." This was known by the name of the two-mile slip, and it was afterwards included in the township of Barrington.

In some parts of the province were many pitch-pine trees, unfit for masts, but capable of yielding tar and turpentine. A monopoly of this manufacture had been attempted by a company of merchants; but when many thousand trees were prepared for use, they were destroyed by unknown hands. Afterwards a law was made providing that tar should be received in lieu of taxes, at twenty shillings per barrel. This encouraged the making of it for some time. Another law laid a penalty on the injuring of trees for drawing turpentine. But private interest was too strong to be counteracted by a sense of public utility. Too many incisions being made in the trees at once, they were soon destroyed; and as those which were near at hand became scarce, the manufacture was gradually discontinued.

Hemp was another object. Some had been sown, and from the specimen of its growth, much advantage was expected. An act was made to encourage it; and it was allowed to be received at the treasury, in lieu of money, at one shilling per pound. But as there was scarcely land enough in cultivation for the production of corn, it was vain to think of raising a less necessary commodity.

The parliament of England was attentive to the advantages which might be derived to the nation from the colonies, to which they were particularly incited by the war which at this time raged between Sweden and Russia—the grand mart for naval stores in Europe. A duty which had been paid on lumber imported from America, was taken off; and this was esteemed so great a favour to New Hampshire that the assembly thanked Shute for the share he had in obtaining it. About the same time an act of parliament was made for the preservation of the white pines. Penalties, in proportion to the size of the trees, were laid on the cutting of those which grew without the bounds of townships; and for the greater terror, these penalties were to be recovered by the oath of one witness, in a court of admiralty; where a single judge, appointed by the crown, and removable at pleasure, determined the cause without a jury. While this bill was pending, Henry Newman, the agent for New Hampshire, petitioned against the severity of it, but without effect.

Great inconveniences had arisen for want of a due settlement of the limits of the province. The people who lived near the supposed line, were sometimes taxed in both provinces, and were liable to arrests by the officers of both; and sometimes the officers themselves were at variance, and imprisoned each other. Several attempts had been made to remove the difficulty, and letters frequently passed between the two courts on the subject, in consequence of petitions and complaints from the borderers. In 1716 commissioners were appointed by both provinces, to settle the line. The New Hampshire commissioners

were furnished by Lieut.-Governor Vaughan, with a copy of the report of the lords chief justices in 1677, and were instructed "to follow the course of the river Merrimack, at the distance of three miles north as far as the river extends." The commissioners on the other side complained that this power was not sufficient. If by sufficient it was meant that they had no power to vary from their instructions, the objection was true, but why this should have been objected it is not so easy to account, since the instructions would have given Massachusetts all which they could claim by virtue of their old charter; or the judgment upon it, on which they always laid much stress. Three years afterward the affair was agitated again, in obedience to an order from the lords of trade; who directed a map to be drawn and sent to them, in which the boundaries of the province should be delineated, and the best accounts and vouchers procured to elucidate it. Commissioners were again appointed to meet at Newbury; and those from New Hampshire were instructed by Lieutenant-Governor Wentworth to confer with the others; and if they could agree in fixing the place where to begin the line, they were to report accordingly; but if not, they were to proceed *ex parte*,—"setting their compass on the north side of the mouth of Merrimack river at high water mark, and from thence measuring three miles on a north line, and from the end of the first three miles on a west line into the country, till they should meet the great river which runs out of Winipisiogee pond." To this idea of a west line the Massachusetts commissioners objected; and desired that the commission of the governor of New Hampshire might be sent to Newbury, which was refused, and the conference ended without any agreement. However, a plan was drawn agreeably to these instructions, and sent to the lords of trade; and Newman, the agent, was instructed to solicit for a confirmation of it. In these instructions, the ideas of the gentlemen in government are more fully expressed. The due west line on the southern side of the province, they supposed, ought to extend as far as Massachusetts extended. The line on the northerly side adjoining to the province of Maine, they supposed ought to be drawn up the middle of the river Pascataqua, as far as the tide flows in the Newichwannock branch; and thence northwestward, but whether two or more points westward of north, was left for further consideration.

While these things were in agitation, the province unexpectedly received an accession of inhabitants from the north of Ireland. A colony of Scots presbyterians had been settled in the Province of Ulster, in the reign of James I.; they had borne a large share in the sufferings which the protestants in that unhappy country underwent, in the reign of Charles I. and James II.; and had thereby conceived an ardent and inextinguishable thirst for civil and religious liberty. Notwithstanding the peace which Ireland had enjoyed, since the subjection of the Popish party by King William, some penal laws were still in force, which, with the inconvenience of rents and tithes, made these people wish for a settlement in America; where they might be free from these burthens and have full scope for their industry. One Holmes, a young man, son of a clergyman, had been here and carried home a favourable report of the country, which induced his father, with three other presbyterian ministers, James Macgregore, William Cornwell, and William Boyd, and a large number of their congregations, to

resolve on an emigration: Having converted their substance into money, they embarked in five ships, and on the 14th of October, 1718, about 100 families of them arrived at Boston. Cornwell, with about twenty families more, arrived at Casco. They immediately petitioned the Assembly of Massachusetts for a tract of land; who gave them leave to look out a settlement of six miles square, in any of the unappropriated lands at the eastward. After a fruitless search along the shore, finding no place that suited them there, sixteen families, hearing of a tract of good land, above Haverhill, called Nutfield (from the great number of chesnut and walnut-trees there), and being informed that it was not appropriated, determined there to take up their grant; the others dispersed themselves into various parts of the country.

As soon as the spring opened, the men went from Haverhill, where they left their families, and built some huts near a brook which falls into Beaver River, and which they named West-running brook. The first evening after their arrival, a sermon was preached to them under a large oak, which is to this day regarded with a degree of veneration. As soon as they could collect their families, they called Macgregore to be their minister; who, since his arrival in the country, had preached at Dracut. At the first sacramental occasion were present, two ministers and 65 communicants. Macgregore continued with them till his death; and his memory is still green among them: he was a wise, affectionate, and faithful guide, both in civil and religious concerns. These people brought with them the necessary materials for the manufacture of linen; and their spinning wheels, turned by the foot, were a novelty in the country. They also introduced the culture of potatoes, which were first planted in the garden of Nathaniel Walker, of Andover. They were an industrious, frugal, and consequently thriving people.

They met with some difficulty in obtaining a title to their lands. If the due west line between the provinces had been established, it would have passed through their settlement and divided it between Massachusetts and New Hampshire; but the curve line, following the course of Merrimack at three miles distance, would leave them unquestionably in New Hampshire. This was the idea of the General Court of Massachusetts, who, upon application to them for a confirmation of their former grant, declared them to be out of their jurisdiction. Among the many claimants to these lands, they were informed that Colonel Wheelwright, of Wells, had the best Indian title, derived from his ancestors. Supposing this to be valid in a moral view, they followed the example of the first settlers of New England, and obtained a deed of ten miles square, in virtue of the general license granted by the Indian Sagamores in 1629. To prevent difficulty from Allen's claim, they applied for leave of settlement to Colonel Usher, who told them that the land was in dispute, and that he could not give them leave, but that he supposed they might settle on it, if they would hold it either of the king or of Allen's heirs, as the case might be determined. They also applied to the Lieutenant Governor of New Hampshire, who declined making them a grant in the king's name; but, by advice of council, gave them a protection, and extended the benefit of the law to them; appointing James McKean to be a justice of the peace, and Robert Wier a deputy-sheriff.

(1720.) Some persons who claimed these lands,

by virtue of a deed of about twenty years date, from John, an Indian Sagamore, gave them some disturbance; but, having obtained what they judged a superior title, and enjoying the protection of government, they went on with their plantation; receiving frequent additions of their countrymen, as well as others, till in 1722, their town was incorporated by the name of Londonderry, from a city in the north of Ireland, in and near to which most of them had resided; and in which some of them had endured the hardships of a memorable siege. John Barr, William Caldwell, and Abraham Blair, with several others who had suffered in this siege, and formerly came to America, were by King William's special order made free of taxes through all the British dominions.

The settlement of these emigrants on the waste lands opened the way for other plantations. Those who had borne the burthens and distresses of war, in defending the country, had long been circumscribed within the limits of the old towns, but were now multiplied, and required room to make settlements for their children. They thought it hard to be excluded from the privilege of cultivating the lands, which they and their fathers had defended; while strangers were admitted to sit down peaceably upon them. These were weighty reasons. At the same time no attempt was making by any of the claimants to determine the long-contested point of property; and, in fact, no person could give a clear and undisputed title to any of the unsettled lands.

In these circumstances a company of about one hundred persons, inhabitants of Portsmouth, Exeter and Haverhill, petitioned for liberty to begin a plantation on the northerly part of the lands called Nutfield. (1721.) These were soon followed by petitioners from the other towns, for the lands which lay contiguous to them. The governor and council kept the petitions suspended for a long time, giving public notice to all persons concerned to make their objections. In this time the lands were surveyed, and the limits of four proposed townships determined; and the people were permitted to build and plant upon the lands, "provided that they did not infringe on, or interfere with, any former grants, possessions, or properties." Some of these lands were well stocked with pine trees, which were felled in great abundance; this occasioned a fresh complaint from the King's surveyor.

(1722.) At length, charters being prepared, were signed by the governor; by which four townships, Chester, Nottingham, Barrington, and Rochester, were granted and incorporated. The grants were made in the name of the king, who was considered as the common guardian, both of the people and the claimants; but with a clause of reservation, "as far as in us lies," that there might be no infringement on the claims.

The signing of these grants was the last act of government performed by Shute in New Hampshire. A violent party in Massachusetts had made such strenuous opposition to him, and caused him so much vexation, as rendered it eligible for him to ask leave to return to England. He is said to have been a man of a humane, obliging, and friendly disposition; but having been used to military command, could not bear with patience the collision of parties, nor keep his temper when provoked. Fond of ease, and now in the decline of life, he would gladly have spent his days in America if he could have avoided controversy. The people of New Hampshire were satisfied with his administration, as

far as it respected them; and though they did not settle a salary on him as on his predecessor, yet they made him a grant twice in the year, generally amounting to a hundred pounds, and paid it out of the excise, which was voted from year to year. This was more, in proportion, than he received from his other government. On his departure for England, (1723), which was very sudden and unexpected, Lieut.-Governor Wentworth took the chief command, in a time of distress and perplexity; the country being then involved in another war with the natives.

The fourth Indian war, comme ly called the three years' war, or Lovewell's war.

To account for the frequent wars with the eastern Indians, usually called by the French the Abenakis, and their unsteadiness, both in war and peace—we must observe, that they were situated between the colonies of two European nations, who were often at war with each other, and who pursued very different measures with regard to them.

As the lands, on which they lived, were comprehended in the patents granted by the crown of England, the natives were considered by the English as subjects of that crown. In the treaties and conferences held with them, they were styled the king's subjects; when war was declared against them, they were called rebels; and when they were compelled to make peace, they subscribed an acknowledgment of their perfidy, and a declaration of their submission to the government, without any just ideas of the meaning of those terms; and it is a difficult point, to determine what kind of subjects they were.

Beside the patents derived from the crown, the English in general were fond of obtaining from the Indians deeds of sale for those lands on which they were disposed to make settlements. Some of these deeds were executed with legal formality, and a valuable consideration was paid to the natives for the purchase; and others were of obscure and uncertain origin; but the memory of such transactions was soon lost, among a people who had no written records. Lands had been purchased of the Indian chiefs, on the rivers Kennebeck and St. George, at an early period; but the succeeding Indians either had no knowledge of the sales made by their ancestors, or had an idea that such bargains were not binding on posterity; who had as much need of the lands, and could use them to the same purpose as their fathers. At first, the Indians did not know that the European manner of cultivating lands, and erecting mills and dams, would drive away the game and fish, and thereby deprive them of the means of subsistence; afterwards, finding by experience that this was the consequence of admitting foreigners to settle among them, they repented of their hospitality, and were inclined to dispossess their new neighbours, as the only way of restoring the country to its pristine state, and of recovering their usual mode of subsistence.

They were extremely offended by the settlements which the English, after the peace of Utrecht, made on the lands at the eastward, and by their building forts, block houses, and mills; whereby their usual mode of passing the rivers and carrying places was interrupted; and they could not believe, though they were told with great solemnity, that these fortifications were erected for their defence against invasion. When conferences were in 1717 held with them on this subject, they either denied that the lands had been sold, or pretended that the sachems

had exceeded their power in making the bargains, or had conveyed lands beyond the limits of their tribe; or that the English had taken advantage of their drunkenness to make them sign the deeds; or that no valuable consideration had been given for the purchase. No arguments or evidence which could be adduced would satisfy them, unless the lands were paid for again; and had this been done once, their posterity after a few years would have renewed the demand.

On the other hand, the French did not in a formal manner declare them subjects of the crown of France; but every tribe, however small, was allowed to preserve its independence. Those who were situated in the heart of Canada kept their lands to themselves, which were never solicited from them; those who dwelt on the rivers and shores of the Atlantic, though distant from the French colonies, received annual presents from the king of France; and solitary traders resided with, or occasionally visited them; but no attempt was made by any company to settle on their lands.

It was in the power of the English to supply them with provisions, arms, ammunition, blankets, and other articles which they wanted, cheaper than they could purchase them of the French. (1717.) Governor Shute had promised that trading houses should be established among them, and that a smith should be provided to keep their arms and other instruments in repair; but the unhappy contentions between the governor and assembly of Massachusetts prevented a compliance with this engagement. The Indians were therefore obliged to submit to the impositions of private traders, or to seek supplies from the French; who failed not to join with them in reproaching the English for this breach of promise, and for their avidity in getting away the land.

The inhabitants of the eastern parts of New England were not of the best character for religion, and were ill adapted to engage the affections of the Indians by their example. The frequent hostilities on this quarter, not only kept alive a spirit of jealousy and revenge in individuals, but prevented any endeavours to propagate religious knowledge among the Indians by the government; though it was one of the conditions of their charter, and though many good men wished it might be attempted. At length Governor Shute, in his conference with their Sachems at Arrowsic, introduced this important business by offering them in a formal manner, an Indian bible, and a protestant missionary; but they rejected both, saying, "God hath given us teaching already, and if we should go from it we should displease him." He would have done much better service, and perhaps prevented a war, if he had complied with their earnest desire to fix a boundary, beyond which the English should not extend their settlements.

A gentleman, in conversation with one of their Sachems, asked him why they were so strongly attached to the French, from whom they could not expect to receive so much benefit as from the English; the Sachem gravely answered, "Because the French have taught us to pray to God, which the English never did."

The Jesuits had planted themselves among these tribes. They had one church at Penobscot, and another at Norridgewog, where Sebastian Ralle, a French Jesuit, resided. He was a man of good sense, learning and address, and by a compliance with their mode of life, and a gentle, condescending deportment, had gained their affections so as to manage

them at his pleasure. Knowing the power of superstition over the savage mind, he took advantage of this, and of their prejudice against the English, to promote the cause, and strengthen the interest of the French among them. He even made the offices of devotion serve as incentives to their ferocity, and kept a flag, in which was depicted a cross, surrounded by bows and arrows, which he used to hoist on a pole, at the door of his church, when he gave them absolution, previously to their engaging in any warlike enterprise.

With this Jesuit, the governor of Canada held a close correspondence; and by him was informed of every thing transacted among the Indians. By this means, their discontent with the English, on account of the settlements made at the eastward, was heightened and inflamed; and they received every encouragement, to assert their title to the lands in question, and molest the settlers, by killing their cattle, burning their stacks of hay, robbing and insulting them. These insolencies discouraged the people, and caused many of them to remove. (1720) The garrisons were then reinforced; and scouting parties were ordered into the eastern quarter, under the command of Col. Shadrach Walton. By this appearance of force, the Indians, who dreaded the power of the English, were restrained from open hostilities. They had frequent parleys with the commanders of forts, and with commissioners who visited them occasionally; and though at first they seemed to be resolute in demanding the removal of the English, declaring that "they had fought for the land three times, and would fight it again;" yet when they were told that there was no alternative but perfect peace or open war, and that if they chose peace they must forbear every kind of insult, they seemed to prefer peace; and either pretended ignorance of what had been done, or promised to make inquiry into it; and as an evidence of their good intentions, offered a tribute of skins, and delivered up four of their young men as hostages.

This proceeding was highly disrelished by the governor of Canada, who renewed his efforts to keep up the quarrel, and secretly promised to supply the Indians with arms and ammunition; though as it was a time of peace between the two crowns, he could not openly assist them.

The New England governments, though highly incensed, were not easily persuaded to consent to a war. The dispute was between the Indians and the proprietors of the eastern lands, in which the public were not directly interested. No blood had as yet been shed. Canseau had been surprised and plundered, and some people killed there; but that was in the government of Nova Scotia. Ralle was regarded as the principal instigator of the Indians; and it was thought, that if he could be taken off they would be quiet. It was once proposed to send the sheriff of York county with a posse of 150 men, to seize and bring him to Boston; but this was not agreed to. (1721.) The next summer, Ralle, in company with Castine from Penobscot, and Croisil from Canada, appeared among the Indians, at a conference held on Arrowsic island, with Capt. Penhallow, the commander of the garrison, and brought a letter, written in the name of the several tribes of Indians, directed to Governor Shute; in which it was declared, "that if the English did not remove in three weeks, they would kill them and their cattle and burn their houses." An additional guard was sent down; but the government, loth to come to a rupture and desirous if possible to treat with the

Indians separately from the French emissaries, invited them to another conference, which they treated with neglect.

In the succeeding winter, a party under Col. Thomas Westbrooke was ordered to Norridgewog to seize Ralle. They arrived at the village undiscovered, but before they could surround his house, he escaped into the woods, leaving his papers in his strong box, which they brought off without doing any other damage. Among these papers were his letters of correspondence with the governor of Canada, by which it clearly appeared, that he was deeply engaged in exciting the Indians to a rupture, and had promised to assist them.

This attempt to seize their spiritual father, could not long be unrevenged. (1722.) The next summer they took nine families from Merrymeeting bay, and after dismissing some of the prisoners, retained enough to secure the redemption of their hostages, and sent them to Canada. About the same time they made an attempt on the fort of St. George's; but were repulsed with considerable loss. They also surprised some fishing vessels in the eastern harbours; and at length made a furious attack on the town of Brunswick, which they destroyed. This action determined the government to issue a declaration of war against them, which was published in form at Boston and Portsmouth.

New Hampshire being seated in the bosom of Massachusetts, had the same interest to serve, and bore a proportionable share of all these transactions and the expenses attending them. Walton, who first commanded the forces sent into the eastern parts, and Westbrooke, who succeeded him, as well as Penhallow, the commander of the fort at Arrowsic, were New Hampshire men; the two former were of the council. A declaration of war being made, the enemy were expected on every part of the frontiers; and the assembly were obliged to concert measures for their security, after an interval of peace for about ten years.

The usual route of the Indians, in their marches to the frontiers of New Hampshire, was by the way of Winipiseogee lake. The distance from Cochecho falls in the town of Dover, to the south-east bay of that lake, is about thirty miles. It was thought that if a road could be opened to that place, and a fort built there, the enemy would be prevented from coming that way. Orders were accordingly issued, and a party of 250 men were employed in cutting down the woods for a road; but the expense so far exceeded the benefit which could be expected from a fort at such a distance, in the wilderness, to be supplied with provisions and ammunition by land carriage, which might easily be interrupted by the enemy, that the design was laid aside, and the old method of defence by scouts and garrisons was adopted. Lieut.-governor Wentworth, being commander in chief in Shute's absence, was particularly careful to supply the garrisons with stores, and visit them in person, to see that the duty was regularly performed; for which, and other prudent and faithful services, he frequently received the acknowledgments of the assembly and grants of money, generally amounting to 100*l.* at every session, and sometimes more. They also took care to enlist men for two years, and to establish the wages of officers and soldiers at the following rates: a captain at seven pounds per month, a lieutenant four pounds, a sergeant fifty-eight shillings, a corporal forty-five shillings, and a private forty shillings. A bounty of one hundred pounds was offered for every Indian

scalp. The difference between the currency and sterling was two and a half for one.

(1723.) The first appearance of the enemy in New Hampshire was at Dover, where they surprised and killed Joseph Ham, and took three of his children; the rest of the family escaped to the garrison. Soon after they waylaid the road, and killed Tristram Heard. Their next onset was at Lamprey river, where they killed Aaron Rawlins and one of his children, taking his wife and two children captive. This Aaron Rawlins (whose wife was a daughter of Edward Taylor, who was killed by the Indians in 1704) lived upon the plantation left by Taylor, about half a mile west from Lamprey river landing, at the lower falls on Piscasick river. The people there at that time, commonly retired at night to the garrisoned houses, and returned home in the day time; but that night they neglected to retire as usual. His brother Samuel also lived about half a mile distant on the same river. It seems the Indian scout consisted of eighteen, who probably had been reconnoitring some time, and intended to have destroyed both the families, and for that purpose divided, and nine went to each house; but the party that went to Samuel Rawlins's, beating in the window, and finding the family gone, immediately joined their companions, who were engaged at Aaron's. His wife went out at the door (ignorant of course of the Indians being there), and was immediately seized, and also one or two of her children who followed her. Her husband being alarmed, secured the door before they could enter, and with his eldest daughter, about twelve years old, stood upon his defence, repeatedly firing wherever they attempted to enter, and at the same time calling earnestly to his neighbours for help; but the people in the several garrisoned houses near, apprehending from the noise and incessant firing, the number of the enemy to be greater than they were, and expecting every moment to be attacked themselves, did not venture to come to his assistance. Having for some time bravely withstood such unequal force, he was at last killed by their random shots through the house, which they then broke open, and killed his daughter. They scalped him, and cut off his daughter's head, either through haste or probably being enraged against her, on account of the assistance she had afforded her father in their defence, which evidently appeared by her hands being soiled with powder. His wife and two children (a son and a daughter) they carried to Canada. The woman was redeemed in a few years; the son was adopted by the Indians, and lived with them all his days: he came into Pennycook with the Indians after the peace, and expressed to some people with whom he conversed much resentment against his uncle Samuel Rawlins, supposing he had detained from his mother some property left by his father, but manifested no desire of returning to Newmarket again. The daughter married with a Frenchman, and when she was near sixty years old returned with her husband to her native place, in expectation of recovering the patrimony she conceived was left at the death of her father; but the estate having been sold by her grandfather Taylor's administrator, they were disappointed, and after a year or two went back to Canada.

The next spring (1724), the Indians killed James Nock, one of the elders of the church, as he was returning on horseback from setting his beaver traps in the woods. Soon after they appeared at Kingston, where they took Peter Colcord and

Ephraim Stevens, and two children of Ebenezer Stevens. They were pursued by scouts from Kingston and Londonderry, but in vain. Colcord made his escape in about six months, and received a gratuity of ten pounds from the assembly, for his "courage and ingenuity, and for the account he gave of the proceedings of the enemy."

On a sabbath day they ambushed the road at Oyster river, and killed George Chesley, and mortally wounded Elizabeth Burnham, as they were returning together from public worship. In a few days more, five Indians took Thomas Smith and John Carr, at Chester, and after carrying them about thirty miles, bound them and lay down to sleep; the captives escaped, and in three days arrived safe at a garrison in Londonderry.

The settlements at Oyster river being very much exposed, a company of volunteers under the command of Abraham Benwick, who went out on the encouragement offered by the government for scalps, were about marching to make discoveries. It happened that Moses Davis, and his son of the same name, being at work in their corn field, went to a brook to drink, where they discovered three Indian packs. They immediately gave notice of this discovery to the volunteer company, and went before to guide them to the spot. The Indians had placed themselves in ambush; and the unhappy father and son were both killed. The company then fired, killed one, and wounded two others who made their escape, though they were pursued and tracked by their blood to a considerable distance. The slain Indian was a person of distinction, and wore a kind of coronet of scarlet-dyed fur, with an appendage of four small bells, by the sound of which the others might follow him through the thickets. His hair was remarkably soft and fine, and he had about him a devotional book and muster-roll of 180 Indians; from which circumstances it was supposed that he was a natural son of the Jesuit Ralle, by an Indian woman who had served him as a laundress. His scalp was presented to the lieutenant-governor in council, by Robert Burnham, and the promised bounty was paid to Captain Francis Matthews, in trust for the company.

Within the town of Dover were many families of Quakers; who, scrupling the lawfulness of war, could not be persuaded to use any means for their defence, though equally exposed with their neighbours to an enemy who made no distinction between them. One of these people, Ebenezer Downs, was taken by the Indians, and was grossly insulted and abused by them, because he refused to dance as the other prisoners did, for the diversion of their savage captors. Another of them, John Hanson, who lived on the outside of the town in a remote situation, could not be persuaded to remove to a garrison, though he had a large family of children. A party of thirteen Indians, called French Mohawks, had marked his house for their prey; and lay several days in ambush, waiting for an opportunity to assault it. While Hanson with his eldest daughter were gone to attend the weekly meeting of Friends and his two eldest sons were at work in a meadow at some distance, the Indians entered the house, killed and scalped two small children, and took his wife, with her infant of fourteen days old, her nurse, two daughters and a son, and after rifling the house carried them off. This was done so suddenly and secretly, that the first person who discovered it was the eldest daughter at her return from the meeting before her father. Seeing the two children dead at

the door, she gave a shriek of distress, which was distinctly heard by her mother, then in the hands of the enemy among the bushes, and by her brothers in the meadow. The people being alarmed, went in pursuit; but the Indians cautiously avoiding all paths, went off with their captives undiscovered. After this disaster had befallen his family, Hanson removed the remainder of them to the house of his brother, who, though of the same religious persuasion, yet had a number of lusty sons, and always kept his fire-arms in good order, for the purpose of shooting game. Hanson's wife, though of a tender constitution, had a firm and vigorous mind, and passed through the various hardships of an Indian captivity with much resolution and patience. When her milk failed she supported her infant with water, which she warmed in her mouth, and dropped on her breast, till the squaws told her to beat the kernel of walnuts and boil it with bruised corn, which proved a nourishing food for her babe. They were all sold to the French in Canada. Hanson went the next spring and redeemed his wife, the three younger children and the nurse, but he could not obtain the elder daughter of seventeen years old, though he saw and conversed with her. He also redeemed Ebenezer Downs. He made a second attempt in 1727, but died at Crown-point on his way to Canada. The girl was married to a Frenchman, and never returned.

These and other insolencies of the enemy being daily perpetrated on the frontiers, caused the governments to resolve on an expedition to Norridgewog. The Captains Moulton and Harman, both of York, each at the head of a company of 100 men, executed their orders with great address. They completely invested and surprised that village—killed the obnoxious Jesuit with about eighty of his Indians—recovered three captives—destroyed the chapel, and brought away the plate and furniture of the altar, and the devotional flag, as trophies of their victory. Ralle was then in the 68th year of his age, and had resided in his mission at Norridgewog 26 years, having before spent 6 years in travelling among the Indian nations, in the interior parts of America.

The parties of Indians who were abroad, continued to ravage the frontiers. Two men being missing from Dunstable, a scout of eleven went in quest of them; they were fired upon by thirty of the enemy, and nine of them were killed: the other two made their escape, though one of them was badly wounded. Afterward another company fell into their ambush and engaged them, but the enemy being superior in number overpowered them, and killed one and wounded four, the rest retreating. At Kingston, Jabez Colman and his son Joseph, were killed as they were at work in their field. The success of the forces at Norridgewog and the large premium offered for scalps, having induced several volunteer companies to go out, they visited one after another of the Indian villages, but found them deserted. The fate of Norridgewog had struck such terror into them, that they did not think themselves safe at any of their former places of abode, and occupied them as resting places only, when they were scouting or hunting.

One of these volunteer companies, under the command of Captain John Lovewell, of Dunstable, was greatly distinguished, first by their success and afterwards by their misfortunes. This company consisted of thirty: at their first excursion to the northward of Winnepesaukee lake, they discovered an Indian wigwam in which there were a man and a boy. They

killed and scalped the man and brought the boy alive to Boston, where they received the reward promised by law, and a handsome gratuity besides.

By this success his company was augmented to seventy. They marched again, and visiting the place where they had killed the Indian, found his body as they had left it two months before. (1725.) Their provision falling short, thirty of them were dismissed by lot and returned. The remaining 40 continued their march till they discovered a track, which they followed till they saw a smoke just before sunset, by which they judged that the enemy were encamped for the night. They kept themselves concealed till after midnight, when they silently advanced, and discovered ten Indians asleep round a fire by the side of a frozen pond. Lovewell now determined to make sure work, and, placing his men conveniently, ordered part of them to fire, five at once, as quick after each other as possible, and another part to reserve their fire: he gave the signal by firing his own gun, which killed two of them; the men firing according to order, killed five more on the spot; the other three starting up from their sleep, two of them were immediately shot dead by the reserve; the other, though wounded, attempted to escape by crossing the pond, but was seized by a dog and held fast till they killed him. Thus in a few minutes the whole company was destroyed, and some attempt against the frontiers of New Hampshire prevented; for these Indians were marching from Canada, well furnished with new guns and plenty of ammunition; they had also a number of spare blankets, mockaseens, and snow shoes for the accommodation of the prisoners whom they expected to take, and were within two days march of the frontiers. The pond where this exploit was performed is at the head of a branch of Salmonfall river, in the township of Wakefield, and has ever since borne the name of Lovewell's pond. The action was spoken of by elderly people, at a distance of time, with an air of exultation; and considering the extreme difficulty of finding and attacking Indians in the woods, and the judicious manner in which they were so completely surprised, it was a capital exploit.

The brave company, with the ten scalps stretched on hoops, and elevated on poles, entered Dover in triumph, and proceeded thence to Boston; where they received the bounty of one hundred pounds for each, out of the public treasury.

Encouraged by this success, Lovewell marched a third time; intending to attack the villages of Pigwacket, on the upper part of the river Saco, which had been the residence of a formidable tribe, and which they still occasionally inhabited. His company at this time consisted of forty-six, including a chaplain and surgeon: Two of them proving lame, returned: another falling sick, they halted, and built a stockade fort on the west side of great Ossapay pond; partly for the accommodation of the sick man, and partly for a place of retreat in case of any misfortune. Here the surgeon was left with the sick man, and eight of the company for a guard. The number was now reduced to thirty-four. Pursuing their march to the northward, they came to a pond, about twenty-two miles distant, in a line from the fort, and encamped by the side of it. Early the next morning, while at their devotions, they heard the report of a gun, and discovered a single Indian, standing on a point of land which runs into the pond, more than a mile distant. They had been alarmed the preceding night by noises round their camp, which they imagined were made by Indians,

and this opinion was now strengthened. They suspected that the Indian was placed there to decoy them, and that a body of the enemy was in their front. A consultation being held, they determined to march forward, and by encompassing the pond, to gain the place where the Indian stood; and that they might be ready for action, they disencumbered themselves of their packs, and left them, without a guard, at the north-east end of the pond, in a pitch pine plain, where the trees were thin and the brakes, at that time of the year, small. It happened that Lovewell's march had crossed a carrying-place, by which two parties of Indians, consisting of forty-one men, commanded by Paugus and Wahwa, who had been scouting down Saco river, were returning to the lower village of Pigwacket, distant about a mile and a half from this pond. Having fallen on Lovewell's track, they followed it till they came to the packs, which they removed; and counting them, found the number of his men to be less than their own: they therefore placed themselves in ambush, to attack them on their return. The Indian, who had stood on the point, and was returning to the village by another path, met our party, and received their fire, which he returned, and wounded Lovewell and another with small shot. Lieutenant Wyman, firing again, killed him, and they took his scalp. Seeing no other enemy, they returned to the place where they had left their packs, and while they were looking for them, the Indians rose, and ran toward them with a horrid yelling. A smart firing commenced on both sides, it being now about ten of the clock. Captain Lovewell and eight more were killed on the spot. Lieutenant Farwell, and two others, were wounded; several of the Indians fell; but, being superior in number, they endeavoured to surround the party, who, perceiving their intention, retreated—hoping to be sheltered by a point of rock which ran into the pond, and a few large pine trees standing on a sandy beech. In this forlorn place they took their station. On their right was the mouth of a brook, at that time unfordable; on their left was the rocky point; their front was partly covered by a deep bog, and partly uncovered, and the pond was in their rear. The enemy galled them in front and flank, and had them so completely in their power, that had they made a prudent use of their advantage, the whole company must either have been killed, or obliged to surrender at discretion—being destitute of a mouthful of sustenance, and an escape being impracticable. Under the conduct of Lieutenant Wyman they kept up their fire, and shewed a resolute countenance, all the remainder of the day; during which their chaplain, Jonathan Frie, Ensign Robbins, and one more, were mortally wounded. The Indians invited them to surrender, by holding up ropes to them, and endeavoured to intimidate them by their hideous yells; but they determined to die rather than yield; and by their well-directed fire, the number of the savages was thinned, and their cries became fainter, till, just before night, they quitted their advantageous ground, carrying off their killed and wounded, and leaving the dead bodies of Lovewell and his men unscalped. The shattered remnant of this brave company, collecting themselves together, found three of their number unable to move from the spot, eleven wounded, but able to march, and nine who had received no hurt. It was melancholy to leave their dying companions behind, but there was no possibility of removing them. One of them, ensign Robbins, desired them to lay his gun by him charged,

that if the Indians should return before his death he might be able to kill one more. After the rising of the moon, they quitted the fatal spot, and directed their march toward the fort where the surgeon and guard had been left. To their great surprise they found it deserted. In the beginning of the action, one man, (whose name has not been thought worthy to be transmitted to posterity) quitted the field, and fled to the fort; where, in the style of Job's messengers, he informed them of Lovewell's death, and the defeat of the whole company; upon which they made the best of their way home; leaving a quantity of bread and pork, which was a seasonable relief to the retreating survivors. From this place they endeavoured to get home. Lieutenant Farwell, the chaplain, (who had the journal of the march in his pocket,) and one more, perished in the woods, for want of dressing for their wounds. The others, after enduring the most severe hardships, came in one after another, and were not only received with joy, but were recompensed for their valour and sufferings; and a generous provision was made for the widows and children of the slain.

A party from the frontiers of New Hampshire were ordered out to bury the dead; but, by some mistake, did not reach the place of action. Colonel Tyng, with a company from Dunstable, went to the spot, and having found the bodies of twelve, buried them, and carved their names on the trees where the battle was fought. At a little distance he found three Indian graves, which he opened; one of the bodies was known to be their warrior Paugus. He also observed tracks of blood on the ground, to a great distance from the scene of action. It was remarked, that a week before this engagement happened, it had been reported in Portsmouth at the distance of eighty miles, with but little variation from the truth. Such incidents were not uncommon, and could scarcely deserve notice, if they did not indicate that a taste for the marvellous was not extinguished in the minds of the most sober and rational.

This was one of the most fierce and obstinate battles which had been fought with the Indians. They had not only the advantage of numbers, but of placing themselves in ambush, and waiting with deliberation the moment of attack. These circumstances gave them a degree of ardour and impetuosity. Lovewell and his men, though disappointed of meeting the enemy in their front, expected, and determined, to fight. The fall of their commander, and more than one quarter of their number, in the first onset, was greatly discouraging; but they knew that the situation to which they were reduced, and their distance from the frontiers, cut off all hope of safety from flight. In these circumstances, prudence as well as valour dictated a continuance of the engagement, and a refusal to surrender, until the enemy, awed by their brave resistance, and weakened by their own loss, yielded them the honour of the field. After this encounter the Indians resided no more at Pigwacket till the peace.

The conduct of the Marquis de Vaudreuil, governor of Canada, was so flagrant a breach of the treaty of peace subsisting between the crowns of England and France, that it was thought a spirited remonstrance might make him ashamed, and produce some beneficial effects. With this view, the general court of Massachusetts proposed to the colonies of New York, Connecticut, Rhode Island, and New Hampshire, to join in sending commissioners to Canada on this errand. New Hampshire was the only one

which consented; and Theodore Atkinson was appointed on their part, to join with William Dudley and Samuel Thaxter on the part of Massachusetts.

The instructions which they received from the Lieut.-governors Dummer and Wentworth, by advice of the council and assembly of each province, were nearly similar. They were to demand of the French governor, restitution of the captives who had been carried into Canada; to remonstrate to him on his injustice and breach of friendship, in countenancing the Indians in their hostilities against the people of New England; to insist on his withdrawing his assistance for the future; and to observe to him, that if in the farther prosecution of the war, the Indian allies should in their pursuit of the enemy commit hostilities against the French, the blame would be entirely chargeable to himself. If the French governor or the Indians, should make any overtures for peace, they were empowered to give them passports, to come either to Boston or Portsmouth for that purpose, and to return; but they were not to enter into any treaty with them. The commissioners were also furnished with the original letters of Vaudreuil to the governors of New England, and to the Jesuit Ralle, and with copies of the several treaties which had been made with the Indians. The gentlemen went by the way of Albany, and over the lakes, on the ice, to Montreal, where they arrived after a tedious and dangerous journey.

The Marquis, who happened to be at Montreal, received and entertained them with much politeness. Having delivered their letters, and produced their commissions, they presented their remonstrance in writing, and made the several demands agreeably to their instructions; using this among other arguments, "Those Indians dwell either in the dominions of the King of Great Britain, or in the territories of the French king. If in the French king's dominions, the violation of the peace is very flagrant, they then being his subjects; but if they are subjects of the British crown, then much more is it a breach of the peace to excite a rebellion among the subjects of his Majesty of Great Britain."

The governor gave them no written answer, but denied that the Abenakis were under his government, and that he had either encouraged or supplied them for the purpose of war. He said that he considered them as an independent nation, and that the war was undertaken by them, in defence of their lands, which had been invaded by the people of New England. The commissioners, in reply, informed him that the lands for which the Indians had quarrelled were fairly purchased of their ancestors, and had been for many years inhabited by the English. They produced his own letters to the governors of New England in which he had (inconsistently, and perhaps inadvertently) styled these Indians "subjects of the King of France." They also alleged the several treaties held with them as evidence that they had acknowledged themselves subjects of the British crown; and to his great mortification, they also produced his own original letters to the Jesuit Ralle, which had been taken at Norridgewog, in which the evidence of his assisting and encouraging them in the war was too flagrant to admit of palliation. Farther to strengthen this part of their argument, they presented to the governor a Mohawk whom they had met with at Montreal, who, according to his own voluntary acknowledgment, had been supplied by the governor with arms, ammunition, and provision to engage in the war,

and had killed one man, and taken another whom he had sold in Canada.

In addition to what was urged by the commissioners in general, Mr. Atkinson, on the part of New Hampshire, entered into a particular remonstrance, alleging that the Indians had no cause of controversy with that province, the lands in question being out of their claim. To this the governor answered that New Hampshire was a part of the same nation, and the Indians could make no distinction. Atkinson asked him why they did not for the same reason make war on the people of Albany? The governor answered, "The people of Albany have sent a message to pray me to restrain the savages from molesting them; in a manner very different from your demands;" to which Atkinson with equal spirit replied, "Your lordship, then, is the right person for our governments to apply to, if the Indians are subject to your orders."

Finding himself thus closely pressed, he promised to do what lay in his power to bring them to an accommodation, and to restore those captives who were in the hands of the French, on the payment of what they had cost; and he engaged to see that no unreasonable demands should be made by the persons who held them in servitude; as to those who still remained in the hands of the Indians, he said he had no power over them, and could not engage for their redemption. He complained in his turn of the governor of New York, for building a fort on the river Onondago, and said that he should look upon that proceeding as a breach of the treaty of peace; and he boasted that he had the five nations of the Iroquois so much under his influence, that he could at any time cause them to make war upon the subjects of Great Britain.

The commissioners employed themselves very diligently in their inquiries respecting the captives, and in settling the terms of their redemption. They succeeded in effecting the ransom of sixteen, and engaging for ten others. The governor obliged the French, who held them, to abate of their demands; but after all, they were paid for at an exorbitant rate. He was extremely desirous that the gentlemen should have an interview with the Indians, who were at war; and for this purpose sent for a number of them from the village of St. Francis, and kept them concealed in Montreal. The commissioners had repeatedly told him that they had no power to treat with them, and that they would not speak to them unless they should desire peace. At his request, the chiefs of the Nipissins visited the commissioners, and said that they disapproved the war which their children the Abenakis had made, and would persuade them to ask for peace. After a variety of manœuvres, the governor at length promised the commissioners that if they would consent to meet the Indians at his house, they should speak first. This assurance produced an interview; and the Indians asked the commissioners whether they would make proposals of peace?—They answered, no. The Indians then proposed, that "if the English would demolish all their forts, and remove one mile westward of Saco river; if they would rebuild their church at Norridgewog, and restore to them their priest, they would be brothers again. The commissioners told them that they had no warrant to treat with them; but if they were disposed for peace, they should have safe conduct to and from Boston or Portsmouth; and the governor promised to send his son with them to see justice done. They answered, that "this was the only

place to conclude peace, as the nations were near and could readily attend." The governor would have had them recede from their proposals, which he said were unreasonable, and make others; but father Le Chase, a Jesuit, being present, and acting as interpreter for the Indians, embarrassed the matter so much, that nothing more was proposed. It was observed by the commissioners, that when they conversed with the governor alone, they found him more candid and open to conviction than when Le Chase, or any other Jesuit was present; and, through the whole of their negotiation, it evidently appeared that the governor himself, as well as the Indians, were subject to the powerful influence of these ecclesiastics, of whom there was a seminary in Canada, under the direction of the Abbé Belmont.

Having completed their business, and the rivers and lakes being clear of ice, the commissioners took their leave of the governor, and set out on their return, with the redeemed captives, and a guard of soldiers, which the governor ordered to attend them as far as Crown-point. They went down the river St. Lawrence to the mouth of the Sorel, then up that river to Chamblee, and through the lakes to fort Nicholson. After a pleasant passage, of seven days, they arrived at Albany.

Here they found commissioners of Indian affairs for the province of New York, to whom they communicated the observations which they had made in Canada, and what the Marquis de Vaudreuil had said respecting the five nations, and the fort at Onondago. There being a deputation from these nations at Albany, they held a conference with them, and gave them belts; requesting their assistance in establishing a peace with the Abenakis. From this place Mr. Atkinson wrote to M. Cavanille, son of the Marquis, acknowledging the polite reception the commissioners had met with from the family; subjoining a copy of the information which they had given to the commissioners of New York; and promising that a due representation should be made to the kings of England and France on the subject of their negotiation.

The report of the commissioners being laid before the Assemblies of Massachusetts and New Hampshire, it was determined to prosecute the war with vigour. Orders were issued for the defence and supply of the frontiers, and for the encouragement of ranging parties, both volunteers and militia. A petition was sent to the king complaining of the French governor, and desiring that orders might be given to the other colonies of New England, and to New York, to furnish their quotas of assistance in the further prosecution of the war; and letters were written to the governor of New York, requesting that such of the hostile Indians as should resort to Albany, might be seized and secured.

The good effects of this mission to Canada were soon visible. One of the Indian hostages who had been detained at Boston through the whole war, together with one who had been taken, were allowed on their parole, to visit their countrymen; and they returned with a request for peace. Commissioners from both provinces went to St. George's, where a conference was held, which ended in a proposal for a farther treaty at Boston. In the mean time, some of the enemy were disposed for further mischief. Those who had been concerned in taking Hanson's family at Dover, in a short time after their redemption and return, came down with a design to take them again, as they had threatened them before they left Canada. When they had come near the

house, they observed some people at work in a neighbouring field, by which it was necessary for them to pass, both in going and returning. This obliged them to alter their purpose, and conceal themselves in a barn, till they were ready to attack them. Two women passed by the barn, while they were in it, and had just reached the garrison as the guns were fired. They shot Benjamin Evans dead on the spot: wounded William Evans and cut his throat; John Evans received a slight wound in the breast, which bleeding plentifully, deceived them, and thinking him dead, they stripped and scalped him: he bore the painful operation without discovering any signs of life, though all the time in his perfect senses, and continued in the feigned appearance of death, till they had turned him over, and struck him several blows with their guns, and left him for dead. After they were gone off he rose and walked, naked and bloody, toward the garrison; but on meeting his friends by the way, dropped, fainting on the ground, and being covered with a blanket, was conveyed to the house. He recovered and lived fifty years. A pursuit was made after the enemy, but they got off undiscovered, carrying with them Benjamin Evans, junior, a lad of thirteen years old, to Canada, whence he was redeemed as usual by a charitable collection.

This was the last effort of the enemy in New Hampshire. In three months, the treaty which they desired was held at Boston, and the next spring ratified at Falmouth. A peace was concluded in the usual form; which was followed by restraining all private traffic with the Indians, and establishing truck-houses in convenient places, where they were supplied with the necessaries of life, on the most advantageous terms. Though the governments on the whole were losers by the trade, yet it was a more honourable way of preserving the peace, than if an acknowledgment had been made to the Indians in any other manner.

None of the other colonies of New England bore any share in the expenses or calamities of this war; and New Hampshire did not suffer so much as in former wars; partly by reason of the more extended frontier of Massachusetts, both on the eastern and western parts, against the former of which the enemy directed their greatest fury; and partly by reason of the success of the ranging parties, who constantly traversed the woods as far northward as the White Mountains. The militia at this time was completely trained for active service; every man of forty years of age having seen more than twenty years of war. They had been used to handle their arms from the age of childhood, and most of them, by long practice, had become excellent marksmen, and good hunters. They were well acquainted with the lurking-places of the enemy; and possessed a degree of hardness and intrepidity, which can be acquired only by the habitude of those scenes of danger and fatigue, to which they were daily exposed. They had also imbibed from their infancy a strong antipathy to the savage natives; which was strengthened by repeated horrors of blood and desolation, and not obliterated by the intercourse which they had with them in time of peace. As the Indians frequently resorted to the frontier towns in time of scarcity, it was common for them to visit the families whom they had injured in war; to recount the circumstances of death and torture which had been practised on their friends; and when provoked or intoxicated, to threaten a repetition of such insults in future wars. To bear such treatment required more than human patience; and it is not improbable

that secret murders were sometimes the consequence of these harsh provocations. Certain it is, that when any person was arrested, for killing an Indian in time of peace, he was either forcibly rescued from the hands of justice, or if brought to trial, invariably acquitted; it being impossible to impanel a jury some of whom had not not suffered by the Indians, either in their persons or families.

Wentworth's administration continued—Barnet's short administration—Belcher succeeds him—Wentworth's death and character.

During the war, the lieutenant-governor had managed the executive department with much prudence; the people were satisfied with his administration, and entertained an affection for him, which was expressed not only by words, but by frequent grants of money, in the general assembly. When he returned from Boston, (1726) where the treaty of peace was concluded, they presented to him an address of congratulation, and told him that "his absence had seemed long; but the service he had done them filled their hearts with satisfaction." This address was followed by a grant of 100*l.* He had, just before, consented to an issue of 2000*l.* in bills of credit, to be paid, one half in the year 1735, and the other half in 1736. An excise was laid for three years, and was farmed for 300*l.*

The divisional line between the provinces of New Hampshire and Massachusetts was yet unsettled, and in addition to the usual disadvantages occasioned by this long neglect, a new one arose. By the construction which Massachusetts put on their charter, all the lands three miles northward of the river Merrimack were within their limits. On this principle, a grant had formerly been made to Governor Endicott, of some lands at Penacook, which had been the seat of a numerous and powerful tribe of Indians. The quality of the land at that place invited the attention of adventurers from Andover, Bradford and Haverhill; to whom a grant was made of a township, seven miles square; comprehending the lands on both sides of the Merrimack, extending southwardly from the branch called Contoocook. This grant awakened the attention of others; and a motion was made in the Massachusetts assembly, for a line of townships, to extend from Dunstable on Merrimack, to Northfield on Connecticut river; but the motion was not immediately adopted. The assembly of New Hampshire was alarmed. Newman, their agent, had been a long time at the British court, soliciting the settlement of the line, and a supply of military stores for the fort. Fresh instructions were sent to him to expedite the business, and to submit the settlement of the line to the king. A committee was appointed to go to Penacook, to confer with a committee of Massachusetts, then employed in laying out the lands, and to remonstrate against their proceeding. A survey of other lands near Winipiseogee lake, was ordered; that it might be known, what number of townships could be laid out, independently of the Massachusetts claim. On the other hand, the heirs of Allen renewed their endeavours, and one of them, John Hobby, petitioned the assembly to compound with him for his claim to half the province; but the only answer which he could obtain was that "the courts of law were competent to the determination of titles," and his petition was dismissed.

Both provinces became earnestly engaged. Massachusetts proposed to New Hampshire the appointment of commissioners to establish the line. The New Hampshire assembly refused, because they had

submitted the case to the king. The Massachusetts people, foreseeing that the result of this application might prove unfavourable to their claim of jurisdiction, were solicitous to secure to themselves the property of the lands in question. Accordingly, the proposed line of townships being surveyed, "pretences were encouraged and even sought after, to entitle persons to be grantees." The descendants of the officers and soldiers, who had been employed in expeditions against the Narraganset Indians, and against Canada, in the preceding century, were admitted; and the survivors of the late Captain Lovewell's company, with the heirs of the deceased, had a select tract granted to them at Suncook. There was an appearance of gratitude in making these grants, and there would have been policy in it, had the grantees been able to comply with the conditions. (1727.) New Hampshire followed the example, and made grants of the townships of Epsom, Chichester, Barnstead, Canterbury, Gilmantown, and Bow. All these, excepting the last, were undoubtedly within their limits; but the grant of Bow interfered with the grants which Massachusetts had made at Penacook and Suncook, and gave rise to a litigation tedious, expensive, and of forty years continuance.

These tracts of land granted by both provinces were too numerous and extensive. It was impracticable to fulfil the conditions, on which the grants were made. Had the same liberal policy prevailed here as in Pennsylvania, and had the importation of emigrants from abroad been encouraged, the country might have been soon filled with inhabitants; but the people of Londonderry were already looked upon with a jealous eye, and a farther intrusion of strangers was feared, lest they should prove a burden and charge to the community. People could not be spared from the old towns. Penacook was almost the only settlement which was effected by emigrants from Massachusetts. A small beginning was made by the New Hampshire proprietors at Bow, on Suncook river; but the most of the intermediate country remained uncultivated for many years. Schemes of settlement were indeed continually forming; meetings of proprietors were frequently held, and an avaricious spirit of speculation in landed property prevailed, but the real wealth and improvement of the country instead of being promoted were retarded.

On the death of King George I., the assembly, which had subsisted five years, was of course dissolved; and writs for the election of another were issued in the name of George II. The long continuance of this assembly was principally owing to the absence of Governor Shute, in whose administration it commenced, and the uncertainty of his return or the appointment of a successor. It had been deemed a grievance, and an attempt had been made in 1724, to limit the duration of assemblies to three years, in conformity to the custom of England. At the meeting of the new assembly, the first business which they took up was to move for a triennial act. The Lieutenant-governor was disposed to gratify them. Both houses agreed in framing an act for a triennial assembly, in which the duration of the present assembly was limited to three years (unless sooner dissolved by the commander in chief), writs were to issue fifteen days at least before a new election; the qualification of a representative was declared to be a freehold estate of 300*l.* value. The qualification of an elector was a real estate of 50*l.*, within the town or precinct where the election should be made, but habitancy was not required in either case, the

select men of the town, with the moderator of the meeting, were constituted judges of the qualifications of electors, saving an appeal to the house of representatives. This act having been passed in due form, received the royal approbation, and was the only act which could be called a constitution or form of government, established by the people of New Hampshire; all other parts of their government being founded on royal commissions and instructions. But this act was defective, in not determining by whom the writs should be issued, and in not describing the places from which representatives should be called either by name, extent, or population. This defect gave birth to a long and bitter controversy, as will be seen hereafter.

The triennial act being passed, the house were disposed to make other alterations in the government. An appeal was allowed in all civil cases from the inferior to the superior court; if the matter in controversy exceeded 100*l.*, another appeal was allowed to the governor and council, and if it exceeded 300*l.*, to the king in council. The appeal to the governor in council was first established by Cutt's commission, and continued by subsequent commissions and instructions. In Queen Anne's time, it was complained of as a grievance, that the governor and council received appeals and decided causes, without taking an oath to do justice. An oath was then prescribed and taken. The authority of this court had been recognised by several clauses in the laws, but was disrelished by many of the people, partly because the judges who had before decided cases, were generally members of the council; partly because no injury was admitted in this court of appeal, and partly because no such institution was known in the neighbouring province of Massachusetts. The house moved for a repeal of the several clauses in the laws relative to this obnoxious court; the council non-concurred their vote, and referred them to the royal instructions. The house persisted in their endeavours, and the council in their opposition. Both sides grew warm, and there was no prospect of an accommodation. The lieutenant-governor put an end to the session, and soon after dissolved the assembly by proclamation.

(1728.) A new assembly was called; the same persons, with but two or three exceptions, were re-elected, and the same spirit appeared in all their transactions. They chose for their speaker Nathaniel Weare, who had been speaker of the former assembly, and having as usual presented him to the lieutenant-governor, he negatived the choice. The house desired to know by what authority; he produced his commission; nothing appeared in that which satisfied them; and they adjourned from day to day without doing any business. After nine days they chose another speaker, Andrew Wiggin, and sent up the vote, with a preamble, justifying their former choice. The lieutenant-governor approved of the speaker, but disapproved the preamble; and thus the controversy closed, each side retaining their own opinion. The speeches and messages from the chair, and the answers from the house during this session were filled with reproaches; the public business was conducted with ill humour, and the house carried their opposition so far as to pass a vote for addressing the king to annex the province to Massachusetts: to this vote the council made no answer. But as a new governor was expected, they agreed in appointing a committee of both houses to go to Boston, and compliment him on his arrival.

The expected governor was William Burnet, son

of the celebrated Bishop of Sarum, whose name was dear to the people of New England, as a steady and active friend to civil and religious liberty. Mr. Burnet was a man of good understanding and polite literature; fond of books and of the conversation of literary men; but an enemy to ostentation and parade. He had been governor of New York and New Jersey, and quitted those provinces with reluctance, to make way for another person, for whom the British ministry had to provide. Whilst at New York he was very popular, and his fame having reached New England, the expectations of the people were much raised on the news of his appointment to the government of Massachusetts and New Hampshire. Lieut. Governor Wentworth characterised him in one of his speeches as "a gentleman of known worth, having justly obtained an universal regard from all who have had the honour to be under his government." He was received with much parade at Boston, whither the lieutenant-governor of New Hampshire, with a committee of the council and assembly, went to compliment him on his arrival.

Mr. Burnet had positive instructions from the crown to insist on the establishment of a permanent salary in both his provinces. He began with Massachusetts, and held a long controversy with the general court to no purpose. In New Hampshire a precedent had been established in the administration of Dudley, which was favourable to his views. Though some of the assembly were averse to a permanent salary, yet the lieutenant-governor had so much interest with them—by virtue of having made them proprietors in the lately granted townships—that they were induced to consent; on condition that he should be allowed one third part of the salary, and they should be discharged from all obligations to him. (1729.) This bargain being concluded, the house passed a vote, with which the council concurred, to pay, "Governor Burnet, for the term of three years, or during his administration, the sum of two hundred pounds sterling, or six hundred pounds in bills of credit; which sum was to be in full of all demands from this government for his salary; and all expenses in coming to, tarrying in, or going from this province; and also for any allowance to be made to the lieutenant-governor; and that the excise on liquors should be appropriated to that use." To this vote six of the representatives entered their dissent.

The governor came but once into New Hampshire. His death, which happened after a few months, was supposed to be occasioned by the ill effect which his controversy with Massachusetts, and the disappointment which he suffered, had on his nerves.

(1730.) When the death of governor Burnet was known in England the resentment against the province of Massachusetts was very high, on account of their determined refusal to fix a salary on the king's governor. It was even proposed to reduce them to "a more absolute dependence on the crown;" but a spirit of moderation prevailed; and it was thought that Mr. Jonathan Belcher, then in England, being a native of the province, and well acquainted with the temper of his countrymen, would have more influence than a stranger to carry the favourite point of a fixed salary. His appointment as governor of New Hampshire was merely an appendage to his other commission.

Belcher was a merchant of large fortune and unblemished reputation. He had spent six years in Europe, had been twice at the court of Hanover before the protestant succession took place in the family of Brunswick, and had received from the

Princess Sophia a rich gold medal. He was graceful in his person, elegant and polite in his manners, of a lofty and aspiring disposition, a steady, generous friend, a vindictive but not implacable enemy. Frank and sincere, he was extremely liberal in his censures, both in conversation and letters. Having a high sense of the dignity of his commission, he determined to support it, even at the expense of his private fortune; the emoluments of office in both provinces being inadequate to the style in which he chose to live.

Whilst he was in England, and it was uncertain whether he would be appointed or Shute would return, Wentworth wrote letters of compliment to both. Belcher knew nothing of the letter to Shute till his arrival in America, and after he had made a visit to New Hampshire, and had been entertained at the house of the lieutenant-governor. He was then informed that Wentworth had written a letter to Shute, of the same tenor as that to himself. This he deemed an act of duplicity. How far it was so, cannot now be determined. The persuasion was so strong in the mind of Belcher, that on his next visit to Portsmouth he refused an invitation to Wentworth's house. This was not the only way in which he manifested his displeasure. When the affair of the salary came before the assembly, he not only refused to make such a compromise as Burnet had done; but obliged the lieutenant-governor under his hand "to quit all claim to any part of the salary, and to acknowledge that he had no expectation from, or dependence on, the assembly for any allowance, but that he depended wholly on the governor." The same salary was then voted, and in nearly the same words, as to his predecessor. He allowed the lieutenant-governor the fees and perquisites only which arose from registers, certificates, licenses, and passes, amounting to about fifty pounds sterling. Wentworth and his friends were disappointed and disgusted. He himself did not long survive; being seized with a lethargic disorder, he died December 12th, in the fifty-ninth year of his age; but his family connexions resented the affront, and drew a considerable party into their views. Benning Wentworth, his son, and Theodore Atkinson, who had married his daughter, were at the head of the opposition. The latter was removed from his office of collector of customs, to make room for Richard Wibird; the naval office was taken from him and given to Ellis Huske; and the office of high sheriff, which he had held, was divided between him and Eleazer Russell. Other alterations were made, which greatly offended the friends of the late lieutenant-governor; but Belcher, satisfied that his conduct was agreeable to his commission and instructions, disregarded his opponents, and apprehended no danger from their resentment. Atkinson was a man of humour, and took occasion to express his disgust in a singular manner. The governor, who was fond of parade, had ordered a troop of horse to meet him on the road and escort him to Portsmouth. The officers of the government met him, and joined the cavalcade. Atkinson was tardy; but when he appeared, having broken the sheriff's wand, he held one half in his hand. Being chid by the governor for not appearing sooner, he begged his excellency to excuse him, because he had but half a horse to ride.

In addition to what has been observed respecting lieutenant-governor Wentworth, the following portrait of his character, by some contemporary friend, deserves remembrance.

"He was born at Portsmouth, of worthy parents, from whom he had a religious education. His inclination leading him to the sea, he soon became a commander of note, and gave a laudable example to that order by his sober behaviour and his constant care to uphold the worship of God in his ship. Wherever he came, by his discreet and obliging deportment, he gained the love and esteem of those with whom he conversed.

"On his leaving the sea, he had considerable business as a merchant, and always had the reputation of a fair and generous dealer.

"He has approved himself to the general acceptance of his majesty's good subjects throughout this province, and under his mild administration, we enjoyed great quietness.

"He was a gentleman of good natural abilities, much improved by conversation; remarkably civil and kind to strangers—respectful to the ministers of the gospel—a lover of good men of all denominations—compassionate and bountiful to the poor—courteous and affable to all—having a constant regard to the duties of divine worship, in private and public, and paying a due deference to all the sacred institutions of Christ. He had sixteen children."

Dunbar's Lieutenantancy and enmity to Belcher—Efforts to settle the boundary lines—Divisions—Riot—Trade—Episcopal Church—Throat distemper.

(1731.) Mr. Wentworth was succeeded in the lieutenantancy by David Dunbar, Esq., a native of Ireland, and a reduced colonel in the British service; who was also deputed to be surveyor of the king's woods. This appointment was made by the recommendation of the board of trade; of which Colonel Bladen was an active member, who bore no good will to Governor Belcher. Dunbar had been commander of a fort at Pemaquid, which it was in contemplation to annex to Nova Scotia. He had taken upon him to govern the few scattered people in that district, with a degree of rigor to which they could not easily submit. This conduct had already opened a controversy, between him and the province of Massachusetts; and it was very unfortunate for Belcher to have such a person connected with both his governments. What were the merits, which recommended Dunbar to these stations, it is not easy at this time to determine; the only qualifications, which appear to have pleaded in his favour, were poverty and the friendship of men in power. He was an instrument of intrigue and disaffection; and he no sooner made his appearance in New Hampshire, than he joined the party who were in opposition to the governor. Belcher perceived the advantage which his enemies would derive from this alliance, and made all the efforts in his power to displace him. In his letters to the ministry, to the board of trade, and to his friends in England, he continually represented him in the worst light, and solicited his removal. It is not improbable, that his numerous letters of this kind, written in his usual style, with great freedom and without any reserve, might confirm the suspicions raised by the letters of his adversaries, and induced the ministry to keep Dunbar in place, as a check upon Belcher, and to preserve the balance of parties.

Within a few weeks after Dunbar's coming to Portsmouth, a complaint was drawn up against Belcher, and signed by fifteen persons; alleging that his government was grievous, oppressive, and arbitrary, and praying the king for his removal. This

roused the governor's friends, at the head of whom was Richard Waldron, the secretary, who drew up a counter address, and procured a hundred names to be subscribed. Both addresses reached England about the same time. Richard Partridge, Mr. Belcher's brother in law, in conjunction with his son, Jonathan Belcher, then a student in the Temple, applied for a copy of the complaint against him, at the plantation office, and obtained it; but could not get sight of the letters which accompanied it, though, on the foundation of those letters, a representation had been made by the board of trade to the king.

The only effect which Dunbar's letters had at that time, was to procure the appointment of Theodore Atkinson, Benning Wentworth, and Joshua Peirce, to be counsellors of New Hampshire; and though Belcher remonstrated to the secretary of state against these appointments, and recommended other persons in their room, he could not prevail, any farther than to delay the admission of the two former for about two years; during which time they were elected into the house of representatives, and kept up the opposition there. The recommendations, which he made of other persons, were duly attended to when vacancies happened; and thus the council was composed of his friends, and his enemies. The civil officers, whom he appointed, were sometimes superseded by persons recommended and sent from England; and in one instance, a commission for the naval office, in favour of a Mr. Reynolds, son of the Bishop of Lincoln, was filled up in England, and sent over with orders for him to sign it; which he was obliged punctually to obey.

From the confidential letters of the leading men on both sides, the views of each party may plainly be seen; though they endeavoured to conceal them from each other. The governor and his friends had projected an union of New Hampshire with Massachusetts; but were at a loss by what means to bring it into effect. The most desirable method would have been, an unanimity in the people of New Hampshire, in petitioning the crown for it: but as this could not be had, the project was kept out of sight, till some favourable opportunity should present.

The other party contemplated not only the continuance of a separate government, but the appointment of a distinct governor, who should reside in the province, and have no connexion with Massachusetts. The greatest obstacle in their way, was the smallness and poverty of the province, which was not able to support a gentleman in the character of governor. To remove this obstacle, it was necessary to have the limits of territories, not only fixed, but enlarged. They were therefore zealous in their attempts for this purpose; and had the address to persuade a majority of the people, that they would be gainers by the establishment of the lines; that the lands would be granted to them and their children; and that the expense of obtaining the settlement would be so trifling, that each man's share would not exceed the value of a pullet.

The governor's friends were averse to pressing the settlement of the line; and their reasons were these. The controversy is either between the king and the subjects of his charter government of Massachusetts; or else, between the heirs of Mason and Allen, and the people of Massachusetts. If the controversy be settled even in favour of New Hampshire, the lands which fall within the line will be either the king's property, to be granted by his governor and council, according to royal instructions; or else the property of the heirs of Mason or Allen,

to be disposed of by them. On both suppositions the people of New Hampshire can have no property in the lands, and therefore why should they be zealous about the division, or tax themselves to pay the expense of it?

The governor, as obliged by his instructions, frequently urged the settlement of the lines in his speeches, and declared, that the assembly of New Hampshire had done more toward effecting it, than that of Massachusetts. A committee from both provinces met at Newbury in the autumn of 1731, on this long contested affair; but the influence of that party in Massachusetts, of which Elisha Cooke was at the head, prevented an accommodation. Soon after this fruitless conference, the representatives of New Hampshire, of whom a majority was in favour of settling the line, determined no longer to treat with Massachusetts; but to represent the matter to the king, and petition him to decide the controversy. Newman's commission, as agent, having expired, they chose for this purpose John Rindge, merchant, of Portsmouth, then bound on a voyage to London. The appointment of this gentleman was fortunate for them, not only as he had large connexions in England; but as he was capable of advancing money, to carry on the solicitation. The council, a majority of which was in the opposite interest, did neither concur in the appointment, nor consent to the petition.

(1732.) Mr. Rindge, on his arrival in England, petitioned the king in his own name, and in behalf of the representatives of New Hampshire, to establish the boundaries of the province; but his private affairs requiring his return to America, he did, agreeably to his instructions, leave the business in the hands of Captain John Thomlinson, merchant, of London, who was well known in New Hampshire, where he had frequently been in quality of a sea commander. He was a gentleman of great penetration, industry, and address; and having fully entered into the views of Belcher's opponents, prosecuted the affair of the line, "with ardour and diligence;" employing for his solicitor, Ferdinando John Parris; who, being well supplied with money, was indefatigable in his attention. The petition was of course referred to the lords of trade, and Francis Wilks, the agent of Massachusetts, was served with a copy to be sent to his constituents.

Whilst the matter of the line was pending on the British side of the Atlantic, the parties in New Hampshire maintained their opposition, and were on all occasions vilifying and abusing each other, especially in their letters to their friends in England. "On the one side, Belcher incessantly represented Dunbar as the fomentor of opposition; as false, perfidious, malicious, and revengeful; that he did no service to the crown, nor to himself, but was "a plague to the governor and a deceiver of the people." He was also very liberal in his reflections, on his other opposers. On the other side, they represented him as unfriendly to the royal interest, as obstructing the settlement of the lines, conniving at the destruction of the king's timber; and partial to his other government, where all his interest lay; and that he had not even a freehold in New Hampshire. (1733.) As an instance of his partiality, they alleged that in almost every session of the Assembly of Massachusetts, he consented to grants of the disputed lands, to the people of that province; by which means their Assembly raised money, to enable their agent to protract the controversy, that they might have opportunities to lay out more townships; while at the same time he rejected a supply bill of the New

Hampshire Assembly, and dissolved them, because that in it, they had made an appropriation for their agent. The truth was, that the council did not consent to the bill, because they had no hand in appointing the agent, and the bill never came before the governor. The frequent dissolution of assemblies was another subject of complaint; and, in fact, this measure never produced the desired effect; for the same persons were generally re-elected, and no reconciling measures were adopted by either party.

(1734.) The governor frequently complained, in his speeches, that the public debts were not paid; nor the fort, prison, and other public buildings kept in repair, because of their failure in supplying the treasury. The true reason of their not supplying it was, that they wanted issues of paper money, to be drawn in at distant periods; to this the governor could not consent, being restrained by a royal instruction, as well as in principle opposed to all such practices. But one issue of paper was made in his administration; and for its redemption, a fund was established in hemp, iron, and other productions of the country. When a number of merchants and others had combined to issue notes, to supply the place of a currency, he issued a proclamation against them; and in his next speech to the assembly, condemned them in very severe terms. The assembly endeavoured to vindicate the character of the bills; but in a few days he dissolved them, with a reprimand, charging them with trifling, with injustice and hypocrisy. It must be remembered that his complaints of an empty treasury were not occasioned by any failure of his own salary, which was regularly paid out of the excise.

Belcher revived the idea of his predecessor Shute, which was also countenanced by his instructions, that he was virtually present in New Hampshire when personally absent and attending his duty in his other province; and therefore that the lieutenant-governor could do nothing but by his orders. Dunbar had no seat in the council, and Shadrach Walton being senior member, by the governor's order summoned them and presided. He also held the command of the fort, by the governor's commission; granted passes for ships, and licenses for marriage; and received and executed military orders, as occasion required. The lieutenant-governor contested this point, but could not prevail; and finding himself reduced to a state of insignificance, he retired in disgust to his fort at Pemaquid, where he resided almost two years. The governor's friends gave out that he had absconded for debt, and affected to triumph over the opposition, as poor and impotent; but their complaints, supported by their agent Thomlinson, and the influence of Bladen at the Board of Trade, made an impression there much to the disadvantage of Mr. Belcher, though he had friends among the ministry and nobility, the principal of whom was Lord Townsend, by whose influence he had obtained his commission.

After Dunbar's return to Portsmouth the governor thought it good policy to relax his severity; and gave him the command of the fort, with the ordinary perquisites of office, amounting to about fifty pounds sterling. Not content with this, he complained that the governor did not allow him one third of his salary. The governor's salary was but 600*l.* currency; and he spent at least one hundred in every journey to New Hampshire, of which he made two in a year. At the same time Dunbar had two hundred pounds sterling, as surveyor general of the woods; which, with the perquisites, amounting to

one hundred more, were divided between him and his deputies. But it must be remembered that he was deeply in debt, both here and in England.

The rigid execution of the office of surveyor general had always been attended with difficulty; and the violent manner in which Dunbar proceeded with trespassers, raised a spirit of opposition on such occasions. The statutes for the preservation of the woods empowered the surveyor to seize all logs cut from white pine trees without license; and it rested on the claimant to prove his property in the court of admiralty. Dunbar went to the saw-mills, where he seized and marked large quantities of lumber; and with an air and manner to which he had been accustomed in his military capacity, abused and threatened the people. That class of men with whom he was disposed to contend are not easily intimidated with high words; and he was not a match for them in that species of controversy which they have denominated swamp law. An instance of this happened at Dover, whither he came with his boat's crew to remove a parcel of boards which he had seized. The owner, Paul Gerrish, warned him of the consequence; Dunbar threatened with death the first man who should obstruct his intentions; the same threat was returned to the first man who should remove the boards. Dunbar's prudence at this time got the better of his courage, and he retired.

With the like spirit, an attempt of the same kind was frustrated at Exeter, whither he sent a company in a boat to remove lumber. Whilst his men were regaling themselves at a public house, in the evening, and boasting of what they intended to do the next day, a number of persons, disguised like Indians, attacked and beat them; whilst others cut the rigging and sails of the boat, and made a hole in her bottom. The party not finding themselves safe in the house, retreated to the boat, and pushed off; but being there in danger of sinking, they with difficulty regained the shore, and hid themselves till morning, when they returned on foot to Portsmouth.

This was deemed a flagrant insult. Dunbar summoned the council, and complained to them of the riotous proceedings at Exeter, where there was "a conspiracy against his life, by evil-minded persons, who had hired Indians to destroy him." He proposed to the council the issuing of a proclamation, offering a reward to apprehend the rioters. The major part of the council were of opinion that no proclamation could be issued but by the governor. Information being sent to the governor, he issued a proclamation; commanding all magistrates to assist in discovering the rioters.

This transaction afforded matter for complaint, and a memorial was drawn up by Thomlinson, grounded on letters which he had received. It was suggested, that the governor's pretence to favour the surveyor was deceitful; that the rioters at Exeter were his greatest friends; that the council, wholly devoted to him, would not advise to a proclamation till they had sent to Boston—that the proclamation was delayed—and when it appeared offered no reward, though Dunbar had proposed to pay the money himself—and that by reason of this delay and omission, the rioters escaped with impunity.

In justice to Mr. Belcher, it must be said that there was no delay on his part—the proclamation being sent from Boston within six days. It also appears, from the secret and confidential letters of the governor, that he disapproved the riot, and even called it rebellion; that he gave particular orders to the magistrates to make inquiry, and take depo-

sitions, and do their utmost to discover the rioters. If he did not advertise a reward, it was because there was no money in the treasury: and if Dunbar had been sincere in his offer to pay it, he might have promised it by advertisement. The true reason that the rioters were not discovered was, that their plan was so artfully conducted, their persons so effectually disguised, and their confidence in each other so well placed, that no proof could be obtained; and the secret remained with themselves, till the danger was over, and the government had passed into other hands.

A law had been made for holding the inferior court of common pleas, alternately in each of the four old towns; and the practice had been continued for several years, much to the convenience and satisfaction of the people; but Dunbar remonstrated against it to the board of trade, and moved for a disallowance of the act, because the people who had obstructed him in his office deserved not so much favour. The act was in consequence disallowed, and the courts were afterward confined to Portsmouth. (1735.) The order for disallowance came to the hands of Dunbar, who called a meeting of the council, that they might advise to its publication. A majority of them would not consent till the original order was sent to Boston, and Governor Belcher directed the publication of it. This transaction served as matter of fresh complaint, and was alleged as an argument for the appointment of a governor who should reside constantly in the province.

To finish what relates to Dunbar. He was caressed by the party in opposition to Belcher, under the idea that he had interest enough in England to obtain a commission for the government of New Hampshire. In 1737 he went to England to prosecute his design; where, by his old creditors he was arrested and thrown into prison. Thomlinson found means to liberate him; but perceived that he had neither steadiness nor ability for the station at which he aimed, nor interest enough to obtain it; though by his presence in England he served to keep up the opposition to Belcher, and was used as a tool for that purpose, till the object was accomplished. After which he was (1743) appointed, by the East India Company, governor of St. Helena.

The trade of the province at this time consisted chiefly in the exportation of lumber and fish to Spain and Portugal, and the Caribbee Islands. The mast trade was wholly confined to Great Britain. In the winter small vessels went to the southern colonies, with English and West India goods, and returned with corn and pork. The manufacture of iron within the province, which had been set up by the late Lieut.-Governor Wentworth, and other gentlemen, lay under discouragement, for want of experienced and industrious workmen. The woollen manufacture was diminished, and sheep were scarcer than formerly—the common lands on which they used to feed, being fenced in by the proprietors. The manufacture of linen was much increased by means of the emigrants from Ireland, who were skilled in that business. No improvements were made in agriculture, and the newly granted townships were not cultivated with spirit or success.

There had not been any settled episcopal church in the province from the beginning, till about the year 1732, when some gentlemen who were fond of the mode of divine worship in the church of England, contributed to the erection of a neat building on a commanding eminence, in Portsmouth, which they called the Queen's chapel. Mr. Thomlinson

was greatly instrumental in procuring them assistance in England, toward completing and furnishing it. It was consecrated in 1734, and in 1736 they obtained Mr. Arthur Brown for their minister, with a salary from the society for propagating the gospel in foreign parts.

About this time, the country was visited with a new epidemic disease, which obtained the name of the throat distemper. The general description of it was a swelled throat, with white or ash-coloured specks, an efflorescence on the skin, great debility of the whole system, and a strong tendency to putridity. Its first appearance was in May 1735, at Kingston in New Hampshire, an inland town, situate on a low plain. The first person seized was a child, who died in three days. About a week after, in another family, at the distance of four miles, three children were successively attacked, who also died on the third day. It continued spreading gradually in that township, through the summer, and of the first forty who had it, none recovered. In August it began to make its appearance at Exeter, six miles north-eastward, and in September at Boston, fifty miles southward, though it was October before it reached Chester, the nearest settlement on the west of Kingston. It continued its ravages through the succeeding winter and spring, and did not disappear till the end of the next summer. In Boston it is calculated that 4,000 had the distemper, of whom 114 died.

The most who died of this pestilence were children, and the distress which it occasioned was heightened to the most poignant degree. From three to six children were lost out of some families, several buried four in a day, and many lost all. In some towns one in three, and in others one in four, of the sick were carried off. In the parish of Hampton Falls it raged most violently. Twenty families buried all their children: twenty-seven persons were lost out of five families, and more than one-sixth part of the inhabitants of that place died within thirteen months. In the whole province not less than 1,000 persons, of whom above 900 were under twenty years of age, fell victims to this raging distemper.

Since the settlement of this country such a mortality had not been known. It was observed that the distemper proved most fatal, when plentiful evacuations, particularly bleeding, were used; a great prostration of strength being an invariable symptom. The summer of 1735, when the sickness began, was unusually wet and cold, and the easterly wind greatly prevailed: but it was acknowledged to be, not "a creature of the seasons," as it raged through every part of the year. Its extent is said to have been "from Pemaquid to Carolina:" but with what virulence it raged, or in what measure it proved fatal to the southward of New England, does not appear.

The same distemper has made its appearance at various times since. In 1754 and 1755, it produced a great mortality in several parts of New Hampshire, and the neighbouring parts of Massachusetts. Since that time it has either put on a milder form, or physicians have become better acquainted with it. The last time of its general spreading was in 1784, 5, 6, and 7. It was then first seen at Sanford in the county of York, and thence diffused itself very slowly through most of the towns of New England; but its virulence, and the mortality which it caused, were comparatively inconsiderable. "Its remote or predisposing cause, is one of those mysteries in nature which baffle human inquiry."

The following enumeration shews the amount of

mortality for fourteen months, preceding the 26th of July, 1736:—Died in Portsmouth 99, Dover 88, Hampton 55, Hampton Falls 210, Exeter 127, New-castle 11, Gosport 37, Rye 44, Greenland 18, Newington 21, Newmarket 22, Stretham 18, Kingston 113, Durham 100, Chester 21.—Total 984.

After this account was taken, "several other children" died of the throat distemper; in the town of Hampton thirteen more within the year 1736, so that the whole number must have exceeded 1,000. In the town of Kittery, in the county of York, 122 died.

It appears also, from the church records of Hampton, that from January 1754 to July 1755, fifty-one persons died of the same distemper in that town.

State of parties—Controversy about lines—Commissioners appointed—Their session and result—Appeals—Complaints.

We have now come to that part of the History of New Hampshire, in which may be seen, operating in a smaller sphere, the same spirit of intrigue which has frequently influenced the conduct of princes, and determined the fate of nations. Whilst on the one hand, we see Massachusetts stiffly asserting her chartered claims, and looking with contempt on the small province of New Hampshire, over which she had formerly exercised jurisdiction, we shall see, on the other hand, New Hampshire aiming at an equal rank, and contending with her for a large portion of territory; not depending solely on argument, but seeking her refuge in the royal favour, and making interest with the servants of the crown. Had the controversy been decided by a court of law, the claims of Massachusetts would have had as much weight as those of an individual, in a case of private property; but the question being concerning a line of jurisdiction, it was natural to expect a decision agreeable to the rules of policy and convenience; especially where the tribunal itself was a party concerned.

It must be observed, that the party in New Hampshire, who were so earnestly engaged in the establishment of the boundary lines, had another object in view, to which this was subordinate. Their avowed intention was to finish a long controversy which had proved a source of inconvenience to the people who resided on the disputed lands, or those who sought an interest in them; but their secret design was to displace Belcher, and obtain a governor who should have no connexion with Massachusetts. To accomplish the principal, it was necessary that the subordinate object should be vigorously pursued. The government of New Hampshire, with its limited salary, was thought to be not worthy the attention of any gentleman; but if the lines could be extended on both sides, there would be at once an increase of territory and a prospect of speculating in landed property; and in future there would be an increase of cultivation, and consequently of ability to support a governor.

The people were told that the lands would be granted to them; and by this bait they were induced to favour the plan; whilst the ministry in England were flattered with the idea of an increase of crown influence in the plantations.

The leading men in Massachusetts were aware of the views of those in New Hampshire, and determined to guard against them. They presumed, that a line of jurisdiction would not affect property; and therefore endeavoured to secure the lands to themselves, by possession and improvement, as far as it was practicable. The same idea prevailed among

the governor's friends in New Hampshire. They perceived, that a tract of wilderness on the north eastern side of Merrimack river, and the ponds which flow into it, must doubtless fall into New Hampshire. For these lands they petitioned the governor, and a charter was prepared, in which this whole tract, called King's Wood, was granted to them. It contained all the lands not before granted between the bounds of New Hampshire on the south-west and north-east; which, according to the ideas of those concerned, would have been sufficient for about four large townships.

Governor Belcher had a difficult part to act. He was at the head of two rival provinces; he had friends in both, who were seeking their own as well as the public interest: he had enemies in both, who were watching him, eager to lay hold of the most trivial mistake, and magnify it to his disadvantage. His own interest was to preserve his commission, and counteract the machinations of his enemies; but as the settlement of the line, and the removing of him from his office, were carried on at the same time, and by the same persons, it was difficult for him to oppose the latter, without seeming to oppose the former. Besides, Mr. Wilks, the agent of Massachusetts, was well known to be his friend; and when it was found necessary to increase the number, one of them was his brother, Mr. Partridge. On the other hand, Mr. Rindge and Mr. Thomlinson were his avowed enemies. There was also a difference in the mode of appointing these agents. Those of Massachusetts were constituted by the council and representatives, with the governor's consent. Those of New Hampshire were chosen by the representatives only, the council nonconcurring in the choice; which, of course, could not be sanctioned by the governor's signature, nor by the seal of the province.

(1732.) When the petition which Rindge presented to the king, had been referred to the board of trade, and a copy of it given to Wilks, to be sent to his constituents, it became necessary that they should instruct him. Their instructions were designedly expressed in such ambiguous terms, that he was left to guess their meaning, and afterwards blamed for not observing their directions. His embarrassment on this occasion, expressed in his petition and counter-petition, to the board of trade, protracted the business, and gave it a complexion unfavourable to his constituents, but extremely favourable to the design of New Hampshire.

(1733.) To bring forward the controversy, Parris, the solicitor for the agents of New Hampshire, moved a question, 'From what part of Merrimack river the line should begin?' The board of trade referred this question to the attorney and solicitor general, who appointed a day to hear counsel on both sides. The counsel for New Hampshire insisted that the line ought to begin three miles north of the mouth of the Merrimack. The counsel for Massachusetts declared, that in their opinion, the solution of this question would not determine the controversy, and therefore declined saying any thing upon it. (1734.) The attorney and solicitor reported, that "whether this were so or not, they could not judge; but as the question had been referred to them, they were of opinion, that according to the charter of William and Mary, the dividing line ought to be taken from three miles north of the mouth of Merrimack, where it runs into the sea." Copies of this opinion were given to each party; and (1735) the lords of trade reported, that the king should appoint commissioners, from the neighbouring provinces, to

mark out the dividing line. This report was approved by the lords of council.

Much time was spent in references, messages, and petitions, concerning the adjustment of various matters; and at length (1737) the principal heads of the commission were determined. The first was, that the commissioners should be appointed from among the counsellors of New York, New Jersey, Rhode Island, and Nova Scotia. These were all royal governments except Rhode Island; and with that colony, as well as New York, Massachusetts had a controversy respecting boundaries. Connecticut, though proposed, was designedly omitted, because it was imagined that they would be partial to Massachusetts, from the similarity of their habits and interests. The other points were, that twenty commissioners should be nominated, of whom five were to be a quorum; that they should meet at Hampton, in New Hampshire, on the 1st of August, 1737; that each province should send to the commissioners, at their first meeting, the names of two public officers, on whom any notice, summons, or final judgment might be served; and at the same time should exhibit, in writing, a plain and full statement of their respective claims, copies of which should be mutually exchanged; and that if either province should neglect to send in the names of their officers, or the full statement of their demands, at the time appointed, then the commissioners should proceed *ex parte*. That when the commissioners should have made and signed their final determination, they should send copies to the public officers of each province; and then should adjourn for six weeks, that either party might enter their appeal.

These points being determined, the board of trade wrote letters to Belcher, enclosing the heads of the proposed commission, and directing him to recommend to the assemblies of each province to choose their public officers and prepare their demands by the time when the commissioners were to meet. These were accompanied with letters to the governors of the several provinces from which the commissioners were elected, informing them of their appointment. The letters were delivered to Parris, and by him to Thomlinson, to be sent by the first ship to America. Those to Massachusetts and New Hampshire were directed, the one to Mr. Belcher, by name, as governor of Massachusetts; the other to the commander in chief, resident in New Hampshire; and it was required that the delivery of the letters should be certified by affidavit. The design of this singular injunction was, that Dunbar, if present, should receive the letter, and call the assembly of New Hampshire immediately; and that if Belcher should forbid or hinder it, the blame of the neglect should fall on him. At the same time, another letter respecting a petition of a borderer on the line, and containing a reprimand to Belcher, was sent in the same manner, to be delivered by Dunbar into Belcher's hands. These intended affronts both failed of their effect; Dunbar having, before the arrival of the letters, taken his passage to England.

The anxiety of Thomlinson to have the earliest notice possible of the intended commission sent to New Hampshire, led him not only to forward the public letters, but to send copies of all the transactions to his friends there. In a letter to Wiggin and Rindge (the committee who corresponded with him) he advised them to make the necessary preparations as soon as possible, to act in conformity to the commission and instructions; and even went so far as to nominate the persons whom they

should appoint to manage their cause before the commissioners.

These papers were communicated to the assembly at their session in March; and at the same time the governor laid before them a copy of the report of the board of trade, in favour of a commission which had been made in the preceding December. In consequence of which the assembly appointed a committee of eight, namely, Shadrack Walton, George Jaffrey, Jotham Odiorne, Theodore Atkinson, who were members of the council; and Andrew Wiggin, John Rindge, Thomas Packer, and James Jaffrey, who were members of the house. They were empowered "to prepare witnesses, pleas and allegations, papers and records, to be laid before the commissioners; to provide for their reception and entertainment, and to draw upon the treasurer for such supplies of money as might be needful." This appointment was made by the united voice of the council and representatives, and consented to by the governor; and though it was made three weeks before the reception of the letters from the lords of trade, directing the appointing of public officers and preparing a statement of claims; yet it was understood to be a full compliance with the orders and expectations of the government in England.

The same day on which this order passed, the governor prorogued the assembly to the 6th of July; and on the 20th of June he prorogued it again to the 4th of August.

The letters respecting the commission were delivered to Mr. Belcher on the 22nd of April, and he acknowledged the receipt of them, in a letter to the board of trade on the 10th of May. The commission itself was issued on the 9th of April, and sent to Mr. Rindge, who kept it till the meeting of the commissioners, and then delivered it to them. The expense of it, amounting to 135*l.* sterling, was paid by the agents of New Hampshire.

At the spring session of the general court in Massachusetts, the governor laid before them the letter from the lords of trade, enclosing an order from the privy council, and recommended to them to stop all processes in law respecting any disputes of the borderers till the boundaries should be determined. During the same session, he reminded them of the order, and desired them to consider it; telling them that he had no advice of the appointment of commissioners. His meaning was, that the commission itself, in which they were named, had not been sent to him; nor was he actually informed that it was in America till after he had prorogued the assemblies of both provinces to the 4th of August. In obedience to the royal order, the assembly of Massachusetts appointed Josiah Willard, secretary, and Edward Winslow, sheriff of Suffolk, to be the two public officers; on whom, or at whose places of abode, any notice, summons, or other process of the commissioners, might be served.

On the day appointed, eight of the commissioners, namely, William Skene Prest, Erasmus James Phillips, Otho Hamilton, from Nova Scotia; and Samuel Vernon, John Gardner, John Potter, Ezekiel Warner, and George Cornel, from Rhode Island; met at Hampton. They published their commission, opened their court, chose William Parker their clerk, and George Mitchel, surveyor. On the same day, the committee of eight, who had been appointed by the assembly of New Hampshire, in April, appeared, and delivered a paper to the court, reciting the order of the king for the appointment of two public officers, alleging that the assembly

had not been convened since the arrival of that order; but, that there should be no failure for want of such officers, they appointed Richard Waldron secretary, and Eleazer Russell sheriff. They also delivered the claim and demand of New Hampshire, in the following words: "That the southern boundary of said province should begin at the end of three miles north from the middle of the channel of Merrimack river, where it runs into the Atlantic Ocean; and from thence should run, on a straight line, west, up into the main land (toward the south sea) until it meets his majesty's other governments. And that the northern boundary of New Hampshire should begin at the entrance of Piscataqua harbour, and so pass up the same into the river of Newichwannock, and through the same into the farthest head thereof, and from thence northwestward (that is, north, less than a quarter of a point westwardly), as far as the British dominion extends; and also the western half of the Isles of Shoals, we say lies within the province of New Hampshire."

The same day, Thomas Berry and Benjamin Lynde, counsellors of Massachusetts, appeared and delivered the vote of their assembly, appointing two public officers, with a letter from the secretary, by order of the governor, purporting that, "at the last rising of the assembly there was no account that any commission had arrived; that the assembly stood prorogued to the 4th of August; that a committee had been appointed to draw up a state of their demands, which would be reported at the next session, and therefore praying that this short delay might not operate to their disadvantage." Upon this, the committee of New Hampshire drew up and presented another paper, charging the government of Massachusetts with "great backwardness, and aversion to any measures, which had a tendency to the settlement of this long subsisting controversy; and also charging their agent, in England, with having used all imaginable artifices, to delay the issue; for which reason, the agent of New Hampshire had petitioned the king to give directions that each party might be fully prepared to give in a state of their demands, at the first meeting of the commissioners; which direction they had faithfully observed, to the utmost of their power; and as the assembly of Massachusetts had made no seasonable preparation, they did, in behalf of New Hampshire, except and protest against any claim or evidence being received from them, and pray the court to proceed *ex parte* agreeably to the commission."

It was alleged in favour of Massachusetts, that, by the first meeting of the commissioners could not be meant the first day, but the first session. The court understood the word in this sense, and resolved that Massachusetts should be allowed time, till the eighth of August, and no longer, to bring in their claims; and that if they should fail, the court would proceed *ex parte*. The court then adjourned to the eighth day.

The assembly of New Hampshire met on the fourth; and the secretary, by the governor's order, prorogued them to the tenth, then to meet at Hampton Falls. On the same day, the assembly of Massachusetts met at Boston, and received the report of the committee, which had drawn up their claim, and dispatched expresses to New York and New Jersey, to expedite the other commissioners. The assembly then appointed another committee to support their claims, consisting of Edmund Quincy, William Dudley, Samuel Welles, Thomas Berry, and Benjamin Lynde, of the council; and Elisha Cooke, Thomas Cushing, Job Almy, Henry

Rolfe, and Nathaniel Peaslee, of the house. Cooke died while the commissioners were sitting; in consequence of which, and of the absence of another member, they on the 13th appointed John Read and Robert Auchmuty. The governor adjourned the assembly to the 10th, then to meet at Salisbury. Thus the assemblies of both provinces were drawn within five miles of each other; and the governor declared, in his speech, that he would "act as a common father to both."

The claim of Massachusetts being prepared, was delivered to the court on the day appointed. After reciting their grant and charters and the judicial determination in 1677, they asserted their "claim and demand, still to hold and possess, by a boundary line on the southerly side of New Hampshire, beginning at the sea, three English miles north from the Black Rocks, so called, at the mouth of the river Merrimack, as it emptied itself into the sea sixty years ago; thence running parallel with the river, as far northward as the crotch or parting of the river; thence due north, as far as a certain tree, commonly known for more than seventy years past by the name of Endicot's tree; standing three miles northward of said crotch or parting of Merrimack river, and thence due west to the South Sea, which (they said) they were able to prove, by ancient and incontestible evidence, were the bounds intended, granted, and adjudged to them; and they insisted on the grant and settlement as above said, to be conclusive and irrefragable."

"On the northerly side of New Hampshire, they claimed a boundary line, beginning at the entrance of Piscataqua harbour, passing up the same to the river Newichwannock, through that to the farthest head thereof, and from thence a due north west line till 120 miles from the mouth of Piscataqua harbour be finished."

The court ordered copies of the claims of each province, to be drawn and exchanged; and having appointed Benjamin Rolfe of Boston, an additional clerk, they adjourned to the tenth day of the month.

On that day both assemblies met at the appointed places. A cavalcade was formed from Boston to Salisbury, and the governor rode in state, attended by a troop of horse. He was met at Newbury-ferry by another troop, who, joined by three more at the supposed divisional line, conducted him to the George tavern, at Hampton Falls, where he held a council, and made a speech to the assembly of New Hampshire. Whilst both assemblies were in session, the governor, with a select company, made an excursion of three days to the Falls of Amuskeag, an account of which was published in the papers, and concluded in the following manner: "His Excellency was much pleased with the fine soil of Chester, the extraordinary improvements at Derry, and the mighty falls at Skeag."

In the speech which the governor made to the assembly of New Hampshire, he recommended to them to appoint two officers, agreeably to his majesty's commission. The assembly appeared to be much surprised at this speech, and in their answer said "that the committee before appointed had already given in the names of two officers, which they approved of; for, had it not been done, at the first meeting of the commissioners they might have proceeded *ex parte*."

Considering the temper and views of Mr. Belcher's opponents, this was rather unfortunate for him so soon after his profession of being "a common father to both provinces." For if the commit-

tec had a right to nominate the two officers, then his recommendation was needless; if they had not, it might justly be asked, why did he not call the assembly together on the 6th of July, to which day they had been prorogued? The excuse was, that he did it to avoid any objection which might be made to the regularity of their appointment; and to give them an opportunity to ratify and confirm it. The truth was, that Mr. Belcher highly resented the conduct of the committee of New Hampshire, who concealed the commission, and never communicated it to him in form. Had he been aware of the use which his enemies might make of his rigid adherence to forms, when he could not but know the contents of the commission, and the time when it must be executed, prudence might have dictated a more flexible conduct. They did not fail to make the utmost advantage of his mistakes, to serve the main cause which they had in view.

The expresses which were sent by Massachusetts, to call the other commissioners, had no other effect than to add to the number Philip Livingstone, from New York; who, being senior in nomination, presided in the court.

To prevent the delay which would unavoidably attend the taking of plans from actual surveys, the commissioners recommended to both assemblies to agree upon a plan by which the pretensions of each province should be understood; but as this could not be done, a plan drawn by Mitchell was accepted, and when their result was made this plan was annexed to it. They then proceeded to hear the answers, which each party made to the demands of the other, and to examine witnesses on both sides. Neither party was willing to admit the evidence produced by the other, and mutual exceptions and protests were entered. The points in debate were, whether Merrimack river at that time emptied itself into the sea, at the same place where it did sixty years before? Whether it bore the same name from the sea up to the crotch; and whether it were possible to draw a parallel line, three miles northward, of every part of a river, the course of which was, in some places, from north to south?

With respect to the boundary line, between New Hampshire and Maine; the controverted points were, whether it should run up the middle of the river, or on its north-eastern shore; and whether the line, from the head of the river, should be due north-west, or only a few degrees westward of north.

The grand point on which the whole controversy respecting the southern line turned, was, whether the charter of William and Mary, granted to Massachusetts, all the lands which were granted by the charter of Charles the First? On this question, the commissioners did not come to any conclusion. Reasons of policy might have some weight, to render them indecisive; but, whether it were really so or not, they made and pronounced their result in the following words. In "pursuance of his majesty's commission, the court took under consideration, the evidences, pleas, and allegations offered and made by each party; and, upon mature advisement on the whole, a doubt arose in point of law; and the court thereupon came to the following resolution. That if the charter of King William and Queen Mary grants to the province of Massachusetts bay all the lands granted by the charter of King Charles the First, lying to the northward of Merrimack river; then the court adjudge and determine, that a line shall run, parallel with the said river, at the distance of three English miles, north from the

mouth of the said river, beginning at the southerly side of the black rocks, so called, at low water mark, and from thence to run to the crotch, where the rivers of Pemigewasset and Winnipiseogee meet, and from thence due north three miles, and from thence due west, toward the south sea, until it meets with his majesty's other governments; which shall be the boundary or dividing line, between the said provinces of Massachusetts and New Hampshire, on that side. But, if otherwise, then the Court adjudge and determine, that a line on the southerly side of New Hampshire, beginning at the distance of three miles north, from the southerly side of the Black Rocks aforesaid, at low water mark, and from thence running due west, up into the main land, toward the south sea, until it meets with his majesty's other governments, shall be the boundary line between the said provinces, on the side aforesaid: which point in doubt the court humbly submit to the wise consideration of his most sacred majesty, in his privy council; to be determined according to his royal will and pleasure.

"As to the northern boundary, between the said provinces, the court resolve and determine; that the dividing line shall pass through the mouth of Piscataqua harbour, and up the middle of the river of Newichwanock, (part of which is now called Salmon Falls) and through the middle of the same, to the farthest head thereof, and from thence north, two degrees westerly, until 120 miles be finished, from the mouth of Piscataqua harbour aforesaid; or until it meets with his majesty's other governments; and that the dividing line shall part the Isles of Shoals, and run through the middle of the harbour, between the islands, to the sea, on the southerly side; and that the south-westerly part of said islands shall lie in, and be accounted part of, the province of New Hampshire; and that the north-easterly part thereof shall lie in, and be accounted part of, the province of Massachusetts bay; and be held and enjoyed by the said provinces respectively, in the same manner as they now do, and have heretofore held and enjoyed the same.

"And the court do further adjudge that the cost and charge arising by taking out the commission, and also of the commissioners and their officers, viz. the two clerks, surveyor, and waiter, for their travelling expenses, and attendance in the execution of the same, be equally borne by the said provinces."

Thus this long depending question, after all the time, expense, and argument which it had occasioned, remained undecided.

When this evasive decree was published the commissioners adjourned to the 14th of October, to receive appeals; and the same day, the governor, at the request of the council only, adjourned the assembly of New Hampshire to the 12th of October. By this sudden adjournment it was impossible for them to obtain a copy of the decree before their dispersion, or to frame an appeal till two days before the time when it must have been presented. The assembly of Massachusetts continued their session at Salisbury five days longer. On the 5th of September they obtained copies of the royal commission, and the decree of the commissioners, which they entered on their journal. On the 6th they agreed upon an appeal; and on the 7th, at the united request of both houses, the governor adjourned them to the 12th of October.

The sudden adjournment of the assembly of New Hampshire, when that of Massachusetts continued their session, was unfortunate for governor Belcher;

and gave his opponents another advantage to pursue their grand design against him. The reasons assigned for it were, that the report of the commissioners being special, the whole matter would of course come before the king, without any appeal from either province. For this reason a majority of the council were against an appeal. That as the committee appointed in April had the same power to act in the recess as in the session of the assembly; and as the council were against appealing, so the appeal could not be made by the whole assembly; and therefore the governor thought that the best service which he could do to the province, was to adjourn the assembly, and leave the whole business in the hands of the committee. With respect to the short time between the 12th and 14th of October, it was observed, that the claim of New Hampshire was contained in a few lines, and their exceptions to the judgment of the commissioners might be prepared in a quarter of an hour.

Both assemblies met again, in the same places, at the appointed time. The representatives of New Hampshire having, by the help of their committee, in the recess of the assembly, obtained the papers, framed their exceptions, and sent a message to know if the council were sitting; but the council being determined against an appeal, had met and adjourned, without doing any business. The house therefore was reduced to the necessity of desiring the commissioners to receive their appeal, without the concurrence of the governor and council. The appeal from the assembly of Massachusetts was presented in due form, authenticated by the speaker, secretary, and governor. Their committee entered a protest against the appeal of New Hampshire, because it was not an act of the whole legislature; nevertheless, the commissioners received it, and entered it on their minutes. Having received these appeals, the commissioners adjourned their court to the 1st of August in the next year, but they never met again.

The assembly of Massachusetts appointed Edmund Quincy and Richard Partridge, agents, to join with Francis Wilks, their former agent, in the prosecution of their appeal before the king; and raised the sum of two thousand pounds sterling, to defray the expense.

When the representatives of New Hampshire proposed the raising of money, to prosecute their appeal, the council nonconcurred the vote. Their reasons were, that the appeal was not an act of the council; that they had no voice in the appointment of the agent; and, that at the beginning of the affair, the house had declared to the council, that the expense of it would be defrayed by private subscription.

At this session of the Massachusetts assembly Mr. Belcher put them in mind that he had suffered in his interest by the continually sinking value of their bills of credit, in which his salary was paid; a point which he had often before urged them to consider. In answer to this message, they made him a grant of 333*l*. 6*s*. 8*d*. in bills of the new tenor. The same day they made a grant of the like sum to the president of Harvard College. Both of these sums appear to have been justly due; and at any other time no exception could have been made to either. But, because the grant to the governor happened to be made at the same time with the grant of 2000*l*. sterling to the agents, his opponents pretended that he received it as a bribe from the assembly of Massachusetts, for favouring their cause.

The appeal of New Hampshire from the judgment of the commissioners was founded on the following reasons. With respect to the southerly line; because it made the Black Rocks, lying in a bay of Merrimack river, the point from which the three miles were to be measured; which point was three quarters of a mile north of the river's mouth; and because a line parallel with the river was not only impracticable, but founded on the old charter, which had been vacated; and, if practicable, yet ought not to go farther than the river held a westerly course. With respect to the northern boundary, they objected to that part of the judgment only which directed the line to run up the middle of the river; alleging that the grant to Gorges was only of land, between that river and Kennebec; and that New Hampshire had always been in possession of the whole river, and had maintained a fortress which commanded its entrance.

The appeal of Massachusetts was grounded on the following reasons. That by the charter of William and Mary, the old colony of Massachusetts was re-incorporated without any exception; that this charter empowered the governor and general assembly to grant all lands, comprehended in the old colony; that the committee of New Hampshire acknowledged that New Hampshire lay without the late colony of Massachusetts, by declaring that it was between that and the province of Maine; that the west line, claimed by New Hampshire, would cross Merrimack river, thirty miles from its mouth, and exclude forty miles of the said river out of Massachusetts, though declared by both charters to be in it. They objected to extending the line of New Hampshire till it should meet with his majesty's other governments; because according to Mason's grant, New Hampshire could extend no farther than sixty miles from the sea. With respect to the northern boundary, they objected to a line north, two degrees westwardly, alleging that it ought to be on the northwest point; they also excepted to the protraction of this line, till it should meet with his majesty's other governments; alleging that it ought to extend no farther than one hundred and twenty miles, the fixed limits of the province of Maine.

It was unfortunate for Massachusetts that their committee had brought Mason's grant in evidence to the commissioners, and again recited it in their appeal; for a line of sixty miles from the sea would cross Merrimack river long before the similar curve line, for which they contended could be completed: besides, Mason's grant extended to Naumkeag, which was much further southward than they would have been willing to admit.

It may seem curious and unaccountable to most readers, that the commissioners should determine the northern, or rather eastern bounds of the northern part of New Hampshire, to be a line drawn north, two degrees westerly, from the head of Salmon-fall river, when the express words of Gorges' patent are "north-westward." The agents for Massachusetts, when this claim was put in by New Hampshire, could hardly think it was seriously meant, when it was alleged that by north-westward must be understood, north a little westward. The only ostensible reason given for this construction was, that if a north-west line had been intended, then a southeast line, drawn from the mouth of the harbour, would leave all the Isles of Shoals in New Hampshire; whereas, the dividing line runs between them. On the other side, it might have been said, with equal propriety, that a line drawn south, two degrees east, from the

mouth of the harbour, would leave all these islands in Massachusetts. For the point where the islands are divided bears south, twenty-nine degrees east from the middle of the harbour's mouth; the variation of the needle being six degrees west.

When this affair was again agitated in England, the agents of Massachusetts obtained a certificate from the learned Dr. Halley, that a line northward ought to run forty-five degrees westward of the north point. This was demonstratively true, but there were political reasons for dissenting from mathematical demonstration. One of them is thus expressed, in a private letter from a committee of the assembly, to their agent Thomlinson. "We hope that the northern line will be but a few degrees to the westward of north, that his majesty's province may include the greatest number, and best mast trees for the royal navy." Though this thought might never have occurred to a mathematician, yet some of the commissioners were doubtless acquainted with it; and it was too important not to have been communicated to the king's ministers. Another political reason of dissent was, that by enlarging New Hampshire, there would be a better prospect of obtaining a distinct governor, which was the grand object in view.

(1738.) The new agent of Massachusetts, Edmund Quincy, died of the small pox, soon after his arrival in London. The affair was then left in the hands of Wilks and Partridge, neither of whom understood so much of the controversy as Thomlinson, who was also far superior to them in address. In his letters to his friends in New Hampshire, he frequently blames them for their negligence in not sending to him the necessary papers in proper season; and when sent, for the want of correctness and regularity in them: but their deficiency was abundantly compensated by the dexterity of his solicitor Parris, who drew up a long "petition of appeal," in which all the circumstances attending the whole transaction from the beginning were recited and coloured in such a manner as to asperse the governor and assembly of "the vast, opulent, overgrown province of Massachusetts;" while "the poor, little, loyal, distressed province of New Hampshire," was represented as ready to be devoured, and the king's own property and possessions swallowed up, by the boundless rapacity of the charter government. Concerning the manner in which this masterly philippic was framed, and the principal object at which it was directed, there can be no better evidence, than that which is contained in a letter, written by Parris to Thomlinson, and by him sent to New Hampshire. "Two nights ago, I received a heap of papers from you about the lines; and have been four times to the colony office and board of trade, to discover what I could in this imperfect affair, but cannot see the case till after Tuesday next; notwithstanding which, I have as well as I can, without proper materials, drawn up a long petition of appeal to his majesty; and as the Massachusetts have not yet presented theirs, I send you the draught of it, and hope we shall have our appeal, as well as the petition, from the New Hampshire assembly, in, before the Massachusetts get theirs in. Had your principals considered the great consequence of being first, surely in all this time they would have sent you a copy of their proceedings, in order to have enabled us to be first; but, as it is, I am forced to guess at matters, and affirm facts at adventure, or upon dubious passages in letters, which is a sad way of proceeding, and I wish we do not mistake some facts.

They oblige us to make brick without straw. Above all, why did they not send a copy of their own appeal? For want of it, I have been forced to guess what that appeal was, from loose passages in Mr. A's letters. Beg them immediately to order an exact copy to be made of all their votes, from March 30 October last. Had these votes come over regularly and authentically, his Excellency would have been shaken quite down in a few weeks by them. You'll observe, I have laid it on him pretty handsomely, in my petition to the king."

Thus the petition of appeal became a petition of complaint against the governor and assembly of Massachusetts: copies were delivered to their agents, and the governor was ordered to make answer to the allegations against him; at the same time Thomlinson advised his friends in New Hampshire, to prepare their proofs as silently as possible; and by no means to give any offence to the governor; assuring them of the favourable disposition of several lords of the privy council, as well as the board of trade, toward their cause; and that they had need to be in no pain, about the event.

The death of Mr. Quincy at this critical period, and the length of time necessary to prepare and send over answers to the complaint which Parris had thus artfully drawn up, obliged the agents of Massachusetts to suspend the presenting of their appeal for several months.

Revival of Mason's claim—Accusations against Belcher, real and forged—Royal censure—Final establishment of the lines—Hutchinson's agency—Spanish war—Belcher's zeal and fidelity—His removal—Examination of his character.

The spirit of intrigue was not confined to New Hampshire; for the politicians of Massachusetts, by bringing into view the long dormant claim of Mason, had another game to play, besides proving the small extent of New Hampshire. They perceived that the line, whether settled according to their own demand or that of New Hampshire, would cut off a considerable part of several of their townships; and though they had, by their agent, obtained a promise, that private property should not be affected by the line of jurisdiction, yet they thought it best to have some other security.

For what reason the government of Massachusetts did not purchase the province of New Hampshire from Robert Mason, at the same time (1677) that they purchased the province of Maine, from the heirs of Gorges, we are not now able precisely to determine. It is probable that the purchase might then have been easily made, and much controversy prevented. When it was sold, by John and Robert Mason, to Samuel Allen, (1691) the bargain was made in England; and the lands were, by fiction of law, supposed to be there; by which means, the process respecting the fine and recovery was carried on in the court of King's Bench. During the lives of the two Masons, no notice was taken of the supposed flaw; and the sale to Allen was not disputed. The brothers returned to America. John the elder, died without issue. Robert married in New England and had a son; who, after the death of his father, conceived hopes of invalidating Allen's purchase, and regaining his paternal inheritance, which it was supposed could not have been transferred by his father and uncle, for any longer term, than their own lives. It was also said that the fiction, by which the lands were described, to be within the jurisdiction of the courts of Westminster Hall, rendered the

proceedings void; and therefore that the entail was still good. Filled with these ideas, he made strenuous exertions, to acquire money, to assist him in realizing his expectations; but died in 1718, at the Havana, whither he had made a voyage with this view. His eldest son, John Tufton, was bred to a mechanical employment in Boston; and came of age about the time in which the controversy between the two provinces was in agitation. He inherited the enterprising spirit of his ancestors, and the public controversy called his attention to his interest. On this young man (1738) the politicians cast their eyes; and having consulted counsel on the validity of his claim, and the defect of the transfer, they encouraged him to hope, that this was the most favourable time to assert his pretensions. Had they purchased his claim at once, they might doubtless have obtained it for a trifle, and have greatly embarrassed the views of their antagonists. Instead of such a stroke of liberal policy, they treated with him, concerning the release of all those lands, in Salisbury, Amesbury, Haverhill, Methuen and Dracut, which the line would cut off; and, for 500*l.* currency, obtained a quit-claim of 23,675 acres. They also admitted his memorial to the assembly; in which he represented to them, that his interest might probably be affected, by the final determination of the line, and praying that the province would be at the expense of his voyage to England, to take proper measures for securing it. To this they consented, on condition that he should prove his descent from Capt. John Mason, the original patentee. Depositions were accordingly taken in both provinces, to which the public seals were affixed; and they put him under the direction of their agents, ordering his expenses to be paid, as long as they should judge his presence in England serviceable to their views.

The agents stated his case to their counsel, the king's solicitor, and asked his opinion how they should proceed; but he advised them not to bring him into view, lest the lords should think it an artifice, intended to perplex the main cause. On this consideration, they dismissed him from any farther attendance; and paid his expenses, amounting to above 90*l.* sterling.

Such a transaction, though conducted as privately as the nature of the thing would admit, did not escape the vigilance of Thomlinson; who, on finding Mason detached from the agents of Massachusetts, entered into an agreement with him, for the release of his whole interest, to the assembly of New Hampshire; in consideration of the payment of 1000*l.* currency of New England. This manœuvre served to strengthen the interest of New Hampshire, and Thomlinson was much applauded for his dexterity. He had the strongest inducement to continue his efforts in their favour; for no less than 1,200*l.* sterling had been already expended, in prosecuting the affair of the line; which sum had been advanced by himself and Rindge. There was no prospect of repayment, unless the province could be put under a separate governor; and this point could not be obtained, till the removal of Belcher.

The agents of Massachusetts, after a long delay, presented their appeal; and followed it with a petition, for the benefit of their former protests, against the New Hampshire appeal; objecting also to its regularity, as it contained matters of personal complaint against the governor; which had been no part of the records of the commissioners. Thomlinson, finding this new petition thrown in his way, applied for its being immediately heard; and, at the hear-

ing, it was dismissed, but without prejudice to the agents of Massachusetts being permitted to object against the regularity of the New Hampshire appeal, when it should come to a hearing. Such were the complaints against the governor, and the importunity of his adversaries to prosecute them, that it was necessary to hear and dispatch them, before the appeal respecting the lines could be brought forward.

It must be remembered, that Mr. Belcher had enemies, in his government of Massachusetts as well as New Hampshire, who united their efforts to obtain his removal from both; but, as they supposed him more vulnerable in his capacity of governor of New Hampshire, so they joined in strengthening the complaints from that quarter, as a preparatory step, to effect his complete removal. Whilst he was engaged in preparing his defence against the charges, in the petition of appeal, other attacks were meditating, which were conducted with such silence, that it was impossible for him to guard against their effects. (1739.) One of these was a letter, purporting to have been written at Exeter, subscribed by five persons, said to be inhabitants of that town, and directed to Sir Charles Wager, first lord of the Admiralty. In this letter it was said, that "finding his lordship had ordered the Judge Advocate of the Court of Admiralty to inquire into the riot, which had been committed there, (1734), and the assault of the surveyor and his officers; and fearing to be brought into trouble on that account, they would confess the whole truth. That they had been indulged by former surveyors, in cutting all sorts of pine trees, till the appointment of Colonel Dunbar to that office; who had restrained and prosecuted them; but that governor Belcher had privately given them encouragement to go on; by assuring them that they had the best right to the trees; that the laws were iniquitous, and ought not to be regarded; that although he must make a shew of assisting that Irish dog of a surveyor; yet he would so manage it with the council and justices, who were under his influence, that they should not suffer; and further to encourage them, he had made several of them justices of the peace, and officers of militia. That he had also told them not to fear any inquiry into their conduct; for that he would write to the board of admiralty in their favour; and boasted, that he had such an influence over their lordships, that they would believe every thing which he should say. That as they had now confessed the truth, they hoped to be forgiven, and not prosecuted in the admiralty court; and begged that this information might be kept secret till the governor's removal, which they hoped would soon be effected. That whatever might have been said to the contrary, they could assure him that the province of New Hampshire contained the largest number of pine trees, and of the best quality, in all his majesty's American dominions; and, for further information, they referred his lordship to several persons then in London, particularly Mr. Wentworth and Mr. Waldo; the latter of whom was agent to Mr. Gulston, for procuring masts for the royal navy."

On the receipt of this letter, Sir Charles, with the candour of a gentleman, sent a copy of it to Mr. Belcher; who immediately ordered an inquiry; and it was proved to be an entire forgery; four of the persons whose names were subscribed utterly disclaimed it, and the fifth was not to be found: no such person being known in the town of Exeter. The evidence of this forgery was transmitted to England with all possible expedition; but not till it

had made an impression to the disadvantage of the governor.

Another artifice used against him was a memorial of Gulston, the navy agent, and others, complaining of the defenceless state of the province; that the fort lay in ruins, and that the militia were without discipline, notwithstanding the probability of a war. This memorial was so artfully drawn as to throw the blame of the neglect on the governor, without mentioning his name; which was intended to prevent his obtaining a copy, and being allowed time to answer. Another complaint was made, in the form of a letter, respecting the grant of the tract called Kingswood; in which he was represented as partial to his friends, in giving them an exclusive right to the whole of that territory, which they deemed the unappropriated lands of the province. Several parts of his administration were also complained of, and in particular the infrequency of his visits to New Hampshire. This letter was signed by six members of the council and a majority of the representatives.

Gulston's memorial was presented to the lords of council, and by them referred to the board of trade, accompanied by the letter; and though Mr. Belcher's brother and son applied for copies and time to answer, the request was evaded, and a report was framed in favour of putting New Hampshire under a separate governor. When this report came before the privy council, Lord Wilmington, the president, ordered it back again, that the governor might have that justice which his agents had asked. By this means he had an opportunity to answer in his defence, that without money the fort could not be repaired—that it was not in his power to tax the people—that he had frequently applied to the assemblies for money to repair the fort, to which they had constantly answered, that the people were too poor to be taxed, and had solicited him to break through his instructions, and allow them to issue paper money, without any fund for its redemption—that the militia had always been trained according to law—and that he had constantly visited New Hampshire, and held an assembly, twice in the year, unless prevented by sickness, for which he appealed to the journals. To corroborate these pleas, the governor's friends procured five petitions in his favour and praying for his continuance, signed by about 500 people. The petitions, however, did not express the sense of the majority, who had been persuaded into a belief that they should receive much benefit by a separate governor, and accordingly a counter petition being circulated, was signed by about seven hundred of the inhabitants.

Things being thus prepared, the complaints were brought to a hearing before the lords of council, who reported to the king, "that governor Belcher had acted with great partiality by proroguing the assembly of New Hampshire from the 6th of July, 1737, to the 4th of August following, in disobedience to his majesty's order in council, which had been transmitted to him by the lords of trade, and which was proved to have been delivered to him in due time; and also by farther proroguing the said assembly from the 2nd of September, 1737, to the 13th of October; whereby the province were deprived of the time intended by his majesty's said order to be allowed them to make a proper and regular appeal; thereby endeavouring to frustrate the intention of his majesty's commission." This report was approved by the king; and from this time it may be concluded that Mr. Belcher's removal from the

government of New Hampshire was seriously contemplated. The grant of Kingswood was also annulled, and he was prohibited from making any other grants of land till the lines should be determined.

(1740.) This censure being passed on the governor, and the complaints being at an end, the way was prepared for a hearing of the appeals from both provinces respecting the lines. Which being had, the determination of this long controversy was made on a plan entirely new. The special part of the decree of the commissioners was set aside, and no regard was had to their doubt, whether the new charter granted all the lands comprehended in the old. It was said that when the first grant was made, the country was not explored. The course of the river, though unknown, was supposed to be from west to east; therefore it was deemed equitable, that as far as the river flowed in that course, the parallel line at three miles distance should extend. But as on the one hand, if by pursuing the course of the river up into the country it had been found to have a southern bend, it would have been inequitable to have contracted the Massachusetts grant; so, on the other hand, when it appeared to have a northern bend, it was equally inequitable to enlarge it. Therefore it was determined, "that the northern boundary of the province of Massachusetts be a similar curve line, pursuing the course of Merrimack river at three miles distance on the north side thereof, beginning at the Atlantic Ocean, and ending at a point due north of Patucket falls; and a straight line drawn from thence due west, till it meets with his majesty's other governments." The other parts of the decree of the commissioners, respecting the northern line and the payment of expenses, were affirmed.

This determination exceeded the utmost expectation of New Hampshire, as it gave them a tract of country 14 miles in breadth, and above 50 in length, more than they had ever claimed. It cut off from Massachusetts 28 new townships, between Merrimack and Connecticut rivers, besides large tracts of vacant land, which lay intermixed, and districts from six of their old towns, on the north side of the Merrimack; and if, as was then supposed, the due west line were to extend to twenty miles east of Hudson's river, the reputed boundary of New York, a vast tract of fertile country, on the western side of Connecticut river was annexed to New Hampshire, by which an ample scope was given, first for landed speculation, and afterward for cultivation, and wealth.

When this determination was known, the politicians of Massachusetts were chagrined and enraged. They talked loudly of injustice, and some of the more zealous proposed trying the merits of the cause upon the words of the charter, before the judges in Westminster-hall, who it was expected would upon their oath and honour reverse the judgment, and tell the king that he had mistaken the meaning of the royal charter. This would, indeed, have been a bold stroke. But a more moderate and pusillanimous scheme was adopted, which was, to send over a new agent to petition the king that he would re-annex to their government the twenty-eight new townships which had been cut off, and the districts of the six old towns. It was also thought prudent that the whole province should not openly appear in the affair, but that petitions should be drawn by the inhabitants of these towns, and that the agent should be chosen by them. Accordingly town meetings were held, petitions were pre-

pared and subscribed, and Thomas Hutchinson was appointed their agent, and sent over to England, where he formed those connexions which afterwards served to raise him to the chair of government in his native province.

About the same time, Governor Belcher procured petition from his six friends, of the council of New Hampshire, to the king, praying that the whole province might be annexed to the government of Massachusetts. This matter had been long in contemplation with these gentlemen, but was now produced at the most unfortunate time which could have been chosen. Their petition was at once rejected; but that from the towns was kept in suspense a long time, till Thomlinson was prepared to answer all the pleas which Hutchinson could advance, and proved too hard an antagonist for him. It was finally dismissed, because it was thought "that it never could be for his majesty's service to annex any part of his province of New Hampshire, as an increase of territory, to Massachusetts; but rather that it would be for the benefit of his subjects there, to be under a distinct government."

Though Belcher's removal was seriously feared by his best friends, yet he had so much interest with some of the lords in high office, that they could not be prevailed with to give him up. The war which had commenced between Britain and Spain afforded him an opportunity to signalize his zeal for the king's service; and he determined to prove himself a faithful servant to the crown in every instance, in hope that a course of time and fidelity might efface the impressions which had been made to his disadvantage.

It being resolved by the British court to undertake an expedition to the island of Cuba, Governor Belcher, agreeably to the orders which he had received from the Duke of Newcastle, issued a proclamation for the encouragement of men who would enlist in the service; "that they should be supplied with arms and clothing, be in the king's pay, have a share of the booty which should be taken, and be sent home at the expiration of their time of service; and that his majesty would order a number of blank commissions to be filled up by the governor, and given to the officers who should command the troops to be raised in the provinces." He afterwards pressed this matter closely, in his speech to the assembly, and urged them to make provision for one hundred men and a transport, to convey them to Virginia, where all the colony troops were to rendezvous, and thence to proceed, under the command of Colonel Gooch, to the place of their destination.

The assembly voted as much as they judged sufficient for this purpose; and the governor appointed a captain, and gave him beating orders; but the commissions and arms not being sent, according to the royal promise, no men could be enlisted in New Hampshire. The governor received commissions and arms for four companies to be raised in Massachusetts; where he could easily have enlisted ten, had he been furnished according to the engagement. To this failure, and not to any want of exertion on his part, in either of his governments, may be ascribed the paucity of troops raised in them; and yet his enemies failed not of blaming him on this account. The representatives of New Hampshire took this occasion to frame a vote, disapproving his administration; and upon this vote, their agent founded another battery, to attack his character.

(1741.) In conformity to the royal determination of the boundaries, orders were given to Belcher to

apply to both his governments, to join in appointing surveyors, to run out, and mark the lines; and that if either should refuse, the other should proceed *ex parte*. The assembly of Massachusetts delayed giving an answer in season, which was construed a denial. The assembly of New Hampshire appointed three surveyors to execute the service, who were commissioned by the governor. They were directed to allow ten degrees for the westerly variation of the needle; and the work was performed in the months of February and March. George Mitchell surveyed and marked the similar curve line, from the ocean, three miles north of Merrimack river, to a station north of Pantucket falls, in the township of Dracut. Richard Hazen began at that station and marked the west line, across Connecticut river, to the supposed boundary line of New York. Walter Bryant began the line, from the head of Salmon-falls river, and marked it about thirty miles; but was prevented from proceeding farther, partly by the breaking up of the rivers, which rendered travelling impracticable, and partly by meeting a company of Indians who were hunting, and took his men for a scouting party. In their return they found on one of the trees, which they had marked, "the figure of a man's hand grasping a sword;" which they interpreted as a signal of defiance from the Indians.

The report of the completion of these lines was one of the last acts of Mr. Belcher's administration. His enemies in both governments were indefatigable in their endeavours to remove him; and by their incessant applications to the ministry; by taking every advantage of his mistakes; by falsehood and misrepresentation; and finally, by the diabolical arts of forgery and perjury, they accomplished their views. He was succeeded in the government of Massachusetts by William Shirley; and in New Hampshire, by Benning Wentworth.

At this distance of time, when all these parties are extinct, and every reader may be supposed impartial; it may seem rather strange, that Governor Belcher should meet with such treatment from the British court, in the reign of George the Second. That Mr. Belcher was imprudent and unguarded, in some instances, cannot be denied. He was indeed zealous to serve his friends and hearken to their advice; but, by this means, he laid himself open to the attacks of his enemies, to whom he paid no court, but openly treated them with contempt. His language to them was severe and reproachful, and he never spared to tell the world what he thought of them.

This provoked them; but they had the art to conceal their resentment, and carry on their designs in silence, till they were ripe for execution. He had by far too mean an opinion of their abilities, and the interest which they had at court; and when he knew that they had the ear of the lords of trade, he affected to think them, "not very mighty lords, nor able to administer life and death." He had a consciousness of the general integrity of his own intentions; and appears to have been influenced by motives of honour and justice; but he was not aware of the force of his own prejudices. It may admit of doubt, whether, considering the extreme delicacy of his situation, it were within the compass of human policy, to have behaved so as to give offence to neither of his provinces, in the management of such a controversy; but it is certain, that his antagonists could fairly fix but one real stigma on his character; and that, when impartially examined, can amount to no more than an imprudent step, at a

critical time, grounded on an undue resentment of an affront; for to suppose that his intention was to frustrate the commission, is inconsistent with the whole tenor of his public declarations and private correspondence. When his enemies met him on fair and open ground, he was always prepared to answer; but it was impossible to guard against their secret attacks. If the cause which they meant to serve was a good one, why did they employ the basest means to effect it?

The cruelty and hardship of his case may appear from the following considerations. He had been one of the principal merchants of New England, but on his appointment to the chair of government, quitted every other kind of business, that he might attend with punctuality and dignity to the duties of his station. By the royal instructions, he was restrained from giving his assent to any grant of money to himself, unless it should be a permanent salary. What he received from New Hampshire was fixed, and paid out of the excise; but the assembly of Massachusetts could not be persuaded to settle any salary upon him. They made him a grant of money (worth about 700*l.* or 800*l.* sterling) generally once in a year, at their session in May. He was then obliged to solicit leave from the king, to accept the grant and sign the bill; and sometimes could not obtain this leave till the end of the year: once not till five days before the dissolution of the assembly. In the mean time he was obliged to subsist on his own estate, and had he died within the year, the grant would have been wholly lost to his family. He was earnest to obtain a general permission to sign these grants; but in that case the clerks of office in England, through whose hands the permission must have passed, would have lost their fees. He was now in the 60th year of his age: he had a family of children and grandchildren, whose sole dependence was on him; and he thought, with reason, that if his course of faithful service, and the unworthy arts of his enemies had been duly considered, the censure of his superiors would have been less severe, than "to deprive him of his bread and honour."

Whilst he entertained the worst opinion possible of the characters of his enemies, he had a strong confidence in the justice of the government before which he was accused. In one of his letters to his son, he says, "I must expect no favour while Bladen is at the Board of Trade; but where the devil but there should I expect justice, under the British Constitution, corroborated by the Hanover succession?" The event proved, that his confidence was not ill founded. For, on being superseded, he repaired to court, where, though his presence was unwelcome to some, yet he had opportunity to bring the most convincing evidence of his integrity, and of the base designs of his enemies. He was so far restored to the royal favour, that he obtained a promise of the first vacant government in America which would be worthy of his acceptance. This proved to be the province of New Jersey, where he spent the remaining years of his life, and where his memory has been treated with deserved respect.

The beginning of Benning Wentworth's administration—War opened in Nova Scotia—Expedition to Cape Breton; its plan, conduct, and success, with a description of the island, and of the city of Louisbourg.

Benning Wentworth, Esq. son of the deceased lieutenant-governor, was a merchant of good reputation in Portsmouth, and well beloved by the people. He had represented his native town in the assembly for

several years, where he distinguished himself in the opposition to Belcher. He afterwards obtained a seat in council; where, sensible of the popularity of his family, and feeling the pride of elevation, he continued the opposition, and joined in the measures which were pursued for obtaining a distinct governor, without any apprehension that himself would be the person, till a series of incidents, at first view unfortunate, prepared the way for his advancement to the chair.

In the course of his mercantile dealings, he had entered into a contract with an agent of the court of Spain, and supplied him with a large quantity of the best oak timber, to procure which, he borrowed money in London. When he delivered the timber at Cadiz, the agent with whom he had contracted was out of place, and the new officer declined payment. In returning to America the ship foundered, and he was saved with the crew in a boat. These misfortunes deranged his affairs and reduced him to a state of bankruptcy. Afterwards he went again to Spain, hoping by the interest of Sir Benjamin Keene, the British minister, to obtain his due, but his suit was ineffectual. About that time Thomlinson, despairing of Dunbar's advancement to the government of New Hampshire, turned his thoughts toward Wentworth; and having procured him a letter of license from his creditors in London, invited him thither. Wentworth represented his case to the British court, complained of the injustice of Spain, and petitioned for redress. Many British merchants, who had suffered by the insolence of the Spaniards, were, at the same time, clamorous for reparation. The ministry were studious to avoid a war. A negotiation was begun, and the court of Spain promised restitution, but failed in the performance. War was then determined on, and all negotiation ended. Disappointed in his plea for justice, Wentworth made his suit for favour, and by the aid of Thomlinson, who understood the ways of access to the great, he obtained a promise from the Duke of Newcastle, that when New Hampshire should be put under a distinct governor, he should have the commission. The expense of the solicitation and fees, amounting to 300*l.* sterling, was advanced by his friends in England, and repaid by his friends in New Hampshire.

(1741.) He was received in Portsmouth, after a long absence, with great marks of popular respect. Among the compliments which were paid to him on that occasion, one was, that he had been instrumental to "rescuing New Hampshire from contempt and dependence." In his first speech to the assembly (1742) he reflected on the conduct of his predecessor, not by name, but by implication, for not having taken early measures to raise men for the expedition against the Spanish West Indies; and intimated his apprehension, that the good intention of the province in raising money for that purpose would be frustrated, since the men who were willing to enter into the service had enlisted in the other provinces. He also complimented them on their good faith in regard to the several issues of paper money, all of which were to be called in within the present year. He did not forget to recommend a fixed salary for himself, not subject to depreciation, nor the payment of expenses which had arisen on account of the boundary lines; he informed them of the king's indulgence, in giving him leave to consent to a farther issue of bills of credit, to enable them to discharge their obligations to the crown, provided that no injury should be done to the trade

of the mother country. He also recommended to their attention the faithful services of their agents, one of whom, Rindge, was dead, and the payment of the debt due to his heirs.

The assembly, in their answer, acknowledged the wisdom and justice of the king in determining the long controversy between them and Massachusetts; but as to payment of the expense, they reminded him that one-half ought to be paid by Massachusetts, and desired him to use his influence for that purpose. With respect to the failure of raising men for the expedition, they set him right by ascribing it to the true cause; there being no commissions sent to the province for that service. Concerning the salary, they said that as soon as they could know what number of inhabitants would be added to them by the settlement of the lines, and how the money could be raised, they should make as ample provision for his honourable support as their circumstances would admit. They acknowledged the fidelity and industry of their agents, and professed a good will to reward them; but could not then promise adequate compensation.

The assembly voted a salary of 250*l*. proclamation money to the governor, funded as usual on the ex-cise; and having obtained a royal licence for issuing 25,000*l*. on loan for ten years, they granted the governor 250*l*. more, to be paid annually out of the interest of the loan. When this fund failed, they made annual grants for his "further and more ample support," and generally added something for house-rent. They presented their agent Thomlinson 100*l*. sterling for his faithful services; but what they did for the heirs of Rindge does not appear.

(1743.) After Mr. Wentworth was quietly seated in the chair of government, an opportunity presented to advance his interest still farther. For the sum of 2,000*l*. sterling, Dunbar was prevailed on to resign the surveyorship of the woods, and Thomlinson negotiated an appointment in favour of Wentworth, with a salary of 800*l*. sterling, out of which he was to maintain four deputies. But to obtain this office, he was obliged to "rest his claim on the crown of Spain for 56,000 dollars."

These appointments of Mr. Wentworth gave the opposers of the former administration great cause of triumph; but the spirit of opposition had only changed sides. It was hoped and expected by some, that Mr. Belcher, by going to England, would not only remove the ill impressions which the malice of his enemies had made, but return to his former station. Others, who had no predilection for Belcher, looked with envy on the good fortune of Wentworth, and aimed to undermine him; at the same time courting the friends of the former administration to join in their measures. These things were managed with secrecy, and a few hints only are left as evidence of the existence of designs, which were never brought to maturity.

It was one of the royal instructions to governors, that in any cases of difficulty or sudden emergency, they should communicate with each other. Mr. Wentworth had a high opinion of the abilities of the new governor of Massachusetts, and there being a strict friendship between them, consulted him on all occasions. Shirley was gratified by this deference, and knew how to make his advantage of it. Thus, though New Hampshire was under a governor distinct from that of Massachusetts—a point which had long been contended for—yet the difference was not so great in reality as in appearance. This was a circumstance not much known at that time. The

advice which Shirley gave him was, in general, salutary and judicious.

(1744.) The war which had been kindled between Britain and Spain, extended its flame over a great part of Europe; and when France became involved in it, the American colonies were more nearly interested, because of the proximity of the French, and of the Indians, who were in their interest. War is so natural to savages, that they need but little to excite them to it. An Indian war was a necessary appendage of a war with France. The scene of both was opened in Nova Scotia.

That province had been alternately claimed and possessed by the English and French for more than a century. Ever since the peace of Utrecht it had been subject to the crown of Britain, and the French inhabitants, who were under a kind of patriarchal government of their priests, and devoted to the French interest, were kept in awe, partly by the fear of having their dikes destroyed—which they had erected to prevent the sea from overflowing their fields—and partly by a British garrison at Annapolis, where a governor and council resided. The Indian tribes maintained their native independence, though they were attached to the French by religious as well as interested obligations. Canseau, an island on the north-eastern part of Nova Scotia, was in possession of the English. It was resorted to by the fishermen of New England. It was defended by a block-house and garrisoned by a detachment of troops from Annapolis. The island of Cape Breton was possessed by the French, and lay between the English of Canseau and those of Newfoundland. This was too near a neighbourhood for enemies, especially when both were pursuing one object, the fishery.

The French at Cape Breton having received early intelligence of the declaration of war, immediately resolved on the destruction of the English fishery at Canseau. Duquesnel, the governor, sent Duvivier with a few small armed vessels, and about nine hundred men, who seized and took possession of the island, burned the houses, and made prisoners of the garrison and inhabitants. This was done, before the news of war had arrived in New England. It was followed by an attempt upon Placentia, in Newfoundland, which miscarried. An attack was also made upon Annapolis, the garrison of which was reinforced by several companies of militia and rangers, from Massachusetts, and the enemy were obliged to retire. The Indians of Nova Scotia assisted the French in this attack; which, with some other insolencies committed by them, occasioned a declaration of war by the government of Massachusetts against them, with a premium for scalps and prisoners.

These proceedings of the French were rash and precipitate. They were not prepared for extensive operations; nor had they any orders from their court to undertake them. What they had done, served to irritate and alarm the neighbouring English colonies, and shew them their danger in the most conspicuous manner. Their sea coast, navigation, and fishery lay exposed to continual insults. Their frontier settlements on the western side were but eighty miles distant from the French fort on Lake Champlain. The Indians who lay between them, had not yet taken up the hatchet; but it was expected that encouragement would be given them by the governor of Canada, to insult the frontiers. Several new settlements were wholly broken up; and many of the women and children of other frontier places retired to the old towns for security.

In the autumn, Duquesnel the French governor of Cape Breton, died, and was succeeded in the command by Duchambon, who had not so good a military character. Duvivier went to France to solicit a force to carry on the war in Nova Scotia in the ensuing spring. The store ships, expected from France at Cape Breton, came on the coast so late in the fall, and the winter there set in so early and fierce, as to keep them out of port, and drive them off to the West Indies. The captive garrison of Canseau, with other prisoners, who had been taken at sea and carried into Louisbourg, were sent to Boston. From them, as well as from other informants, Governor Shirley obtained such intelligence of the state of that island and fortress, as induced him to form the project of attacking it. But before we open this romantic and hazardous scene, it is necessary to give some account of the place which was to be the theatre of operations.

The island of Cape Breton, so denominated from one of its capes, lies between the forty-fifth and forty-seventh degrees of north latitude, at the distance of fifteen leagues from Cape Ray, the south-western extremity of Newfoundland. It is separated from the main land of Nova Scotia by a narrow strait six leagues in length, the navigation of which is safe for a ship of forty guns. The greatest length of the island, from north-east to south-west is about fifty leagues, and its greatest breadth thirty-three. It is about eighty-eight leagues in circuit as seamen estimate distances. Its general form is triangular, but it is indented by many deep bays.

The soil of this island is by no means inviting. It is either rocky and mountainous, or else cold and boggy; and much less capable of improvement than Nova Scotia. Its only valuable productions are of the fossil kind, pit-coal and plaster. Its atmosphere in the spring and summer is an almost continual fog, which prevents the rays of the sun from perfecting vegetation. Its winter is severe and of long continuance; and as the island forms an eddy to the current which sets through the gulf of St. Lawrence, its harbours are filled with large quantities of floating ice, with which its shores are environed till late in the spring.

Much has been said by French and English writers on the great importance and advantage of this island, and some political and temporary purposes were doubtless to be answered by such publications; but in fact, the only real importance of Cape Breton was derived from its central situation, and the convenience of its ports. On the north and west sides it is steep and inaccessible; but the south-eastern side is full of fine bays and harbours, capable of receiving and securing ships of any burden; and, being situated between Canada, France, and the West Indies, it was extremely favourable to the French commerce. It was not so good a station for the fishery as several parts of Nova Scotia and Newfoundland. The greater part of the French fishery was prosecuted elsewhere; and they could buy fish at Canseau cheaper than they could cure it at Cape Breton.

Whilst the French held possession of the coasts of Nova Scotia and Newfoundland, this island was neglected; but after they had ceded these places to the crown of England, and the crown of England had ceded this island to them by the treaty of Utrecht, 1713, they began to see its value. Instead of giving so much attention to the fur trade of Canada as they had before done, they contemplated building a fortified town on this island, as a security to their na-

vigation and fishery. For this purpose they chose a fine harbour on the south-east side of the island, formerly called English harbour; where they erected their fortifications, and called the place Louisbourg.

The harbour of Louisbourg lies in latitude $45^{\circ}55'$; its entrance is about four hundred yards wide. The anchorage is uniformly safe, and ships may run ashore on a soft muddy bottom. The depth of water at the entrance is from nine to twelve fathoms. The harbour lies open to the south-east. Upon a neck of land on the south side of the harbour was built the town, two miles and a quarter in circumference; fortified in every accessible part with a rampart of stone, from thirty to thirty-six feet high, and a ditch eighty feet wide. A space of about two hundred yards was left without a rampart, on the side next to the sea; it was enclosed by a simple dike and a line of pickets. The sea was so shallow in this place, that it made only a narrow channel, inaccessible from its numerous reefs to any shipping whatever. The side fire from the bastions secured this spot from an attack. There were six bastions and three batteries, containing embrasures for 148 cannon, of which sixty-five only were mounted, and sixteen mortars. On an island at the entrance of the harbour was planted a battery of thirty cannon, carrying twenty-eight pounds shot; and at the bottom of the harbour, directly opposite to the entrance, was the grand or royal battery of twenty-eight cannon, (forty-two pounders,) and two eighteen pounders. On a high cliff, opposite to the island battery, stood a light-house; and within this point, at the north-east part of the harbour, was a careening wharf secure from all winds, and a magazine of naval stores.

The town was regularly laid out in squares. The streets were broad; the houses mostly of wood, but some of stone. On the west side, near the rampart, was a spacious citadel, and a large parade; on one side of which were the governor's apartments. Under the rampart were casemates to receive the women and children during a siege. The entrance of the town on the land side was at the west gate, over a draw-bridge, near to which was a circular battery, mounting sixteen guns, of twenty-four pounds shot.

These works had been twenty-five years in building; and though not finished, had cost the crown, it is said, nearly 1,000,000*l.* sterling. The place was so strong as to be called "the Dunkirk of America." It was, in peace, a safe retreat for the ships of France bound homeward from the East and West Indies; and in war, a source of distress to the northern English colonies; its situation being extremely favourable for privateers to ruin their fishery, and interrupt their coasting and foreign trade; for which reasons, the reduction of it was an object as desirable to them, as that of Carthage was to the Romans.

In the autumn, Shirley wrote to the British ministry, representing the danger of an attack on Nova Scotia from the French, in the ensuing spring; and praying for some naval assistance. These letters he sent by Captain Ryal, an officer of the garrison which had been taken at Canseau, who "from his particular knowledge of Louisbourg, and of the great consequence of the acquisition of Cape Breton, and the preservation of Nova Scotia, he hoped would be of considerable service to the northern colonies, with the lords of the admiralty." Thus early did Shirley conceive and communicate to Wentworth his great design; and the most prudent step which he took in this whole affair was to solicit help from England. His petition, supported by that worthy officer, was so favourably received by the ministry,

that as early as the beginning of January, orders were dispatched to Commodore Warren, then in the West Indies, to proceed to the northward in the spring, and employ such a force as might be sufficient to protect the northern colonies in their trade and fishery, and distress the enemy; and for this purpose to consult with Governor Shirley. Orders of the same date were written to Shirley, inclosed to Warren, directing him to assist the king's ships with transports, men and provisions. These orders, though extremely favourable to the design, were totally unknown in New England till the middle of April following, before which time the expedition was completely formed.

It has been said, that a plan of this famous enterprise was first suggested by William Vaughan, a son of Lieut.-governor Vaughan, of New Hampshire. Several other persons have claimed the like merit. How far each one's information or advice contributed toward forming the design, cannot now be determined. Vaughan was largely concerned in the fishery on the eastern coast of Massachusetts. He was a man of good understanding, but of a daring, enterprising, and tenacious mind, and one who thought of no obstacles to the accomplishment of his views. An instance of his temerity is still remembered. He had equipped, at Portsmouth, a number of boats to carry on his fishery at Montinicus; on the day appointed for sailing, in the month of March, though the wind was so boisterous that experienced mariners deemed it impossible for such vessels to carry sail, he went on board one, and ordered the others to follow. One was lost at the mouth of the river, the rest arrived with much difficulty, but in a short time, at the place of their destination. Vaughan had not been at Louisbourg; but had learned from fishermen and others, something of the strength and situation of the place, and nothing being in his view impracticable which he had a mind to accomplish, he conceived a design to take the city by surprise; and even proposed going over the walls in the winter on the drifts of snow. This idea of a surprisal forcibly struck the mind of Shirley, and prevailed with him to hasten his preparations, before he could have any answer or orders from England.

(1745.) In the beginning of January he requested of the members of the general court, that they would lay themselves under an oath of secrecy, to receive a proposal from him, of very great importance. This was the first request of the kind which had ever been made to a legislative body in the colonies. They readily took the oath, and he communicated to them the plan which he had formed of attacking Louisbourg. The secret was kept for some days, till an honest member, who performed the family devotion at his lodgings, inadvertently discovered it by praying for a blessing on the attempt. At the first deliberation the proposal was rejected, but by the address of the governor and the invincible perseverance of Vaughan, a petition from the merchants concerned in the fishery, was brought into court, which revived the affair; and it was finally carried in the affirmative by a majority of one voice, in the absence of several members who were known to be against it. Circular letters were immediately dispatched to all the colonies, as far as Pennsylvania, requesting their assistance, and an embargo on their ports.

With one of these letters Vaughan rode express to Portsmouth, where the assembly was sitting. Governor Wentworth immediately laid the matter before them, and proposed a conference of the two houses to be held on the next day. The house of

representatives having caught the enthusiasm of Vaughan, were impatient of delay, and desired that it might be held immediately. It was accordingly held, and the committee reported in favour of the expedition, estimated the expense at 4,000*l.*, and desired the governor to issue a proclamation for enlisting 250 men, at 25*s.* per month, one month's pay to be advanced; they also recommended that military stores and transports should be provided, and that such preparations should be made that the whole might be ready by the beginning of March. All this was instantly agreed to, on condition that proper methods could be found to pay the charges. This could be done in no other way than by a new issue of bills of credit, contrary to the letter of royal instructions. But, by the help of Shirley, a way was found to surmount this difficulty; for on the same day he wrote to Wentworth, informing him that he had, in answer to repeated solicitations, obtained a relaxation of his instructions relative to bills of credit, so far as to have leave to consent to such issues as the exigencies of war might require; and advising him that, considering the occasion, it was probable his consenting to an issue would rather be approved than censured by his superiors. The next day he wrote again assuring him that he might safely do it, provided that the sum to be issued were solely appropriated to the service of the expedition. He also sent him a copy of the instruction, enjoining him to let no person know that he had sent it. Shirley himself had consented to an issue of 50,000*l.*, to be drawn in by a tax in the years 1747 and 1748.

The house of representatives passed a vote for an issue of 10,000*l.* toward defraying the charge of the expedition and further carrying on the war, and the support of government; to be drawn in by taxes in ten annual payments, to begin in 1755. The council objected and said, that the grant should be wholly appropriated to the expedition, and the payments should begin in 1751. The house adhered to their vote. The governor interposed, and an altercation took place, which continued several days. The governor adjourned the assembly till he could again ask Shirley's advice and receive his answer. At length the house altered their vote, and appointed the year 1751 for drawing in the money, augmenting the sum to 13,000*l.*; and at the governor's express desire, they publicly assured him that they "could not find out any other way to carry on the expedition, or in any degree shorten the period for bringing in the money." This was done to serve as an apology for the governor's consenting to the bill, notwithstanding he had no liberty to recede from his instructions; and thus, the matter being compromised, he gave his consent.

During this tedious interval, a report was spread, that the house had refused to raise men and money for the expedition; and the author of the report was sought out and called to account by the house for his misbehaviour. The next day they altered their terms of enlistment, conformably to those offered in Massachusetts, and by the 17th of February, 250 men were enlisted for the service.

The person appointed to command the expedition was William Pepperrell, Esq. of Kittery, colonel of a regiment of militia, a merchant of unblemished reputation and engaging manners, extensively known both in Massachusetts and New Hampshire, and very popular. These qualities were absolutely necessary in the commander of an army of volunteers, his own countrymen, who were to quit their domestic connexions and employments, and engage in a

hazardous enterprise, which none of them, from the highest to the lowest, knew how to conduct. Professional skill and experience were entirely out of the question; had these qualities been necessary, the expedition must have been laid aside; for there was no person in New England in these respects qualified for the command. Fidelity, resolution and popularity must supply the place of military talents; and Pepperrell was possessed of these. It was necessary that the men should know and love their general, or they would not enlist under him.

After this appointment was made, and while it was uncertain whether the assembly of New Hampshire would agree with the governor in raising money for the expedition, Shirley proposed to Wentworth, the raising of men in New Hampshire, to be in the pay of Massachusetts, and in the letter which he wrote on that occasion paid him the following compliment; "It would have been an infinite satisfaction to me, and done great honour to the expedition, if your limbs would have permitted you to take the chief command." Wentworth was charmed with the idea, and forgetting his gout, made an offer of his personal service, but not till after the assembly had agreed to his terms and the money bill was passed. Shirley was then obliged to answer him thus: "Upon communicating your offer to two or three gentlemen, in whose prudence and judgment I most confide, I found them clearly of opinion, that any alteration of the present command would be attended with great risque, both with respect to the assembly and the soldiers being entirely disgusted."

Before Pepperrell accepted the command, he asked the opinion of the famous George Whitefield, who was then itinerating and preaching in New England. Whitefield told him, that he did not think the scheme very promising; that the eyes of all would be on him; that if it should not succeed, the widows and orphans of the slain would reproach him; and if it should succeed, many would regard him with envy, and endeavour to eclipse his glory; that he ought therefore to go with a "single eye," and then he would find his strength proportioned to his necessity. Henry Sherburne, the commissary of New Hampshire, another of Whitefield's friends, pressed him to favour the expedition and give a motto for the flag; to which, after some hesitation, he consented. The motto was, "*Nil desperandum Christo duce.*" This gave the expedition the air of a crusade, and many of his followers enlisted. One of them, a chaplain, carried on his shoulder a hatchet, with which he intended to destroy the images in the French churches.

There are certain latent sparks in human nature, which, by a collision of causes, are sometimes brought to light; and when once excited, their operations are not easily controlled. In undertaking any thing hazardous, there is a necessity for extraordinary vigor of mind, and a degree of confidence and fortitude, which shall raise us above the dread of danger, and dispose us to run a risk which the cold maxims of prudence would forbid. The people of New England have at various times shewn this enthusiastic ardour, which has been excited by the example of their ancestors and their own exposed situation. It was never more apparent, and perhaps never more necessary, than on occasion of this expedition. Nor ought it to be forgotten, that several circumstances, which did not depend on human foresight, greatly favoured the undertaking.

The winters in this country are often severe, but the winter in which this expedition was planned,

and particularly the month of February, was very mild. The harbours and rivers were open, and the weather was in general so pleasant, that every kind of labour could be done abroad. The fruitfulness of the preceding season had made provisions plenty. The Indians had not yet molested the frontiers; and though some of them had heard that an expedition against Cape Breton was in hand, and carried the news of it to Canada, such an attempt was so improbable, that the French gave no credit to the report, and those in Nova Scotia did not receive the least intelligence of the preparations. Douglas observes, that "some guardian angel preserved the troops from taking the small-pox," which appeared in Boston about the time of their embarkation, and was actually imported in one of the ships which was taken into the service. A concurrence of happy incidents brought together every British ship of war from the ports of the American continent and islands, till they made a formidable naval force, consisting of four ships of the line and six frigates, under the command of an active, judicious and experienced officer. On the other hand, the garrison of Louisbourg was discontented and mutinous; they were in want of provisions and stores; they had no knowledge of the design formed against them; their shores were so environed with ice, that no supplies could arrive early from France, and those which came afterward were intercepted and taken by our cruisers. In short, "if any one circumstance had taken a wrong turn on our side, and if any one circumstance had not taken a wrong turn on the French side, the expedition must have miscarried."

In the undertaking and prosecuting of an enterprise so novel to the people of New England, it is amusing to see how many projects were invented; what a variety of advice was given from all quarters, and what romantic expectations were formed by advisers and adventurers. During the enlistment, one of the officers was heard to say with great sobriety, that he intended to carry with him three shirts, one of which should be ruffled, because he expected that the general would give him the command of the city, when it should be taken. An ingenious and benevolent clergyman presented to the general a plan for the encampment of the army, the opening of trenches, and the placing of batteries before the city. To prevent danger to the troops from subterraneous mines, he proposed, that two confidential persons, attended by a guard, should, during the night, approach the walls; that one should with a beetle strike the ground, while the other should lay his ear to it, and observe whether the sound was hollow, and that a mark should be set on all places suspected. Another gentleman of equal ingenuity, sent the general a model of a flying bridge, to be used in scaling the walls of Louisbourg. It was so light, that twenty men could carry it on their shoulders to the wall, and raise it in one minute. The apparatus for raising it consisted of four blocks, and two hundred fathoms of rope. It was to be floored with boards, wide enough for eight men to march abreast; and to prevent danger from the enemy's fire, it might be covered with raw hides. This bridge, it was said, might be erected against any part of the wall, even where no breach had been made; and it was supposed that 1000 men might pass over it in four minutes.

But the most extraordinary project of all, was Shirley's scheme for taking the city by surprise, in the first night after the arrival of the troops, and before any British naval force could possibly come

to their assistance. It is thus delineated in a confidential letter which he wrote to Wentworth, when he urged him to send the New Hampshire troops to Boston, to proceed thence with the fleet of transports. "The success of our scheme for surprising Louisbourg will entirely depend on the execution of the first night, after the arrival of our forces. For this purpose it is necessary, that the whole fleet should make Chapeau-rouge point just at the shutting in of the day, when they cannot easily be discovered, and from thence push into the bay, so as to have all the men landed before midnight; the landing of whom, it is computed by Capt. Durell and Mr. Bastide, will take up three hours at least. After which, the forming of the four several corps to be employed in attempting to scale the walls of Louisbourg, near the east gate, fronting the sea, and the west gate fronting the harbour, to cover the retreat of the beforementioned parties in case of a repulse, and to attack the grand battery, (which attack must be made at the same time with the two other attacks) will take up two hours more at least. After these four bodies are formed, their march to their respective posts from whence they are to make their attacks and serve as a cover to the retreat, will take up another two hours, which, supposing the transports to arrive in Chapeau-rouge bay at nine o'clock in the evening, and not before, as it will be necessary for them to do in order to land and march under cover of the night, will bring them to four in the morning, being day-break, before they begin the attack, which will be full late for them to begin. Your excellency will from hence perceive how critical an affair the time of the fleet's arrival in Chapeau-rouge bay is, and how necessary it is to the success of our principal scheme, that the fleet should arrive there in a body at that precise hour."

It is easy to perceive that this plan was contrived by a person totally unskilled in the arts of navigation and of war. The coast of Cape Breton was dangerous and inhospitable, the season of the year rough and tempestuous, and the air a continual fog; yet, a fleet of an hundred vessels, after sailing nearly 200 leagues (for by this plan they were not to stop) must make a certain point of land "at a precise hour," and enter an unknown bay, in an evening. The troops were to land in the dark, amidst a violent surf, on a rocky shore—to march through a thicket and bog three miles to the city, and some of them a mile beyond it to the royal battery. Men who had never been in action were to perform services which the most experienced veteran would think of with dread; to pull down pickets with grappling-irons, and scale the walls of a regular fortification with ladders which were afterwards found to be too short by ten feet—all in the space of twelve hours from their first making the land, and nine hours from their debarkation. This part of the plan was prudently concealed from the troops.

The forces which New Hampshire furnished for this expedition were 350 men, including the crew of an armed sloop which convoyed the transports and served as a cruiser. They were formed into a regiment consisting of eight companies, and were under the command of Colonel Samuel Moore. The sloop was commanded by Captain John Fernald; her crew consisted of thirty men. The regiment, sloop, and transports were, by Governor Wentworth's written instructions to the general, put under his command. Besides these, a body of 150 men was enlisted in New Hampshire, and aggregated to the regiment in the pay of Massachusetts. Thus New

Hampshire employed 500 men; about one-eighth part of the whole land force. In these men there was such an ardour for action, and such a dread of delay, that it was impracticable to put them so far out of their course as to join the fleet at Boston. Shirley therefore altered the plan, and appointed a rendezvous at Canseau, where the forces of New Hampshire arrived two days before the general and his other troops from Boston.

The instructions which Pepperrell received from Shirley, were conformed to the plan which he had communicated to Wentworth, but much more particular and circumstantial. He was ordered to proceed to Canseau, there to build a block-house and battery, and leave two companies in garrison, and to deposit the stores which might not immediately be wanted by the army. Thence he was to send a detachment to the village of St. Peters, on the island of Cape Breton, and destroy it, to prevent any intelligence which might be carried to Louisbourg; for which purpose also, the armed vessels were to cruise before the harbour. The whole fleet was to sail from Canseau, so as to arrive in Chapeau-rouge bay about nine o'clock in the evening. The troops were to land in four divisions, and proceed to the assault before morning. If the plan for the surprisal should fail, he had particular directions where and how to land, march, encamp, attack, and defend; to hold councils and keep records, and to send intelligence to Boston by certain vessels retained for the purpose, which vessels were to stop at Castle William, and there receive the governor's orders. Several other vessels were appointed to cruise between Canseau and the camp, to convey orders, transport stores, and catch fish for the army. To close these instructions, after the most minute detail of duty, the general was finally "left to act upon unforeseen emergencies according to his discretion;" which, in the opinion of military gentlemen, is accounted the most rational part of the whole. Such was the plan for the reduction of a regularly constructed fortress, drawn by a lawyer, to be executed by a merchant, at the head of a body of husbandmen and mechanics; animated indeed by ardent patriotism, but destitute of professional skill and experience. After they had embarked, the hearts of many began to fail; some repented that they had voted for the expedition, or promoted it; and the most thoughtful were in the greatest perplexity.

The troops were detained at Canseau three weeks, waiting for the ice, which invironed the island of Cape Breton, to be dissolved. They were all this time within view of St. Peters, but were not discovered. Their provisions became short; but they were supplied by prizes taken by the cruisers. Among others, the New Hampshire sloop took a ship from Martinico, and retook one of the transports, which she had taken the day before. At length, to their great joy, Commodore Warren, in the *Superbe*, of sixty guns, with three other ships of forty guns each, arrived at Canseau, and having held a consultation with the general, proceeded to cruise before Louisbourg. The general having sent the New Hampshire sloop to cover a detachment which destroyed the village of St. Peters, and scattered the inhabitants, sailed with the whole fleet; but instead of making Chapeau-rouge point in the evening, the wind falling short, they made it at the dawn of the next morning; and their appearance in the bay gave the first notice to the French of a design formed against them.

The intended surprisal being thus happily frus-

trated, the next thing after landing the troops was to invest the city. Vaughan, the adventurer from New Hampshire, had the rank and pay of a lieutenant-colonel, but refused to have a regular command. He was appointed one of the council of war, and was ready for any service which the general might think suited to his genius. He conducted the first column through the woods, within sight of the city, and saluted it with three cheers. He headed a detachment, consisting chiefly of the New Hampshire troops, and marched to the north-east part of the harbour, in the night; where they burned the warehouses containing the naval stores, and staved a large quantity of wine and brandy. The smoke of this fire being driven by the wind into the grand battery, so terrified the French, that they abandoned it and retired to the city, after having spiked the guns and cut the halliards of the flag-staff. The next morning, as Vaughan was returning, with thirteen men only, he crept up the hill which overlooked the battery, and observed, that the chimnies of the barrack were without smoke, and the staff without a flag. With a bottle of brandy which he had in his pocket, (though he never drank spirituous liquors), he hired one of his party, a Cape Cod Indian, to crawl in at an embrasure, and open the gate. He then wrote to the general these words, "May it please your honour to be informed, that by the grace of God, and the courage of thirteen men, I entered the royal battery, about nine o'clock, and am waiting for a reinforcement, and a flag." Before either could arrive, one of the men climbed up the staff, with a red coat in his teeth, which he fastened by a nail to the top. This piece of triumphant vanity alarmed the city, and immediately an hundred men were dispatched in boats to retake the battery. But Vaughan, with his small party, on the naked beach, and in the face of a smart fire from the city and the boats, kept them from landing, till the reinforcement arrived. In every duty of fatigue, or sanguine adventure, he was always ready; and the New Hampshire troops, animated by the same enthusiastic ardour, partook of all the labours and dangers of the siege. They were employed for fourteen nights successively, in drawing cannon from the landing place to the camp, through a morass; and their Lieutenant-Colonel Messervé, being a ship carpenter, constructed sledges, on which the cannon were drawn, when it was found that their wheels were buried in the mire. The men, with straps over their shoulders, and sinking to their knees in mud, performed labour beyond the power of oxen; which labour could be done only in the night or in a foggy day; the place being within plain view and random shot of the enemy's walls. They were much disappointed and chagrined, when they found that these meritorious services were not more distinctly acknowledged in the accounts which were sent to England, and afterwards published.

In the unfortunate attempt on the island battery by 400 volunteers from different regiments, the New Hampshire troops were very active. When it was determined to erect a battery on the light-house cliff, two companies of them (Mason's and Fernald's) were employed in that laborious service, under cover of their armed sloop; and when a proposal was made for a general assault by sea and land, Colonel Moore, who had been an experienced sea commander, offered to go on board the *Vigilant* with his whole regiment, and lead the attack, if in case of success he might be confirmed in the command of the ship; but when this was denied, most of the men

who were fit for duty, readily went on board the *Princess Mary*, to act as marines on that occasion.

It has been said, that "this siege was carried on in a tumultuary, random manner, resembling a Cambridge commencement." The remark is in a great measure true. Though the business of the council of war was conducted with all the formality of a legislative assembly; though orders were issued by the general, and returns made by the officers at the several posts; yet the want of discipline was too visible in the camp. Those who were on the spot, frequently laughed at the recital of their own irregularities, and expressed their admiration when they reflected on the almost miraculous preservation of the army from destruction. They indeed presented a formidable front to the enemy; but the rear was a scene of confusion and frolic. While some were on duty at the trenches, others were racing, wrestling, pitching quoits, firing at marks or at birds, or running after shot from the enemy's guns, for which they received a bounty, and the shot were sent back to the city. The ground was so uneven, and the people so scattered, that the French could form no estimate of their numbers; nor could they learn it from the prisoners taken at the island battery, who on their examination, as if by previous agreement, represented the number to be vastly greater than it was. The garrison of Louisbourg had been so mutinous before the siege, that the officers could not trust the men to make a sortie, lest they should desert; had they been united, and acted with vigour, the camp might have been surprised, and many of the people destroyed.

Much has been ascribed, and much is justly due, to the activity and vigilance of Commodore Warren, and the ships under his command: much is also due to the vigour and perseverance of the land forces, and the success was doubtless owing to the joint efforts of both. Something of policy, as well as bravery, is generally necessary in such undertakings; and there was one piece of management, which, though not mentioned by any historian, yet greatly contributed to the surrender of the city.

The capture of the *Vigilant*, a French sixty-four gun ship, commanded by the Marquis de la Maisonforte, and richly laden with military stores for the relief of the garrison, was one of the most capital exploits performed by the navy. This ship had been anxiously expected by the French, and it was thought that the news of her capture, if properly communicated to them, might produce a good effect; but how to do it was the question. At length the commodore hit on this expedient, which he proposed to the general, who approved and put it into execution. In a skirmish on the island, with a party of French and Indians, some English prisoners had been taken by them, and used with cruelty. This circumstance was made known to the marquis, and he was requested to go on board of all the ships in the bay where French prisoners were confined, and observe the condition in which they were kept. He did so, and was well satisfied with their fare and accommodations. He was then desired to write to the governor of the city, and inform him how well the French prisoners were treated, and to request the like favour for the English prisoners. The humane marquis readily consented, and the letter was sent the next day by a flag, entrusted to the care of Capt. Macdonald. He was carried before the governor and his chief officers; and by pretending not to understand their language, he had the advantage of listening to their discourse, by which he found, that

they had not before heard of the capture of the Vigilant, and that the news of it, under the hand of her late commander, threw them into visible perturbation. This event, with the erection of a battery on the high cliff at the light house, under the direction of Lieut.-colonel Gridley, by which the island battery was much annoyed, and the preparations which were evidently making for a general assault, determined Duchambon to surrender; and accordingly, in a few days he capitulated.

Upon entering the fortress and viewing its strength, and the plenty and variety of its means of defence, the stoutest hearts were appalled, and the impracticability of carrying it by assault was fully demonstrated.

No sooner was the city taken, and the army under shelter, than the weather, which during the siege, excepting eight or nine days after the first landing, had been remarkably dry for that climate, changed for the worse; and an incessant rain of ten days succeeded. Had this happened before the surrender, the troops who had then begun to be sickly, and had none but very thin tents, must have perished in great numbers. Reinforcements of men, stores and provisions arrived, and it was determined in a council of war, to maintain the place and repair the breaches. A total demolition might have been more advantageous to the nation; but in that case, individuals would not have enjoyed the profit of drawing bills on the navy and ordnance establishments. The French flag was kept flying on the ramparts, and several rich prizes were decoyed into the harbour. The army supposed that they had a right to a share of these prizes; but means were found to suppress or evade their claim; nor did any of the colony cruisers (except one) though they were retained in the service, under the direction of the commodore, reap any benefit from the captures.

The news of this important victory filled America with joy, and Europe with astonishment. The enterprising spirit of New England gave a serious alarm to those jealous fears, which had long predicted the independence of the colonies. Great pains were taken in England to ascribe all the glory to the navy, and lessen the merit of the army. However, Pepperell received the title of baronet, as well as Warren. The latter was promoted to be an admiral; the former had a commission as colonel in the British establishment, and was empowered to raise a regiment in America, to be in the pay of the crown. The same emolument was given to Shirley, and both he and Wentworth acquired so much reputation as to be confirmed in their places. Vaughan went to England to seek a reward for his services, and there died of the small-pox. Solicitations were set on foot for a parliamentary reimbursement, which, after much difficulty and delay, was obtained; and the colonies who had expended their substance were in credit at the British treasury. The justice and policy of this measure must appear to every one, who considers, that excepting the suppression of a rebellion within the bowels of the kingdom, this conquest was the only action which could be called a victory, on the part of the British nation, during the whole French war, and afforded them the means of purchasing a peace.

Projected Expedition to Canada—Alarm by the French fleet—State of the frontiers—Peace.

Whilst the expedition to Cape Breton was in hand, the active mind of Governor Shirley contemplated nothing less than the conquest of all the French dominions in America; and he consulted with Go-

vernor Wentworth and Mr. Atkinson on the practicability of such a design. After Louisbourg was taken, he made a visit thither, and held a consultation with Sir Peter Warren and Sir William Pepperell; and from that place wrote pressingly to the British ministry on the subject. His solicitations, enforced by the brilliant success at Louisbourg, and the apparent danger in which Nova Scotia and the new conquest were involved, had such an effect, that in the spring of the following year, (1746) a circular letter was sent from the Duke of Newcastle, secretary of state, to all the governors of the American colonies, as far southward as Virginia, requiring them to raise as many men as they could spare, and form them into companies of one hundred, to be ready to unite, and act according to the orders which they should afterwards receive. The plan was, that a squadron of ships of war, and a body of land forces, should be sent from England against Canada; that the troops raised in New England should join the British fleet and army at Louisbourg, and proceed up the river St. Lawrence; that those of New York and the other provinces at the southward, should be collected at Albany, and march against Crown Point and Montreal. The management of this expedition was committed to Sir John St. Clair, in conjunction with Sir Peter Warren and Governor Shirley. St. Clair did not come to America. Warren and Shirley gave the orders, while Warren was here; and afterwards Commodore Knowles, who succeeded him, was joined with Shirley; but as Knowles was part of the time at Louisbourg, most of the concern devolved on Shirley alone.

Beside the danger of losing Nova Scotia and Cape Breton, there were other reasons for undertaking this expedition. The Indians, instigated by the governor of Canada, were ravaging the frontiers, destroying the fields and cattle, burning houses and mills, killing and carrying away the inhabitants. Though scouts and garrisons were maintained by the governments, yet to act altogether on the defensive, was thought to be not only an ineffectual, but a disgraceful mode of carrying on the war, especially after the success which had attended the arms of the colonists in their attempt against Louisbourg. The continuance of such a mode of defence would neither dispirit the enemy, nor secure the frontiers from their depredations.

The design was pleasing, and the colonies readily furnished their quotas of men. In New Hampshire, the same difficulty occurred as on occasion of the Louisbourg expedition. The governor had no authority to consent to the issue of bills of credit, but Shirley removed that obstacle, by suggesting to him, that as the ministry did not disapprove what he had done before, so there was no reason to fear it now; and that the importance of the service, and the necessity of the case, would justify his conduct. The demand at first, was for levy money and victualling. The arms and pay of the troops were to be furnished by the crown; but it was afterwards found necessary that the several governments should provide clothing, transports and stores, and depend on a reimbursement from the British parliament.

The assembly was immediately convened, and voted an encouragement for enlisting 1,000 men, or more, if they could be raised; with a bounty of 30*l*. currency, and a blanket to each man, besides keeping two armed vessels in pay. Col. Atkinson was appointed to the command of the troops; 800 men were enlisted and ready for embarkation by the beginning of July. Transports and provisions were

prepared, and the men waited impatiently all summer for employment. Neither the general nor any orders arrived from England; the fleet, which was said to be destined for the expedition, sailed seven times from Spithead, and as often returned. Two regiments only were sent from Gibraltar, to Louisbourg, to relieve the New England men, who had garrisoned it since the conquest. It is much easier to write the history of an active campaign, than to trace the causes of inaction and disappointment; and it is in vain to supply the place of facts by conjecture.

In this time of suspense, Sir Peter Warren and Sir William Pepperell having arrived at Boston, from Louisbourg, Shirley had an opportunity of consulting them, and such other gentlemen as he thought proper, on the affair of the Canada expedition. The season was so far advanced, that a fleet could hardly be expected from England; or if it should arrive, it would be too late to attempt the navigation of the river St. Lawrence. But as a sufficient body of the troops might be assembled at Albany, it was judged prudent to employ them in an attempt against the French fort at Crown Point. At the same time Clinton, governor of New York, solicited and obtained the friendly assistance of the Six Nations of Indians, on the borders of his province. It was thought, that if this attempt should be made, the alliance with these Indians would be strengthened and secured,—and the frontiers would be relieved from the horrors of desolation and captivity, to which they were continually exposed. In pursuance of this plan, the forces of New Hampshire were ordered to hold themselves in readiness to march to Albany; but, it being discovered that the small-pox was there, the rendezvous was appointed at Saratoga and the adjacent villages.

No sooner was this plan resolved on, and preparations made to carry it into execution, than accounts were received of danger which threatened Annapolis from a body of French and Indians at Minas, and the probable revolt of the Acadians. It was thought that Nova Scotia would be lost if some powerful succour were not sent thither. Orders were accordingly issued for the troops of Massachusetts, Rhode Island, and New Hampshire, to embark for that place, and “drive the enemy out of Nova Scotia.” But, within a few days more, the whole country was alarmed, and thrown into the utmost consternation, by reports of the arrival of a large fleet and army from France, at Nova Scotia, under the command of the Duke d’Anville. It was supposed that their object was to recover Louisbourg—to take Annapolis—to break up the settlements on the eastern coast of Massachusetts—and to distress, if not attempt the conquest of the whole country of New England. On this occasion, the troops destined for Canada found sufficient employment at home, and the militia was collected to join them; the old forts on the sea-coast were repaired, and new ones were erected. A new battery, consisting of sixteen guns of thirty-two and twenty-four pounds shot, was added to fort William and Mary, at the entrance of Pascataqua harbour; and another, of nine thirty-two pounders, was placed at the point of Little harbour. These works were supposed to be sufficient to prevent a surprisal; military guards were appointed; and in this state of fear and anxiety the people were kept for six weeks, when some prisoners who had been released by the French, brought the most affecting accounts of the distress and confusion on board the fleet. It was expected by the people in New England, that an English fleet would have

followed them to America. This expectation was grounded on some letters from England, which Shirley had received and which he forwarded by express to Admiral Townsend, at Louisbourg. The letters were intercepted by a French cruiser, and carried into Chebucto, where the fleet lay. They were opened in a council of war, and caused a division among the officers; which added to the sickly condition of the men, and the damage which the fleet had sustained by storms, and their loss by shipwrecks, dejected their commander to that degree, that he put an end to his life by poison; and the second in command fell on his sword. These melancholy events, disconcerted their first plan. They then resolved to make an attempt on Annapolis; but when they had sailed from Chebucto, they were overtaken by a violent tempest off Cape Sable, and those ships which escaped destruction returned singly to France.

Nova Scotia was not yet out of danger. The French and Indians who, during the stay of the fleet at Chebucto, had appeared before Annapolis, but on their departure retired, were still in the peninsula; and it was thought necessary to dislodge them. For this purpose Shirley sent a body of the Massachusetts forces, and pressed the governors of Rhode Island and New Hampshire to send part of theirs. Those from Rhode Island, and one transport from Boston, were wrecked on the passage. The armed vessels of New Hampshire, with 200 men, went to Annapolis; but the commander of one of them, instead of landing his men, sailed across the bay of Funda into St. John’s river, where meeting with a French snow, and mistaking her for one of the Rhode Island transports, he imprudently sent his boat with eight men on board, who were made prisoners, and the snow escaped. The sloop instead of returning to Annapolis, came back to Portsmouth. These misfortunes and disappointments had very serious ill consequences. (1747.) The Massachusetts forces who were at Nova Scotia, being inferior in number to the French, and deceived by false intelligence, were surprised in the midst of a snow storm at Minas, and after an obstinate resistance were obliged to capitulate. Their commander, Col. Arthur Noble, and about sixty men were killed, and fifty were wounded. The enemy being provided with snowshoes made forced marches, and ours being destitute of them were unable to escape.

When the alarm occasioned by the French fleet had subsided, Atkinson’s regiment marched into the country to cover the lower part of the frontiers, and encamped near the shore of Winipiseogee lake, where they passed the winter and built a slight fort. They were plentifully supplied with provisions, and had but little exercise or discipline. Courts martial were not instituted, nor offences punished. The officers and men were tired of the service, but were not permitted to enter on any other business lest orders should arrive from England. Some were employed in scouting—some in hunting or fishing—and some deserted.

Shirley was so intent on attacking Crown Point, that he even proposed to march thither in the winter, and had the address to draw the assembly of Massachusetts into an approbation of this project. He enlarged his plan, by proposing that the New Hampshire troops should at the same time go by the way of Connecticut river, to the Indian village of St. Francis, at the distance of 200 miles, and destroy it; while the troops from Massachusetts, Connecticut, and New York, should go by the way of the

lakes to Crown Point. The governor of New York would have consented to this wild project, on account of the Indian allies, who were impatient for war, but it was happily frustrated by the prudence of the Connecticut assembly, who deemed the winter an improper season for so great an undertaking, and deferred their assistance till the ensuing spring. At the same time the small pox prevailed in the settlements above Albany, through which the forces must have marched; and that distemper was then an object of much greater dread than the storms of winter, or the face of an enemy.

To finish what relates to the Canada forces, it can only be said, that excepting some who were employed on the frontiers, they were kept in a state of military indolence, till the autumn of the ensuing year, when by order from the Duke of Newcastle they were disbanded, and paid at the same rate as the king's troops. The governors drew bills on the British treasury, which were negotiated among the merchants at 7 and 800l. per cent.; and the parliament granted money to reimburse the charges of the equipment and subsistence of these forces.

The state of the frontiers now demands our attention. (1745.) By the extension of the boundaries of the province, several settlements which had been made by the people of Massachusetts, and under the authority of grants from their general court, had fallen within New Hampshire. In one of them stood Fort Dummer, on the west side of Connecticut river, and within the lately extended line of New Hampshire. This fort had been erected and maintained at the expense of Massachusetts; but when it was found to be within New Hampshire, the governor was instructed by the crown to recommend to the assembly the future maintenance of it. In the same assembly, which had so zealously entered upon the expedition against Cape Breton, this matter was introduced; but a considerable majority of the lower house declined making any grant for this purpose, and adduced the following reasons, viz. That the fort was fifty miles distant from any towns which had been settled by the government or people of New Hampshire; that the people had no right to the lands which, by the dividing line, had fallen within New Hampshire; notwithstanding the plausible arguments which had been used to induce them to bear the expense of the line—namely, that the land would be given to them, or else would be sold to pay that expense; that the charge of maintaining that fort, at so great a distance, and to which there was no communication by roads, would exceed what had been the whole expense of government before the line was established; that the great load of debt contracted on that account, and the yearly support of government, with the unavoidable expenses of the war, were as much as the people could bear; that if they should take upon them to maintain this fort, there was another much better and more convenient fort at a place called Number-four, besides several other settlements, which they should also be obliged to defend; and finally, that there was no danger that these forts would want support, since it was the interest of Massachusetts, by whom they were erected, to maintain them as a cover to their frontier.

When these reasons were given, the governor dissolved the assembly and called another, to whom he recommended the same measure in the most pressing terms; telling them, "that it was of the last consequence to the present and future prosperity of the government; that their refusal would lessen them in the esteem of the king and his ministers, and strip

the children yet unborn of their natural right; and deprive their brethren who were then hazarding their lives before the walls of Louisbourg of their just expectations, which were to sit down on that valuable part of the province." Put his eloquence had no effect. They thought it unjust to burden their constituents with an expense which could yield them no profit, and afford them no protection.

When it was determined that New Hampshire would make no provision for fort Dummer, the assembly of Massachusetts continued its usual support, and also provided for the other posts on Connecticut river and its branches, which were within the limits of New Hampshire. They afterwards petitioned the king, to deduct that charge out of the reimbursement which the parliament had granted to New Hampshire, for the Canada expedition; but in this they were defeated, by the vigilance and address of Thomlinson, the agent of New Hampshire.

Most of the frontier towns of New Hampshire, at that time, were distinguished by no other than by Indian or temporary names. It may be convenient to compare them with their present names. On Connecticut river, and its eastern branches, were Number-four, Great Meadow, Great Fall, Fort Dummer, Upper Ashuelot, and Lower Ashuelot; now respectively called, Charlestown, Westmoreland, Walpole, Hinsdale, Keene, and Swansey. On Merrimack river and its branches were, Penacook, Suncook, Contoocook, New Hopkinton, Souhegan east, and Souhegan west; now respectively called, Concord, Pembroke, Boscawen, Hopkinton, Merrimack, and Amherst. On Piscataqua river and its branches were, the townships of Nottingham, Barrington and Rochester.

Besides the forts which were maintained at the public expense, there were private houses enclosed with ramparts, or palisades of timber, to which the people who remained on the frontiers retired; these private garrisoned houses were distinguished by the names of the owners. The danger to which these distressed people were constantly exposed did not permit them to cultivate their lands to any advantage. They were frequently alarmed when at labour in their fields, and obliged either to repel an attack, or make a retreat. Their crops were often injured, and sometimes destroyed, either by their cattle getting into the fields where the enemy had broken the fences, or because they were afraid to venture out, to collect and secure the harvest. Their cattle and horses were frequently killed by the enemy, who cut the flesh from the bones, and took out the tongues, which they preserved for food, by drying in smoke. Sometimes they were afraid even to milk their cows, though they kept them in pastures as near as possible to the forts. When they went abroad, they were always armed; but frequently they were shut up for weeks together in a state of inactivity.

The history of a war on the frontiers can be little else than a recital of the exploits, the sufferings, the escapes, and deliverances of individuals, of single families, or small parties. The first appearance of the enemy on the western frontier was at the Great Meadow, sixteen miles above fort Dummer. Two Indians took William Phips, as he was hoeing his corn. When they had carried him half a mile, one of them went down a steep hill to fetch something which had been left. In his absence, Phips, with his own hoe, knocked down the Indian who was with him; then seizing his gun, shot the other as he ascended the hill. Unfortunately, meeting with three others of the same party, they killed him. The In-

dian whom he knocked down died of his wound. The same week they killed Josiah Fisher of upper Ashuelot.

No other damage was done for three months, when a party of twelve Indians approached the fort at Great Meadow, and took Nehemiah How, who was at a little distance from the fort, cutting wood. The fort was alarmed, and one Indian was killed by a shot from the rampart; but no attempt was made to rescue the prisoner. As they were leading him away, by the side of the river, they espied a canoe coming down, with two men, at whom they fired, and killed David Rugg; but Robert Baker got to the opposite shore and escaped. Proceeding farther, they met three other men, who, by skulking under the bank, got safe to the fort. One of them was Caleb How, the prisoner's son. When they came opposite to Number-four, they made their captive write his name on a piece of bark, and left it there. Having travelled seven days westward, they came to a lake, where they found five canoes, with corn, pork, and tobacco. In these canoes they embarked; and having stuck the scalp of David Rugg on a pole, proceeded to the fort at Crown Point, where How received humane treatment from the French. He was then carried down to Quebec, where he died in prison. He was a useful man, greatly lamented by his friends and fellow-captives.

(1746.) The next spring, a party of Indians appeared at Number-four, where they took John Spafford, Isaac Parker, and Stephen Farnsworth, as they were driving a team. Their cattle were found dead, with their tongues cut out. The men were carried to Canada, and, after some time, returned to Boston, in a flag of truce.

Within a few days a large party, consisting of fifty, laid a plan to surprise the fort, at Upper Ashuelot. They hid themselves in a swamp, in the evening, intending to wait till the men had gone out to their work, in the morning, and then rush in. Ephraim Dorman, who was abroad very early, discovered them and gave the alarm. He bravely defended himself against two Indians, and stripped one of his blanket and gun, which he carried into the fort. John Bullard, and the wife of Daniel McKenny, were killed. Nathan Blake was taken and carried to Canada, where he remained two years. They burned several houses and barns; and from the human bones found among the ashes, it was thought that some of the enemy fell and were concealed in the flames.

About the same time a party came down to New Hopkinton, where they entered a garrisoned house, and found the people asleep, the door having been left open by one who had risen early and gone out to hunt. Eight persons were thus taken; Samuel Burbank and his two sons, David Woodwell, his wife, two sons, and a daughter. Burbank and the wife of Woodwell died in captivity. Woodwell and three of the children returned in a flag of truce to Boston.

The enemy were scattered in small parties, on all the frontiers. At Number-four, some women went out to milk their cows, with Major Josiah Willard, and several soldiers for their guard: eight Indians, who were concealed in a barn, fired on them, and killed Seth Putnam; as they were scalping him, Willard and two more fired on them, and mortally wounded two, whom their companions carried off.

At Cantoocook, five white men and a negro were fired at. Elisha Cook and the negro were killed. Thomas Jones was taken, and died in Canada.

At lower Ashuelot, they took Timothy Brown and Robert Moffat, who were carried to Canada, and returned. At the same time a party lay about the fort at upper Ashuelot. As one of them knocked at the gate in the night, the centinel fired through the gate, and gave him a mortal wound.

The danger thus increasing, a reinforcement was sent by the Massachusetts assembly, to these distressed towns. Captain Paine, with a troop, came to Number-four; and about twenty of his men, going to view the place where Putnam was killed, fell into an ambush. The enemy rose and fired, and then endeavoured to cut off their retreat. Captain Phineas Stevens, with a party, rushed out to their relief: a skirmish ensued, in which five men were killed on each side, and one of ours was taken. The Indians left some of their guns and blankets behind.

In about a month after this, another engagement happened at the same place. As Captain Stevens and Captain Brown were going into the meadow, to look for their horses, the dogs discovered an ambush, which put the men into a posture for action, and gave them the advantage of the first fire. After a sharp encounter, the enemy were driven into a swamp, drawing away several of their dead. In this action only one man was lost. Several blankets, hatchets, spears, guns, and other things, were left on the ground, which were sold for forty pounds old tenor. This was reckoned "a great booty from such beggarly enemies."

At Bridgman's fort near fort Dummer, William Robins and James Baker were killed in a meadow. Daniel How and John Beeman were taken. How killed one of the Indians before he was taken.

When the people wanted bread they were obliged to go to the mills with a guard, every place being full of danger. A party who went to Hinsdale's mill, with Colonel Willard at their head, in searching round the mill, discovered an ambush. The enemy were put to flight with the loss of their packs.

At Number-four, one Phillips was killed; and as some of the people were bringing him into the fort, they were fired upon; but none were hurt. Having burned some buildings, and killed some cattle, the enemy went and ambushed the road near Winchester, where they killed Joseph Rawson.

Whilst the upper settlements were thus suffering, the lower towns did not escape. A party of Indians came down to Rochester, within twenty miles of Portsmouth. Five men were at work in a field, having their arms at hand. The Indians concealed themselves; one of them fired, with a view to induce the men to discharge their pieces, which they did. The enemy then rushed upon them before they could load again. They retreated to a small deserted house, and fastened the door. The Indians tore off the roof, and with their guns and tomahawks dispatched John Wentworth and Gersham Downs. They wounded John Richards; and then crossing over to another road, came upon some men who were at work in a field, all of whom escaped; but they took Jonathan Door, a boy, as he was sitting on a fence. Richards was kindly used, his wounds were healed, and after eighteen months he was sent to Boston in a flag of truce. Door lived with the Indians, and acquired their manners and habits; but, after the conquest of Canada, returned to his native place.

Soon after this, another man was killed at Rochester. Two men were surprised, and taken at Cantoocook; and a large party of Indians lay in

ambush at Penacook, with an intention to attack the people, while assembled for public worship; but seeing them go armed to their devotions, they waited till the next morning, when they killed five and took two.

In these irritating skirmishes the summer was spent; till a large body of French and Indians attacked Fort Massachusetts, at Hoosuck. This fort was lost for want of ammunition to defend it. After this success, the enemy remained quiet during the rest of the summer.

The prospect of an expedition to Canada had induced many of the soldiers who were posted on the frontiers to enlist into the regiments, because they preferred active service to the dull routine of a garrison. The defence of the western posts was not only hazardous, but ineffectual; and some persons in the north-western part of Massachusetts thought it inexpedient to be at the charge of defending a territory which was out of their jurisdiction. Their petitions prevailed with the assembly, to withdraw their troops from the western parts of New Hampshire. The inhabitants were then obliged to quit their estates. They deposited in the earth such furniture and utensils as could be saved by that means; they carried off on horseback such as were portable; and the remainder, with their buildings, was left as a prey to the enemy, who came and destroyed, or carried away, what they pleased. Four families, who remained in Shattuck's Fort, (Hinsdale), defended it against a party of Indians, who attempted to burn it. Six men only were left in the fort at Number-four, who in the following winter deserted it; and it was wholly destitute for two months. In this time some gentlemen, who understood the true interest of the country, prevailed on the assembly of Massachusetts to resume the protection of those deserted places; and to employ a sufficiency of men, not only to garrison them, but to range the woods, and watch the motions of the enemy.

(1747.) In the latter end of March, Captain Phineas Stevens, who commanded a ranging company of thirty men, came to Number-four; and, finding the fort entire, determined to keep possession of it. He had not been there many days, when he was attacked by a very large party of French and Indians, commanded by M. Debelinè. The dogs, by their barking, discovered that the enemy was near; which caused the gate to be kept shut beyond the usual time. One man went out to make discovery, and was fired on; but returned with a slight wound only. The enemy, finding that they were discovered, arose from their concealment, and fired at the fort on all sides. The wind being high, they set fire to the fences and log-houses, till the fort was surrounded by flames. Captain Stevens took the most prudent measures for his security; keeping every vessel full of water, and digging trenches under the walls in several places; so that a man might creep through, and extinguish any fire which might catch on the outside of the walls. The fire of the fences did not reach the fort; nor did the flaming arrows which they incessantly shot against it take effect. Having continued this mode of attack for two days, accompanied with hideous shouts and yells; they prepared a wheel carriage, loaded with dry faggots, to be pushed before them, that they might set fire to the fort. Before they proceeded to this operation, they demanded a cessation of arms till the sun-rising, which was granted. In the morning, Debelinè came up with fifty men, and a flag of truce, which he stuck in the ground. He demanded a

parley, which was agreed to. A French officer, with a soldier and an Indian, then advanced; and proposed that the garrison should bind up a quantity of provisions with their blankets, and having laid down their arms, should be conducted prisoners to Montreal. Another proposal was, that the two commanders should meet, and that an answer should then be given. Stevens met the French commander, who, without waiting for an answer, began to enforce his proposal, by threatening to storm the fort, and put every man to death, if they should refuse his terms, and kill one of his men. Stevens answered, that he could hearken to no terms till the last extremity; that he was intrusted with the defence of the fort, and was determined to maintain it, till he should be convinced that the Frenchman could perform what he had threatened. He added, that it was poor encouragement to surrender, if they were all to be put to the sword for killing one man, when it was probable they had already killed more. The Frenchman replied, "Go and see if your men dare to fight any longer, and give me a quick answer." Stevens returned, and asked his men whether they would fight or surrender. They unanimously determined to fight. This was immediately made known to the enemy, who renewed their shouting and firing all that day and night. On the morning of the third day they requested another cessation for two hours. Two Indians came with a flag, and proposed, that if Stevens would sell them provisions they would withdraw. He answered, that to sell them provisions for money would be contrary to the law of nations; but that he would pay them five bushels of corn for every captive, for whom they would give a hostage, till the captive could be brought from Canada. After this answer, a few guns were fired, and the enemy were seen no more.

In this furious attack from a starving enemy no lives were lost in the fort, and two men only were wounded. No men could have behaved with more intrepidity in the midst of such threatening danger. An express was immediately dispatched to Boston, and the news was there received with great joy. Commodore Sir Charles Knowles was so highly pleased with the conduct of Capt. Stevens, that he presented him with a valuable and elegant sword, as a reward for his bravery. From this circumstance, the township, when it was incorporated, took the name of Charlestown.

Small parties of the enemy kept hovering, and sometimes discovered themselves. Sergeant Phelps killed one near the fort, and escaped unhurt, though fired upon and pursued by two others.

Other parties went farther down the country; and at Rochester they ambushed a company who were at work in a field. The ambush was discovered by three lads, John and George Place, and Paul Jennens. The Indians fired upon them. John Place returned the fire and wounded an Indian. Jennens presented his gun but did not fire; this prevented the enemy from rushing upon them, till the men from the field came to their relief and put the Indians to flight.

At Penacook, a party of the enemy discovered themselves by firing at some cattle. They were pursued by fifty men, and retreated with such precipitation as to leave their packs and blankets with other things behind. One man had his arm broken in this conflict. About the same time a man was killed there who had just returned from Cape Breton, after an absence of two years. Another was killed at Suncook; and at Nottingham, Robert

Beard, John Folsom, and Elizabeth Simpson suffered the same fate.

In the autumn, Major Willard and Captain Alexander wounded and took a Frenchman, near Winchester, who was conducted to Boston and returned to Canada. Soon after, the enemy burned Bridgman's fort (Hinsdale), and killed several persons, and took others from that place, and from Number-four in the ensuing winter. No pursuit could be made, because the garrison was not provided with snow-shoes, though many hundreds had been paid for by the government.

(1748.) The next spring, Captain Stevens was again appointed to command at Number-four, with a garrison of 100 men; Captain Humphrey Hobbs being second in command. A scouting party of eighteen was sent out under Capt. Eleazer Melvin. They discovered two canoes in Lake Champlain, at which they fired. The fort at Crown Point was alarmed, and a party came out to intercept them. Melvin crossed their track and came back to West River, where as his men were diverting themselves by shooting salmon, the Indians suddenly came upon them and killed six. The others came in at different times to Fort Dummer.

On a Sabbath morning, at Rochester, the wife of Jonathan Hodgdon was taken by the Indians as she was going to milk her cows; she called aloud to her husband; the Indians would have kept her quiet; but as she persisted in calling they killed her, apparently contrary to their intentions. Her husband heard her cries, and came to her assistance at the instant of her death. His gun missed fire and he escaped. The alarm occasioned by this action prevented greater mischief.

The next month, they killed three men belonging to Hinsdale's fort, Nathan French, Joseph Richardson, and John Frost. Seven were taken; one of whom, William Bickford, died of his wounds. Capt. Hobbs and forty men being on a scout near West River, were surprised by a party of Indians, with whom they had a smart encounter of three hours continuance. Hobbs left the ground, having had three men killed and four wounded. The same party of the enemy killed two men and took nine, between fort Hinsdale and fort Dummer.

(1749.) The cessation of arms between the belligerent powers did not wholly put a stop to the incursions of the enemy; for after it was known here, and after the garrison of Number-four was withdrawn, excepting fifteen men, Obadiah Sortwell was killed, and a son of Capt. Stevens was taken and carried to Canada, but he was released and returned.

During this affecting scene of devastation and captivity, there were no instances of deliberate murder nor torture exercised on those who fell into the hands of the Indians; and even the old custom of making them run the gauntlet was in most cases omitted. On the contrary there is an universal testimony from the captives who survived and returned, in favour of the humanity of their captors. When feeble, they assisted them in travelling; and in cases of distress from want of provision, they shared with them an equal proportion. A singular instance of moderation deserves remembrance. An Indian had surprised a man at Ashuelot; the man asked for quarter, and it was granted: whilst the Indian was preparing to bind him, he seized the Indian's gun, and shot him in one arm. The Indian, however, secured him; but took no other revenge than, with a kick, to say "You dog, how could you treat me so?" The gentleman from whom

this information came, had frequently heard the story both from the captive and the captor. The latter related it as an instance of English perfidy; the former of Indian lenity.

There was a striking difference between the manner in which this war was managed, on the part of the English, and on the part of the French. The latter kept out small parties continually engaged in killing, scalping, and taking prisoners; who were sold in Canada and redeemed by their friends at a great expetise. By this mode of conduct, the French made their enemies pay the whole charge of their predatory excursions, besides reaping a handsome profit to themselves. On the other hand, the English attended only to the defence of the frontiers; and that in such a manner, as to leave them for the most part insecure. No parties were sent to harass the settlements of the French. If the whole country of Canada could not be subdued, nothing less could be attempted. Men were continually kept in pay, and in expectation of service, but spent their time either in garrisons, or camps, or in guarding provisions when sent to the several forts. Though large rewards were promised for scalps and prisoners, scarcely any were obtained unless by accident. A confusion of councils, and a multiplicity of directors, caused frequent changes of measures, and delays in the execution of them. The forts were ill supplied with ammunition, provisions, clothing, and snow-shoes. When an alarm happened, it was necessary either to bake bread, or dress meat, or cast bullets, before a pursuit could be made: The French gave commissions to none but those who had distinguished themselves by some exploit. Among us, persons frequently obtained preferment for themselves or their friends, by making their court to governors, and promoting favourite measures in town meetings, or general assemblies.

A community recovering from a war, like an individual recovering from sickness, is sometimes in danger of a relapse. This war was not decisive, and the causes which kindled it were not removed. One of its effects was, that it produced a class of men, who, having been for a time released from laborious occupations, and devoted to the parade of military life, did not readily listen to the calls of industry. To such men peace was burdensome, and the more so, because they had not the advantage of half pay. The interval between this and the succeeding war was not long. The peace took place in 1749, and in 1754 there was a call to resume the sword.

Purchase of Mason's claim—Controversy about representation—Plan of extending the settlements—Jealousy and resentment of the savages.

Whilst the people were contending with an enemy abroad, an attempt was making at home to revive the old claim of Mason, which their fathers had withstood, and which for many years had lain dormant, till recalled to view by the politicians of Massachusetts, as already related. After Thomlinson had engaged with Mason, for the purchase of his title, nothing more was heard of it, till the controversy respecting the lines was finished, and Wentworth was established in the seat of government, and in the office of surveyor of the woods. (1744.) The agreement which Thomlinson had made, was in behalf of the representatives of New Hampshire; and the instrument was lodged in the hands of the governor, who sent it to the house for their perusal

and consideration. It lay on their table a long time, without any formal notice. Quickening messages were sent time after time; but the affairs of the war, and Mason's absence at sea, and in the expedition to Louisbourg, where he had a company, together with a disinclination in the house, which was of a different complexion from that in 1739, prevented any thing from being done.

(1745.) In the mean time Mason suffered a fine and recovery, by which the entail was docked, in the courts of New Hampshire, and he became entitled to the privilege of selling his interest. He also presented a memorial to the assembly, in which he told them that he would wait no longer; and unless they would come to some resolution, he should take their silence as a refusal. (1746.) Intimations were given, that if they should not ratify the agreement, a sale would be made to other persons, who stood ready to purchase. At length the house came to a resolution, "that they would comply with the agreement, and pay the price; and that the waste lands should be granted by the general assembly, to the inhabitants, as they should think proper." A committee was appointed to treat with Mason about fulfilling his agreement, and to draw the proper instruments of conveyance; but he had on the same day, by deed of sale, for the sum of 1500*l.* currency, conveyed his whole interest to twelve persons, in fifteen shares. When the house sent a message to the council to inform them of this resolution, the council objected to that clause of the resolution, "that the lands be granted by the general assembly," as contrary to the royal commission and instructions; but if the house would address the king, for leave to dispose of the lands, they said that they were content.

These transactions raised a great ferment among the people. Angry and menacing words were plentifully thrown out against the purchasers; but they had prudently taken care to file in the recorder's office a deed of quit-claim to all the towns which had been settled and granted within the limits of their purchase. In this quit-claim they inserted a clause in the following words: "excepting and reserving our respective rights, titles, inheritance, and possessions, which we heretofore had, in common or severally, as inhabitants or proprietors of houses or lands, within any of the towns, precincts, districts, or villages aforesaid." This precaution had not at first its effect. A committee of both houses was appointed to consider the matter, and they reported, that "for quieting the minds of the people, and to prevent future difficulty, it would be best for the province to purchase the claim, for the use and benefit of the inhabitants; provided that the purchasers would sell it for the cost and charges." This report was accepted, concurred, and consented to, by every branch of the legislature. A committee was appointed to consult counsel, and agree on proper instruments of conveyance. The same day, this committee met with the purchasers, and conferred on the question, whether they would sell on the terms proposed? At the conference, the purchasers appeared to be divided, and agreed so far only, as to withdraw their deed from the recorder's office. The committee reported that they could make no terms with the purchasers; in consequence of which the deed was again lodged in the office and recorded.

Much blame was cast on the purchasers, for clandestinely taking a bargain out of the hands of the assembly. They said in their vindication, "that

they saw no prospect of an effectual purchase by the assembly, though those of them who were members voted for it, and did what they could to encourage it; that they would have gladly given Mason as much money for his private quit-claim to their several rights in the townships already granted and settled; that Mason's claim had for many years hung over the province, and that on every turn they had been threatened with a proprietor; that Mason's deed to a committee of Massachusetts, in behalf of that province, for a tract of land adjoining the boundary line, had been entered on the records, and a title under it set up, in opposition to grants made by the governor and council; that it was impossible to say where this evil would stop, and therefore they thought it most prudent to prevent any farther effects of it, by taking up with his offer, especially as they knew that he might have made a more advantageous bargain, with a gentleman of fortune in the neighbouring province; but that they were still willing to sell their interest to the assembly, for the cost and charges; provided that the land be granted by the governor and council; and that the agreement be made within one month from the date of their letter."

Within that month the alarm caused by the approach of D'Anville's fleet put a stop to the negotiation. After that danger was over, the affair was revived; but the grand difficulty subsisted. The purchasers would not sell, but on condition that the lands should be granted by the governor and council. (1747.) The assembly thought that they could have no security that the land would be granted to the people; because the governor and council might grant it to themselves, or to their dependents, or to strangers, and the people who had paid for it might be excluded from the benefit which they had purchased. A proposal was afterwards made, that the sale should be to feeffees in trust for the people; and a form of a deed for this purpose was drawn. To this proposal, the purchasers raised several objections; and as the assembly had not voted any money to make the purchase, they declined signing the deed; and no farther efforts being made by the assembly, the purchase rested in the hands of the proprietors. In 1749 they took a second deed, comprehending all the Masonian grants, from Naumkeag to Pascataqua; whereas the former deed was confined to the lately established boundaries of New Hampshire. This latter deed was not recorded till 1753.

(1748.) After they had taken their first deed the Masonians began to grant townships, and continued granting them to petitioners, often without fees, and always without quit-rents. They quieted the proprietors of the towns on the western side of the Merrimack, which had been granted by Massachusetts, before the establishment of the line; so that they went on peaceably with their settlements. The terms of their grants were, that the grantees should, within a limited time, erect mills and meeting-houses, clear out roads, and settle ministers. In every township, they reserved one right for the first settled minister, another for a parsonage, and a third for a school. They also reserved fifteen rights for themselves, and two for their attorneys; all of which were to be free from taxes, till sold or occupied. By virtue of these grants, many townships were settled, and the interest of the people became so united with that of the proprietors, that the prejudice against them gradually abated; and, at length, even some who had been the most violent opposers, acquiesced in the safety and policy of their measures,

though they could not concede to the validity of their claim.

The heirs of Allen menaced them by advertisements, and warned the people against accepting their grants. They depended on the recognition of Allen's purchase, in the charter of Massachusetts, as an argument in favour of its validity; and supposed, that because the ablest lawyers in the kingdom were consulted, and employed in framing that charter, they must have had evidence of the justice of his pretensions, before such a reservation could have been introduced into it. So strong was the impression which this argument had made on the minds of speculators in England, that large sums had been offered to some of Allen's heirs in that kingdom; and Thomlinson himself, the first mover of the purchase from Mason, in behalf of New Hampshire, had his doubts; and would have persuaded the associates to join in buying Allen's title also, even at the price of 2,000*l.* sterling, to prevent a more expensive litigation, the issue of which would be uncertain. But they, being vested with the principal offices of government; being men of large property, which was also increased by this purchase; and having satisfied themselves of the validity of their title, by the opinions of some principal lawyers, both here and in England, contented themselves with the purchase which they had made; and by maintaining their possession, extended the cultivation of the country within their limits.

The words of the original grants to Mason describe an extent of sixty miles from the sea, on each side of the province, and a line to cross over from the end of one line of sixty miles to the end of the other. The Masonian proprietors pleaded, that this cross line should be a curve, because no other line would preserve the distance of sixty miles from the sea, in every part of their western boundary. No person had any right to contest the point with them but the king. It was not for the interest of his governor and council to object; because several of them, and of their connexions, were of the Masonian propriety; and no objection was made by any other persons, in behalf of the crown. Surveyors were employed, at several times, to mark this curve line; but on running, first from the southern, and then from the eastern boundary, to the river Pemigewasset, they could not make the lines meet. Controversies were thus engendered between the grantees of crown lands and those of the Masonians, which subsisted for many years. In some cases, the disputes were compromised, and in others, left open for litigation; till, by the revolution, the government fell into other hands.

This was not the only controversy which, till that period, remained undetermined. When the extension of the boundary lines gave birth to a demand for the maintenance of fort Dummer, the governor had the address to call to that assembly, into which he introduced this demand, six new members, who appeared as representatives for six towns and districts, some of which had been by the southern line cut off from Massachusetts. It was supposed that his design in calling these members was to facilitate the adoption of fort Dummer. Other towns, which ought to have had the same privilege extended to them, were neglected. When the new members appeared in the house, the secretary, by the governor's order, administered to them the usual oaths; after which they were asked, in the name of the house, by what authority they came thither? They answered that they were chosen by virtue of a writ,

in the king's name, delivered to their respective towns and districts by the sheriff. The house remonstrated to the governor, that these places had no right by law, nor by custom, to send persons to represent them, and then debarred them from the privilege of voting in the choice of a speaker; two only dissenting out of nineteen. Several sharp messages passed between the governor and the house on that occasion, but the pressing exigencies of the war, and the proposed expedition to Cape Breton, obliged him for that time to give way, and suffer his new members to be excluded till the king's pleasure could be known.

The house vindicated their proceedings, by appealing to their records; from which it appeared, that all the additions which had been made to the house of representatives were in consequence of their own votes, either issuing a precept themselves, or requesting the governor to do it; from which they argued, that no town or parish ought to have any writ for the choice of a representative but by a vote of the house, or by an act of the assembly. On the other side it was alleged, that the right of sending representatives was originally founded on the royal commission and instructions, and therefore that the privilege might, by the same authority, be lawfully extended to the new towns, as the king, or his governor, by advice of council, might think proper. The precedents on both sides, were undisputed, but neither party would admit the conclusion drawn by the other. Had this difficulty been foreseen, it might have been prevented when the triennial act was made in 1727. The defects of that law began now to be severely felt, but could not be remedied.

The dispute having thus subsided, was not revived during the war; but as soon as the peace was made, and the king had gone on a visit to his German dominions, an additional instruction was sent from the lords justices, who presided in the king's absence, directing the governor to dissolve the assembly then subsisting; and when another should be called, to issue the king's writ to the sheriff, commanding him to make out precepts to the towns and districts, whose representatives had been before excluded; and that when they should be chosen, the governor should support their rights.

Had this instruction extended to all the other towns in the province, which had not been before represented, it might have been deemed equitable; but as it respected those only which had been the subject of controversy, it appeared to be grounded on partial information, and intended to strengthen the prerogative of the crown, without a due regard to the privileges of the people at large.

(1749.) The party in opposition to the governor became more acrimonious than ever. Richard Waldron, the former secretary, and the confidential friend of Belcher, appeared in the new assembly and was chosen speaker. The governor negatived him; and ordered the house to admit the new members, and choose another speaker. They denied his power of negativing their speaker and of introducing new members. The style of his messages was peremptory and severe; their answers and remonstrances were calm, but resolute, and in some instances satirical. Neither party would yield; no business was transacted, though the assembly met about once in a month, and was kept alive, by adjournments and prorogations, for three years. Had he dissolved them, before the time for which they were chosen had expired, he knew, that in all probability, the same persons would be re-elected.

The effect of this controversy was injurious to the governor, as well as to the people. The public bills of credit had depreciated since this administration began, in the ratio of thirty to fifty-six; and the value of the governor's salary had declined in the same proportion. The excise could neither be formed nor collected; and that part of the governor's salary, which was funded upon it, failed. The treasurer's accounts were unsettled. The soldiers, who had guarded the frontiers in the preceding war, were not paid; nor were their muster-rolls adjusted. The public records of deeds were shut up; for the recorder's time having expired, and the appointment being by law vested in the assembly, no choice could be made. No authenticated papers could be obtained, though the agent was constantly soliciting for those which related to the controversy about Fort Dummer, at that time before the king and council.

(1750, 1751.) When the situation of the province was known in England, an impression to its disadvantage was made on the minds of its best friends; and they even imagined that the governor's conduct was not blameless. The language at court was totally changed. The people of New Hampshire, who had formerly been in favour, as loyal and obedient subjects, were now said to be in rebellion. Their agent was frequently reproached and mortified on their account, and was under great apprehension that they would suffer, not only in their reputation, but in their interest. The agent of Massachusetts was continually soliciting for repayment of the charges of maintaining fort Dummer, and it was in contemplation, to take off a large district from the western part of New Hampshire, and to annex it to Massachusetts, to satisfy them for that expense. Besides this, the paper money of the colonies was under the consideration of parliament; and the province of Massachusetts was rising into favour for having abolished that system of iniquity. The same justice was expected of New Hampshire, since they had the same means in their power by the reimbursement granted to them by parliament for the Cape Breton and Canada expeditions. This money, amounting to about 30,000*l.* sterling, clear of all fees and commissions, had lain long in the treasury; and when it was paid to the agent, he would have placed it in the funds, where it might have yielded an interest of three per cent.; but having no directions from the assembly, he locked it up in the bank. This was a clear loss to them of 900*l.* per annum. There were some who reflected on the agent, as if he had made an advantage to himself of this money. Had he done it, his own capital was sufficient to have answered any of their demands; but it was also sufficient to put him above the necessity of employing their money, either in trade or speculation.

It had also been suggested, that Thomlinson, at the governor's request, had solicited and procured the instruction, which had occasioned this unhappy stagnation of business. When this suggestion came to his knowledge, he exculpated himself from the charge in a letter which he wrote to a leading member of the assembly, and gave a full account of the matter as far as it had come to his knowledge. He said, that the governor himself had stated the facts in his letters to the ministry; concerning his calling of the new members, in 1745, and their exclusion from the assembly, with the reasons given for it; and had desired to know the king's pleasure, and to have directions how to act. That the ministry, without any exception or hesitation, had pro-

nounced his conduct conformable to his duty. That nevertheless, the Board of Trade had solemnly considered the matter, and consulted counsel, and had summoned him, as agent of the province, to attend their deliberation. Their result was, that as the crown had an indisputable right to incorporate any town in England, and qualify it to send members to parliament, so the same right and power had been legally given to all the governors in America; by means of which, all the assemblies in the king's governments had increased in number, as the colonies had increased in settlements. That any other usage in calling representatives was wrong; although it might have been indulged when the province was under the same governor with Massachusetts. This was all which passed before the additional instruction came out, which was sent through the hands of the agent. As it was founded on a question concerning the rights and prerogatives of the crown, he argued the absurdity of supposing, either that it had been solicited, or that any attempt to have it withdrawn could be effectual. His advice was, that they should submit to it; because, that under it, they would enjoy the same rights and privileges with their fellow-subjects in England, and in the other colonies; assuring them, that the then reigning prince had never discovered the least inclination to infringe the constitutional rights of any of his subjects.

This advice, however salutary, had not the intended effect. Instead of submitting, the party in opposition to the governor framed a complaint against him, and sent it to London, to be presented to the king. If they could have prevailed, their next measure would have been, to recommend a gentleman, Sir William Pepperell, of Massachusetts, for his successor. This manœuvre came to the ears of Thomlinson; but he was under no necessity to exert himself on this occasion, for the person to whose care the address was intrusted, considering the absurdity of complaining to the king against his governor for acting agreeably to his instructions, was advised not to present it. This disappointment vexed the opposition to such a degree, that they would have gladly dissolved the government, and put themselves under the jurisdiction of Massachusetts, had it been in their power. But finding all their efforts ineffectual either to have the instruction withdrawn, or the governor removed, they consoled themselves with this thought, that it was "better to have two privileges taken from them, than voluntarily to give up one."

(1752.) The time for which this assembly was elected, having expired, a new one was called in the same manner. They came together with a spirit of moderation, and a disposition to transact the long neglected business. The members from the new towns quietly took their seats—an unexceptionable speaker, Meshech Weare, was elected—a recorder was appointed—a committee was chosen to settle the treasurer's accounts—and a vote was passed for putting the reimbursement money into the public funds in England. The governor's salary was augmented, and all things went on smoothly. The party which had been opposed to the governor, declined in number and virulence; some had been removed by death, others were softened and relaxed; a liberal distribution of commissions, civil and military, was made; and an era of domestic reconciliation commenced.

The controversy respecting Fort Dummer, and the fear of losing a district in that neighborhood,

quicken the governor to make grants of several townships in that quarter, on both sides of Connecticut river, chiefly to those persons who claimed the same lands under the Massachusetts title. The war being over, the old inhabitants returned to their plantations, and were strengthened by additions to their number. It was in contemplation, to extend the settlements farther up Connecticut river, to the rich meadows of Cohos. The plan was to cut a road to that place—to lay out two townships, one on each side of the river, and opposite to each other—to erect stockades, with lodgments for 200 men in each township, enclosing a space of fifteen acres, in the centre of which was to be a citadel containing the public buildings and granaries, which were to be large enough to receive all the inhabitants and their moveable effects in case of necessity. As an inducement to people to remove to this new plantation, they were to have courts of judicature and other civil privileges among themselves, and were to be under strict military discipline. A large number of persons engaged in this enterprise, and they were the rather stimulated to undertake it, because it was feared that the French, who had already begun to encroach on the territory claimed by the British crown, would take possession of this valuable tract, if it should be left unoccupied.

In pursuance of this plan, a party was sent up in the spring of 1752 to view the meadows of Cohos, and lay out the proposed townships: the Indians observed them, and suspected their intentions. The land was theirs, and they knew its value. A party of the Arosaguntacook, or St. Francis tribe, was deputed to remonstrate against this proceeding. They came to the fort at Number-four, with a flag of truce, pretending that they had not heard of the treaty of peace which had been made with the several Indian tribes. They complained to Captain Stevens, of the encroachment which was meditating on their land, and said that they could not allow the English to settle at Cohos, when they owned more land already than they could improve; and, that if this settlement were pursued, they should think the English had a mind for war, and would resist them. This threatening being communicated to the governor of Massachusetts, and by him to the governor of New Hampshire, threw such discouragement on the project that it was laid aside.

The Indians did not content themselves with remonstrating and threatening. Two of the same tribe, named Sabatis and Christi, came to Canterbury, where they were entertained in a friendly manner for more than a month; at their departure, they forced away two negroes, one of whom escaped and returned, and the other was carried to Crown Point and sold to a French officer. A party of ten or twelve of the same tribe, commanded by Captain Moses, met with four young men who were hunting on Baker's river. One of these was John Stark. When he found himself surprised and fallen into their hands, he called to his brother William Stark, who being in a canoe, gained the opposite shore and escaped. They fired at the canoe and killed a young man who was in it. John received a severe beating from the Indians for alarming his brother. They carried him, and his companion Eastman, up Connecticut river, through several carrying places, and down the lake Memphrimagog to the head-quarters of their tribe. There they dressed him in their finest robes, and adopted him as a son. This early captivity, from which he was redeemed, qualified him to be an expert partisan in the succeeding war;

from which station, he afterwards rose to the rank of brigadier-general in the armies of the United States.

(1753.) The next year Sabatis, with another Indian named Plausawa, came to Canterbury; where, being reproached with the misconduct respecting the negroes, he and his companion behaved in an insolent manner. Several persons treated them freely with strong liquor. One followed them into the woods, and killed them, and, by the help of another, buried them; but so shallow, that their bodies were devoured by beasts of prey, and their bones lay on the ground. By the treaties of peace, it had been stipulated on the one part, that if any of the Indians should commit an act of hostility against the English, their young men should join with the English in reducing such Indians to submission; and, on the other hand, that if an Englishman should injure any of them, no private revenge should be taken; but application should be made to the government for justice. In the autumn of the same year, a conference being held with the eastern Indians by the government of Massachusetts, a present was made to the Arosaguntacook tribe, expressive of an intention to wipe away the blood. They accepted the present, and ratified the peace which had been made in 1749.

(1754.) The two men who killed Sabatis and Plausawa were apprehended and brought to Portsmouth. A bill was found against them by the grand jury, and they were confined in irons. In the night, before the day appointed for their trial, an armed mob from the country, with axes and crows, forced the prison, and carried them off in triumph. A proclamation was issued, and a reward offered by the governor, for apprehending the rioters; but no discovery was made, and the action was even deemed meritorious. The next summer another conference was held at Falmouth, at which commissioners from New Hampshire assisted. The Arosaguntacooke did not attend, but sent a message, purporting that the blood was not wiped away. The commissioners from New Hampshire made a handsome present to all the Indians who appeared at this conference; which ended as usual, in the promise of peace and friendship.

The last French and Indian war, which terminated in the conquest of Canada. Controversy concerning the land westward of Connecticut river.

By the treaty of Aix la Chappelle, in 1748, it was stipulated, that "all things should be restored, on the footing they were before the war." The island of Cape Breton was accordingly restored to France; but the limits of the French and English territories on the continent were undetermined; and it was the policy of both nations to gain possession of important passes, to which each had some pretensions, and to hold them, till the limits should be settled by commissioners mutually chosen. These commissioners met at Paris; but came to no decision. By the construction of charters and grants from the crown of England, her colonies extended indefinitely westward. The French had settlements in Canada and Louisiana, and they meditated to join these distant colonies, by a chain of forts and posts from the St. Lawrence to the Mississippi; and to extend the limits of Canada as far eastward as to command navigation in the winter, when the great river St. Lawrence is impassable. These claims of territory, extending on the one part from east to west, and on the other from north to south, necessarily interfered. The colonies of Nova Scotia, New

York, and Virginia, were principally affected by this interference; and the encroachments made on them by the French, were a subject of complaint, both there and in Europe.

(1754.) It was foreseen that this controversy could not be decided but by the sword; and the English determined to be early in their preparations. The Earl of Holderness, Secretary of State, wrote to the governors of the American colonies, recommending union for their mutual protection and defence. A meeting of commissioners from the colonies, at Albany, having been appointed, for the purpose of holding a conference with the six nations, on the subject of French encroachments within their country—it was proposed by Governor Shirley to the several governors, that the delegates should be instructed on the subject of union.

At the place appointed the congress was held; consisting of delegates from Massachusetts, New Hampshire, Rhode Island, Connecticut, Pennsylvania, and Maryland; with the lieutenant-governor and council of New York. They took their rank in geographical order, beginning at the north. One member from each colony was appointed to draw a plan of union; Hutchinson, of Massachusetts, Atkinson, of New Hampshire, Hopkins, of Rhode Island, Pitkin, of Connecticut, Smith, of New York, Franklin, of Pennsylvania, and Tasker, of Maryland. The substance of the plan was, that application be made for an act of parliament to form a grand council, consisting of delegates from the several legislative assemblies, subject to the control of a president-general (to be appointed by the crown,) with a negative voice. That this council should enact general laws; apportion the quotas of men and money to be raised by each colony; determine the building of forts; regulate the operations of armies; and concert all measures for the common protection and safety. The delegates of Connecticut alone entered their dissent to the plan, because of the negative voice of the president-general. It is worthy of remark, that this plan for the union of the colonies was agreed to on the fourth day of July, exactly twenty-two years before the declaration of American independence, and that the name of Franklin appears in both.

With the plan of union, a representation was made to the king of the danger in which the colonies were involved. Copies of both were laid before the several assemblies. They were fully sensible of their danger from the French; but they apprehended greater danger from the plan of union. Its fate was singular. It was rejected in America because it was supposed to put too much power into the hands of the king; and it was rejected in England, because it was supposed to give too much power to the assemblies of the colonies. The ministry made another proposal; that the governor, with one or two members of the council of each colony, should assemble, and consult for the common defence, and draw on the British treasury for the sums expended; which should be raised by a general tax laid by parliament on the colonies. But this was not a time to push such an alarming innovation; and when it was found impracticable, the ministry determined to employ their own troops to fight their battles in America, rather than to let the colonists feel their strength, and be directed by their own counsels.

To draw some aid however from the colonies was necessary. Their militia might serve as guards, or rangers, or labourers, or do garrison duty, or be employed in other inferior offices; but British troops,

commanded by British officers, must have the honour of reducing the French dominions in North America.

The savage nations in the French interest were always ready, on the first appearance of a rupture, to take up the hatchet. It was the policy of the French government, to encourage their depredations on the frontiers of the English colonies, to which they had a native antipathy. By this means the French could make their enemies pay the whole expense of the war; for all the supplies which they afforded to the Indians, were amply compensated by the ransom of captives. In these later wars, therefore, we find the savages more dextrous in taking captives, and more tender of them when taken than in former wars, which were carried on with circumstances of greater cruelty.

No sooner had the alarm of hostilities, which commenced between the English and French in the western part of Virginia, spread through the continent, than the Indians renewed their attacks on the frontiers of New Hampshire. A party of them made an assault on a family at Baker's-town, on Pemigewasset river, where they killed a woman, and took several captives. Within three days they killed a man and woman at Stevens town in the same neighbourhood, upon which the settlements were broken up, and the people retired to the lower towns for safety, and the government was obliged to post soldiers in the deserted places. After a few days more they broke into the house of James Johnson, at Number-four, early in the morning before any of the family were awake, and took him with his wife and three children, her sister Miriam Willard, and two men, Peter Laboree and Ebenezer Farnsworth. The surprisal was complete and bloodless, and they carried them off undisturbed. The next day Johnson's wife was delivered of a daughter, who from the circumstance of its birth was named Captive. The Indians halted one day, on the woman's account, and the next day resumed their march, carrying her on a litter which they made for the purpose, and afterwards put her on horseback. On their march they were distressed for provision, and killed the horse for food; the infant was nourished by sucking pieces of its flesh. When they arrived at Montreal, Johnson obtained a parole of two months, to return and solicit the means of redemption. He applied to the assembly of New Hampshire, and after some delay obtained 150*l.* sterling. But the season was so far advanced, and the winter proved so severe, that he did not reach Canada till the spring. He was then charged with breaking his parole; a great part of his money was taken from him by violence, and he was shut up with his family in prison, where they took the small-pox, which they happily survived. After eighteen months, the woman with her sister and two daughters were sent in a cartel ship to England, and thence returned to Boston. Johnson was kept in prison three years; and then with his son returned and met his wife in Boston, where he had the singular ill fortune to be suspected of designs unfriendly to his country, and was again imprisoned; but no evidence being produced against him, he was liberated. His eldest daughter was retained in a Canadian nunnery.

The fort and settlement of Number-four, being in an exposed situation, required assistance and support. It had been built by Massachusetts when it was supposed to be within its limits. It was projected by Colonel Stoddard, of Northampton, and was well situated in connection with the other forts on the western frontier, to command all the paths

by which the Indians travelled from Canada to New England. It was now evidently in New Hampshire; and Shirley, by advice of his council, applied to Wentworth recommending the future maintenance of that post to the care of his assembly; but they did not think themselves interested in its preservation, and refused to make any provision for it. The inhabitants made several applications for the same purpose, but were uniformly disappointed. They then made pressing remonstrances to the assembly of Massachusetts, who sent soldiers for the defence of that post, and of Fort Dummer, till 1757, when they supposed that the commander in chief of the king's forces would take them under his care, as royal garrisons. It was also recommended to the assembly of New Hampshire to build a fort at Cohos, but this proposal met the same fate.

(1755.) The next spring, three expeditions were undertaken against the French forts. One against Fort Duquesne, on the Ohio, was conducted by General Braddock, who was defeated and slain. Another against Niagara, by Governor Shirley, which miscarried; and a third against Crown Point, by General Johnson. For this last expedition, New Hampshire raised 500 men, and put them under the command of Colonel Joseph Blanchard. The governor ordered them to Connecticut river, to build a fort at Cohos, supposing it to be in their way to Crown Point. They first marched to Baker's-town, where they began to build batteaux, and consumed time and provisions to no purpose. By Shirley's advice they quitted that futile employment, and made a fatiguing march through the woods, by the way of Number-four to Albany. Whilst Johnson lay encamped at Lake George with his other forces, he posted the New Hampshire regiment at Fort Edward. On the 8th of September, he was attacked in his camp by Baron Dieskau, commanding a body of French regular troops, Canadians and savages. On the morning of that day, a scouting party from Fort Edward discovered waggons burning in the road; upon which Captain Nathaniel Folsom was ordered out with eighty of the New Hampshire regiment, and forty of New York under Capt. McGinnis. When they came to the place, they found the waggons and the cattle dead, but no enemy was there. Hearing the report of guns toward the lake, they hastened thither; and having approached within two miles, found the baggage of the French army under the care of a guard, whom they attacked and dispersed. When the retreating army of Dieskau appeared, about four of the clock in the afternoon, Folsom posted his men among the trees, and kept up a well-directed fire till night; the enemy retired with great loss, and he made his way to the camp, carrying his own wounded and several French prisoners, with many of the enemy's packs. This well-timed engagement, in which but six men of Folsom's were lost, deprived the French army of their ammunition and baggage; the remains of which were brought into camp the next day. After this the regiment of New Hampshire joined the army. The men were employed in scouting, which service they performed in a manner so acceptable, that no other duty was required of them. Parties of them frequently went within view of the French fort at Crown Point; and at one time they brought off the scalp of a French soldier, whom they killed near the gate.

After the engagement on the 8th of September, when it was found necessary to reinforce the army; a second regiment, of 300 men, was raised in New

Hampshire, and put under the command of Col. Peter Gilman. These men were as alert and indefatigable as their brethren, though they had not opportunity to give such convincing evidence of it. The expedition was no farther pursued; and late in autumn the forces were disbanded and returned home.

The exertions made for the reduction of Crown Point not only failed of their object, but provoked the Indians to execute their mischievous designs against the frontiers of New Hampshire, which were wholly uncovered, and exposed to their full force. Between the rivers Connecticut and St. Francis, there is a safe and easy communication by short carrying-places, with which they were perfectly acquainted. The Indians of that river, therefore, made frequent incursions, and returned unmolested with their prisoners and booty.

At New Hopkinton, they took a man and a boy; but perceiving the approach of a scouting party, they fled and left their captives. At Keene they took Benjamin Twitchel, and at Walpole they killed Daniel Twitchel, and a man named Flynt. At the same place Colonel Bellows, at the head of twenty men, met with a party of fifty Indians; and having exchanged some shot, and killed several of the enemy, he broke through them and got into the fort, not one man of his company being killed or wounded. After a few days, these Indians, being joined by others to the number of 170, assaulted the garrison of John Kilburne, in which were himself, John Pike, two boys, and several women, who bravely defended the house and obliged the enemy to retire, with considerable loss. Pike was mortally wounded. Some of these Indians joined Dieskau's army, and were in the battle at Lake George. At Number-four, they killed a large number of cattle, and cut off the flesh. At Hinsdale, they attacked a party, who were at work in the woods; killed John Hardiclay and John Alexander, and took Jonathan Colby; the others escaped to the fort. Within a few days afterwards, they ambushed Caleb Howe, Hilkiah Grout, and Benjamin Gaffield, as they were returning from their labour in the fields. Howe was killed; Gaffield was drowned in attempting to cross the river; and Grout made his escape. The Indians went directly to Bridgman's fort, where the families of these unfortunate men resided. They had heard the report of the guns, and were impatient to learn the cause. By the sound of feet without, it being in the dusk of the evening, they concluded that their friends had returned, and too hastily opened the gate to receive them; when to their inexpressible surprise, they admitted the savages—and the three families, consisting of fourteen persons, were made captives.

After the defeat and death of Braddock, the chief command of the operations against the enemy fell into the hands of Shirley, who called another Congress, at New York, and planned another expedition against Crown Point; for which purpose, he called on the several governments to raise men and provide stores. A regiment was raised in New Hampshire, the command of which was given to Col. Nathaniel Messervè. (1756.) They also appointed two commissaries, Peter Gilman and Thomas Westbrook Waldron, who resided at Albany, to take care of the stores, whilst the regiment, with the other troops, assisted in building forts and batteaux. In the midst of this campaign, Shirley was superseded by the Earl of Loudon; but the summer passed away in fruitless labour; whilst the French, by their superior alertness, besieged and took the

English fort at Oswego; and the regiments of Shirley and Pepperrell, who garrisoned it, were sent prisoners to France. During this summer, the Indians killed Lieut. Moses Willard, and wounded his son at Number-four; and took Josiah Foster, with his wife and two children, from Winchester. They also wounded Zebulon Stebbins, of Hinsdale, who, with Reuben Wright, discovered an ambush, and prevented the captivity of several persons for whom the Indians were lying in wait.

The soldiers of New Hampshire were so expert in every service which required agility, and so habituated to fatigue and danger, that, by the express desire of Lord Loudon, three ranging companies were formed of them, who continued in service during the winter as well as the summer. The command of these companies was given to Robert Rogers, John Stark, and William Stark. They were eminently useful in scouring the woods, procuring intelligence, and skirmishing with detached parties of the enemy. These companies were kept during the war in the pay of the crown; and after the peace, the officers were allowed half-pay on the British establishment.

(1757.) The next year, another Crown Point expedition was projected by Lord Loudon. The crown was at the expense of stores and provisions, and required of the colonies, to raise, arm, clothe, and pay their quotas of men. Another regiment was raised in New Hampshire, of which Messervé was commander, who went to Halifax with part of his regiment, a body of 100 carpenters, and the three companies of rangers, to serve under Lord Loudon, whilst the other part of the regiment under Lieut.-Colonel Goffe, was ordered by General Webb, who commanded at the westward in the absence of the Earl of Loudon, to rendezvous at Number-four. Before their arrival, a large party of French and Indians attacked the mills in that place, and took Sampson Colefax, David Farnsworth, and Thomas Adams. The inhabitants, hearing the guns, advanced to the mills; but finding the enemy in force, prudently retreated. The enemy burned the mills; and in their retreat, took two other men, who were coming in from hunting, viz. Thomas Robins and Asa Spafford. Farnsworth and Robins returned; the others died in Canada.

Goffe, with his men, marched through Number-four and joined General Webb at Albany, who posted them at fort William Henry, near lake George, under the command of Col. Munroe, of the 35th British regiment. The French General Montcalm, at the head of a large body of Canadians and Indians, with a train of artillery, invested this fort; and in six days the garrison, after having expended all their ammunition, capitulated, on condition that they should not serve against the French for eighteen months. They were allowed the honours of war, and were to be escorted by the French troops to fort Edward, with their private baggage. The Indians, who served in this expedition on the promise of plunder, were enraged at the terms granted to the garrison; and, as they marched out unarmed, fell upon them, stripped them naked, and murdered all who made any resistance. The New Hampshire regiment happening to be in the rear, felt the chief fury of the enemy. Out of two hundred, eighty were killed and taken.

This melancholy event threw the whole country into the deepest consternation. Webb, who remained at Fort Edward, expecting to be there attacked, sent expresses to all the provinces for rein-

forcements. The French, however, did not pursue their advantage, but returned to Canada. A reinforcement of 250 men was raised in New Hampshire, under the command of Major Thomas Tash; which, by the orders of General Webb, was stationed at Number-four. This was the first time that the troops of New Hampshire occupied that important post.

Hitherto the war had been, on our part, unsuccessful. The great expense, the frequent disappointments, the loss of men, of forts, and of stores, were very discouraging. The enemy's country was filled with prisoners, and scalps, private plunder, and public stores and provisions, which the colonists, as beasts of burden, had conveyed to them. These reflections were the dismal entertainment of the winter. The next spring called for fresh exertions; the British ministry had been changed, and the direction of the war was put into the hands of that decisive statesman, William Pitt.

(1758.) In his circular letter to the American governors, he assured them, that to repair the losses and disappointments of the last inactive campaign, it was determined to send a formidable force, to operate by sea and land against the French in America; and he called upon them to raise "as large bodies of men, within their respective governments, as the number of inhabitants might allow;" leaving it to them, to form the regiments and to appoint officers at their discretion. He informed them that arms, ammunition, tents, provisions, and boats would be furnished by the crown; and he required the colonies to levy, clothe, and pay their men, assuring them that recommendations would be made to parliament "to grant them a compensation."

Notwithstanding their former losses and disappointments, the assembly of New Hampshire, on receiving this requisition, cheerfully voted 800 men for the service of the year. The regiment commanded by Col. John Hart marched to the westward, and served under General Abercrombie. A body of 108 carpenters, under the conduct of Col. Messervé, embarked for Louisbourg, to serve at the second siege of that fortress, under General Amherst. Unhappily the small-pox broke out among them, which disabled them from service; all but sixteen were seized at once, and these attended the sick. Messervé and his eldest son died of this fatal disorder. This year was remarkable for the second surrender of Louisbourg; the unfortunate attack on the lines of Ticonderoga, where Lord Howe was killed; the taking of fort Frontenac by Col. Bradstreet; and the destruction of fort du Quesne on the Ohio, the contention for which began the war.

In the course of this year, the Indians continued to infest the frontiers. At Hinsdale they killed Captain Moore and his son, took his family, and burned his house. At Number-four they killed Asahel Stebbins, and took his wife, with Isaac Parker and a soldier. The cattle of this exposed settlement, which fed chiefly in the woods, at a distance from the fort, often served the enemy for provisions.

(1759.) The next year, a similar requisition being made by Secretary Pitt, New Hampshire raised a thousand men for the service, who were regimented under the command of Colonel Zacheus Lovewell, son of the famous partisan who lost his life at Pig-wacket. This regiment joined the army at the westward, and served under General Amherst, in the actual reduction of Ticonderoga and Crown Point, and in building a new fortress at the last place.

The success of this summer was brilliant, beyond former example. The French Fort at Niagara surrendered to General Johnson; and the strong city of Quebec was taken by the British troops under General Wolfe, who, with the French general, Montcalm, was slain in the decisive battle.

When the British arms had obtained a decided superiority over the French, it was determined to chastise the Indians who had committed so many devastations on the frontiers of New England. Major Robert Rogers was dispatched from Crown Point, by General Amherst, with about 200 rangers, to destroy the Indian village of St. Francis. After a fatiguing march of twenty-one days, he came within sight of the place, which he discovered from the top of a tree, and halted his men at the distance of three miles. In the evening he entered the village in disguise, with two of his officers. The Indians were engaged in a grand dance, and he passed through them undiscovered. Having formed his men into parties, and posted them to advantage, he made a general assault, just before day, whilst the Indians were asleep. They were so completely surprised, that little resistance could be made. Some were killed in their houses; and of those who attempted to flee, many were shot or tomahawked by parties placed at the avenues. The dawn of day disclosed a horrid scene; and an edge was given to the fury of the assailants by the sight of several hundred scalps of their countrymen, elevated on poles, and waving in the air. This village had been enriched with the plunder of the frontiers and the sale of captives. The houses were well furnished, and the church was adorned with plate. The suddenness of the attack, and the fear of a pursuit, did not allow much time for pillage; but the rangers brought off such things as were most convenient for transportation; among which were about two hundred guineas in money, a silver image weighing ten pounds, and a large quantity of wampum and clothing. Having set fire to the village, Rogers made his retreat up the river St. Francis, intending that his men should rendezvous at the upper Cohos, on Connecticut river. They took with them five English prisoners, whom they found at St. Francis, and about twenty Indians; but these last they dismissed. Of the rangers, one man only was killed; and six or seven were wounded. In their retreat they were pursued, and lost seven men. They kept in a body for about ten days, passing on the eastern side of Lake Memphragog, and then scattered. Some found their way to Number-four, after having suffered much by hunger and fatigue. Others perished in the woods, and their bones were found near Connecticut river by the people, who after several year shagan plantations at the Upper Cohos.

After the taking of Quebec, the remainder of the season was too short to complete the reduction of Canada. (1760.) The next summer General Amherst made preparations to approach Montreal by three different routes; intending, with equal prudence and humanity, to finish the conquest without the effusion of blood. For the service of this year, 800 men were raised in New Hampshire, and put under the command of Colonel John Goffe. They marched, as usual, to Number-four; but instead of taking the old route to Albany, they cut a road through the woods, directly toward Crown Point. In this work they made such dispatch, as to join that part of the army which Amherst had left at Crown Point, twelve days before their embarkation. They proceeded down the lake, under the command

of Colonel Haviland. The enemy made some resistance at Isle au Noix, which stopped their progress for some days, and a few men were lost on both sides. But this post being deserted, the forts of St. John and Chamblee became an easy conquest, and finally Montreal capitulated. This event finished the campaign, and crowned Amherst with deserved laurels.

Whilst the New Hampshire regiment was employed in cutting the new road, signs of hovering Indians were frequently discovered, though none were actually seen. But they took the family of Joseph Willard from Number-four, and carried them into Montreal, just before it was invested by the British army.

The conquest of Canada gave peace to the frontiers of New Hampshire, after a turbulent scene of fifteen years—in which, with little intermission, they had been distressed by the enemy. Many captives returned to their homes; and friends who had long been separated, embraced each other in peace. The joy was heightened by this consideration, that the country of Canada, being subdued, could no longer be a source of terror and distress.

The expense of this war was paid by a paper currency. Though an act of parliament was passed in 1751, prohibiting the governors from giving their assent to acts of assembly made for such a purpose; yet, by a proviso, extraordinary emergencies were excepted. Governor Wentworth was slow to take advantage of this proviso, and construed the act in a more rigid sense than others; but his friend Shirley helped him out of his difficulties. In 1755 paper bills were issued, under the denomination of new tenor; of which fifteen shillings were equal in value to one dollar. Of this currency the soldiers were promised thirteen pounds ten shillings per month; but it depreciated so much in the course of the year, that in the muster rolls their pay was made up at fifteen pounds. In 1756 there was another issue from the same plates, and their pay was eighteen pounds. In 1757, it was twenty-five pounds. In 1758, they had twenty-seven shillings sterling. In the three succeeding years they had thirty shillings sterling, besides a bounty at the time of their enlistment, equal to one month's pay. At length sterling money became the standard of all contracts; and though the paper continued passing as a currency, its value was regulated by the price of silver, and the course of exchange.

It ought to be remembered, as a signal favour of Divine Providence, that during this war the seasons were fruitful, and the colonies were able to supply their own troops with provisions, and the British fleets and armies with refreshments of every kind which they needed. No sooner were the operations of the war in the northern colonies closed, than two years of scarcity succeeded (1761 and 1762), in which the drought of summer was so severe, as to cut short the crops, and render supplies from abroad absolutely necessary. Had this calamity attended any of the preceding years of the war, the distress must have been extreme, both at home and in the camp. During the drought of 1761 a fire raged in the woods, in the townships of Barrington and Rochester, and passed over into the county of York, burning with irresistible fury for several weeks, and was not extinguished till a plentiful rain fell, in August. An immense quantity of the best timber was destroyed by this conflagration.

For the succeeding part of the war a smaller body of men was required to garrison the new conquests;

whilst the British troops were employed in the West India islands. The success which attended their operations in that quarter brought the war to a conclusion; and by the treaty of peace, though many of the conquered places were restored, yet the whole continent of North America remained to the British crown, and the colonies received a reimbursement of their expenses.

The war being closed, a large and valuable tract of country, situated between New England, New York, and Canada, was secured to the British dominions; and it became the interest of the governors of both the royal provinces of New Hampshire and New York to vie with each other, in granting this territory, and receiving the emoluments arising from this lucrative branch of their respective offices. The seeds of a controversy on this subject had been already sown. During the short peace which followed the preceding war, (1749,) Governor Wentworth wrote to Governor Clinton, that he had it in command from the king, to grant the unimproved lands within his government; that the war had prevented that progress which he had hoped for in this business; but that the peace had induced many people to apply for grants in the western parts of New Hampshire, which might fall in the neighbourhood of New York. He communicated to him a paragraph of his commission, describing the bounds of New Hampshire, and requested of him a description of the bounds of New York. Before he received any answer to this letter, Wentworth, presuming that New Hampshire ought to extend as far westward as Massachusetts—that is, to the distance of twenty miles east from Hudson's river, granted, (1750,) a township, six miles square, called Bennington; situate twenty-four miles east of Hudson's river, and six miles north of the line of Massachusetts. Clinton having laid Wentworth's letter before the council of New York; by their advice answered him, that the province of New York was bounded easterly by Connecticut river. This claim was founded on a grant of King Charles the Second; in which, "all the land from the west side of Connecticut river, to the east side of Delaware bay," was conveyed to his brother, James, Duke of York; by whose elevation to the throne, the same tract merged in the crown of England, and descended, at the Revolution, to King William and his successors. The province of New York had formerly urged this claim against the colony of Connecticut; but, for prudential reasons, had conceded that the bounds of that colony should extend as far as a line drawn twenty miles east of Hudson's river. The like extent was demanded by Massachusetts; and, though New York affected to call this demand "an intrusion," and strenuously urged their right to extend eastward to Connecticut river, yet the original grant of Massachusetts, being prior to that of the Duke of York, was a barrier which could not easily be broken. These reasons, however, it was said, could be of no avail to the cause of New Hampshire, whose first limits, as described in Mason's patent, did not reach to Connecticut river; and whose late extent, by the settlement of the lines in 1741, was no farther westward than "till it meets with the king's other governments." Though it was agreed, between the two governors, to submit the point in controversy to the king, yet the governor of New Hampshire continued to make grants on the western side of Connecticut river till 1754; when the renewal of hostilities not only put a stop to applications, but prevented any determination of the controversy by the crown.

During the war, the continual passing of troops through those lands caused the value of them to be more generally known; and when, by the conquest of Canada, tranquillity was restored, they were eagerly sought by adventurers and speculators. Wentworth availed himself of this golden opportunity, and by advice of his council, ordered a survey to be made of Connecticut river for sixty miles, and three lines of townships on each side to be laid out. (1761.) As applications increased, the surveys were extended. Townships of six miles square were granted to various petitioners; and so rapidly did this work go on, that during the year 1761, no less than sixty townships were granted on the west, and eighteen on the east side of the river. Besides the fees and presents for these grants, which were undefined, a reservation was made for the governor of 500 acres in each township, and of lots for public purposes. These reservations were clear of all fees and charges. (1763.) The whole number of grants on the western side of the river amounted to 138, and the extent was from Connecticut river to twenty miles east of Hudson, as far as that river extended northerly; and after that, westward to Lake Champlain. The rapid progress of these grants filled the coffers of the governor. Those who had obtained the grants were seeking purchasers in all the neighbouring colonies, whilst the original inhabitants of New Hampshire, to whom these lands had formerly been promised as a reward for their merit in defending the country, were overlooked in the distribution, unless they were disposed to apply in the same manner as persons from abroad; or unless they happened to be in favour. When remonstrances were made to the governor on this subject, his answer was, that the people of the old towns had been formerly complimented with grants in Chichester, Barnsted, and Gilmanstown, which they had neglected to improve; and that the new grantees were better husbandmen and would promote the cultivation of the province.

The passion for occupying new lands rose to a great height. These tracts were filled with emigrants from Massachusetts and Connecticut. Population and cultivation began to increase with a rapidity hitherto unknown; and from this time may be dated the flourishing state of New Hampshire, which before had been circumscribed and stunted in its growth by the continual danger of a savage enemy.

The grants on the western side of Connecticut river alarmed the government of New York, who, by their agent, made application to the crown, representing "that it would be greatly to the advantage of the people settled on those lands, to be annexed to New York;" and submitting the cause to the royal decision. In the mean time, a proclamation was issued by Lieut.-Governor Colden, reciting the grant of King Charles to the Duke of York, asserting the jurisdiction of New York as far eastward as Connecticut river, and enjoining the sheriff of the county of Albany to return the names of all persons who, under colour of the New Hampshire grants, held possession of lands westward of that river. (1764.) This was answered by a proclamation of Governor Wentworth, declaring the grant to the Duke of York to be obsolete, and that the western bounds of New Hampshire were co-extensive with those of Massachusetts and Connecticut, encouraging the grantees to maintain their possessions, and cultivate their lands; and commanding civil officers to execute the laws and punish disturbers of the peace.

The application from New York was referred to

the board of trade; and upon their representation, seconded by a report of a committee of the privy council, an order was passed by the king in council, declaring "the western banks of Connecticut river, from where it enters the province of Massachusetts bay, as far north as the forty-fifth degree of latitude, to be the boundary line between the two provinces of New Hampshire and New York."

This decree, like many other judicial determinations, while it closed one controversy, opened another. The jurisdiction of the Governor of New Hampshire, and his power of granting land, were circumscribed by the western bank of Connecticut river: but the grantees of the soil found themselves involved in a dispute with the government of New York. From the words "to be," in the royal declaration, two very opposite conclusions were drawn. The government supposed them to refer to the time past, and construed them as a declaration that the river always had been the eastern limits of New York; conse-

quently that the grants made by the governor of New Hampshire were invalid, and that the lands might be granted again. The grantees understood the words in the future tense, as declaring Connecticut river from that time to be the line of jurisdiction only between the two provinces, consequently that their grants, being derived from the crown, through the medium of one of its governors, were valid. To the jurisdiction they would have quietly submitted, had no attempt been made to wrest from them their possessions. These opposite opinions proved a source of litigation for ten succeeding years; but as this controversy belongs to the history of New York, it is dismissed with one remark only:—that though it was carried on with a degree of virulence unfriendly to the progress of civilization and humanity, within the disputed territory, yet it called into action a spirit of vigorous self-defence and hardy enterprise, which prepared the nerves of that people for encountering the dangers of a more extensive revolution.

NEW YORK.

From the Discovery of the Colony to the surrender in 1664.

Henry Hudson, an Englishman, in the year 1608, under a commission from James I., discovered Long Island, New York, and the river which still bears his name; and afterwards sold the country, or rather his right, to the Dutch, whose writers contend, that Hudson was sent out by the East India Company in 1609, to discover a north-west passage to China; and that having first discovered Delaware bay, he came hither, and penetrated up Hudson's river, as far north as the latitude of forty-three degrees. It is said, however, that there was a sale, and that the English objected to it, though they for some time neglected to oppose the Dutch settlement of the country.

In 1610, Hudson sailed again from Holland to that country, called by the Dutch, New Netherland; and four years after, the states general granted a patent to sundry merchants, for an exclusive trade on the north river, who in 1614 built a fort, on the west side, near Albany, which was first commanded by Henry Christiaens. Captain Argal was sent out by Sir Thomas Dale, governor of Virginia, in the same year, to dispossess the French of the two towns of Port Royal and St. Croix, lying on each side of the bay of Fundy in Acadia, then claimed as part of Virginia. In his return, he visited the Dutch on Hudson's river, who being unable to resist him, prudently submitted for the present to the king of England, and under him to the governor of Virginia. The very next year, they erected a fort on the south-west point of the island Mannhattans, and two others in 1623; one called Good Hope, on Connecticut river, and the other Nassau, on the east side of Delaware bay. The author of the account of New Netherland asserts, that the Dutch purchased the lands on both sides of that river in 1632, before the English were settled in those parts; and that they discovered a little fresh

river, farther to the east, called Varsche Riviertie, to distinguish it from Connecticut river, known among them by the name of Varsche Rivier, which Vanderdonk also claims for the Dutch.

Determined upon the settlement of a colony, the states general made a grant of the country, in 1621, to the West India company. Wouter Van Twiller arrived at Fort Amsterdam, now New York, and took upon himself the government in June 1629. His style, in the patents granted by him, was thus, "We, director and council, residing in New Netherland on the island Mannhattans, under the government of their high mightinesses, the lords states general of the united Netherlands, and the privileged West India company, &c." In his time the New England planters extended their possessions westward as far as Connecticut river. Jacob Van Curlet, the commissary there, protested against it, and in the second year of the succeeding administration, under William Kieft, who appears first in 1638, a prohibition was issued, forbidding the English trade at Fort Good Hope, and shortly after, on complaint of the insolence of the English, an order of council was made for sending more forces there, to maintain the Dutch territories. Dr. Mather confesses, that the New England men first formed their design of settling Connecticut river in 1635, before which time they esteemed that river at least 100 miles from any English settlement; and that they first seated themselves there in 1636, at Hartford, near Fort Good Hope, at Weathersfield, Windsor, and Springfield. Four years after, they seized the Dutch garrison, and drove them from the banks of the river, having first settled New Haven in 1638, regardless of Kieft's protest against it.

The extent of New Netherland was to Delaware, then called South river, and beyond it; for in the Dutch records, there is a copy of a letter from William Kieft, May 6, 1638, directed to Peter Minuit, who seems, by the tenor of it, to be the Swedish





governor of New Sweden, asserting, "that the whole south river of New Netherland had been in the Dutch possession many years above and below, beset with forts, and sealed with their blood." Which Kieft adds, "has happened even during your administration in New Netherland, and is so well known to you."

The Dutch writers are not agreed in the extent of Nova Belgia, or New Netherland; some describe it to be from Virginia to Canada; and others inform us, that the arms of the States General were erected at Cape Cod, Connecticut, and Hudson's river, and on the west side of the entrance into Delaware bay. The author of an anonymous pamphlet gives Canada river for a boundary on the north, and calls the country, north-west from Albany, Terra Incognita.

In 1640, the English, who had overspread the eastern part of Long Island, advanced to Oysterbay. Kieft broke up their settlement in 1642, and fitted out two sloops to drive the English out of Schuylkill, of which the Marylanders had lately possessed themselves. The instructions, dated May 22, to Jan Jansen Alpendam, who commanded in that enterprise, are upon record, and strongly assert the right of the Dutch both to the soil and trade there. The English from the eastward shortly after sent deputies to New Amsterdam, for the accommodation of their disputes about limits, to whom the Dutch offered certain conditions, which it appears were not acceded to.

The English daily extended their possessions, and in 1643 the colonies of Massachusetts bay, Plymouth, Connecticut, and New Haven, entered into a league both against the Dutch and Indians, and grew so powerful as to meet shortly after, upon a design of extirpating the former. Massachusetts bay declined this enterprise, which occasioned a letter to Oliver Cromwell from William Hooke, dated at New Haven, November 3, 1653, in which he complains of the Dutch for supplying the natives with arms and ammunition, begs his assistance with two or three frigates, and that letters might be sent to the eastern colonies, commanding them to join in an expedition against the Dutch colony. Cromwell's affairs would not admit of so distant an attempt, but Richard Cromwell afterwards drew up instructions to his commanders for subduing the Dutch there, and wrote letters to the English American governments for their aid; copies of which are preserved in Thurloe's collection.

Peter Stuyvesant was the last Dutch governor, and though he had a commission in 1646, he did not begin his administration till May 27, 1647. The inroads and claims upon his government kept him constantly employed. New England on the east, and Maryland on the west, alarmed his fears by their daily increase; and about the same time Captain Forrester, a Scotchman, claimed Long Island for the dowager of Stirling. The Swedes too were perpetually encroaching upon Delaware. Through the unskilfulness of the mate of a vessel, one Deswyk, a Swedish captain and super-cargo arrived in Ritan river. The ship was seized, and himself made prisoner at New Amsterdam. Stuyvesant's reasons were that, in 1651, the Dutch built fort Casimir, now called Newcastle on Delaware. The Swedes, indeed claimed the country, and Printz their governor formally protested against the works. Risingh, his successor, under the disguise of friendship, came before the fortress, fired two salutes and landed thirty men, who were entertained by the commandant as friends; but he had no sooner discovered the

weakness of the garrison, than he made himself master of it, seizing also upon all the ammunition, houses, and other effects of the West India company, and compelling several of the people to swear allegiance to Christina queen of Sweden. The Dutch, in 1655, prepared to retake fort Casimir. Stuyvesant commanded the forces in person, and arrived with them in Delaware the 9th of September. A few days after he anchored before the garrison and landed his troops. The fortress was immediately demanded as Dutch property: Suen Scutz, the commandant, desired leave to consult Risingh, which being refused, he surrendered the 16th of September on articles of capitulation. The whole strength of the place consisted of four 14-pounders, five swivels, and a parcel of small arms, which were all delivered to the conquered. Fort Christina was commanded by Risingh. Stuyvesant came before it, and Risingh surrendered it upon terms the 25th of September. The country being thus subdued, the Dutch governor issued a proclamation, in favour of such of the inhabitants as would submit to the new government, and about thirty Swedes swore "fidelity and obedience to the States General, the lords directors of the West India company, their subalterns of the province of New Netherland, and the director general then, or thereafter established." Risingh and one Elswych, a trader of note, were ordered to France, or England, and the rest of the Swedish inhabitants to Holland, and from thence to Gottenberg. The Swedes being thus extirpated, the Dutch became possessed of the west side of Delaware bay, afterwards called "The three lower countries."

This country was subsequently under the command of lieutenant-governors, subject to the controul of, and commissioned by the director general at New Amsterdam. Johan Paul Jaquet was the first vice-director, or lieutenant-governor, of South River. His successors were Alricks, Hinojossa, and William Beekman. These lieutenants had power to grant lands, and their patents make a part of the ancient titles of the present possessors. Alrick's commission of the 12th of April, 1657, shews the extent of the Dutch claim on the west side of Delaware at that time. He was appointed "Director general of the colony of the South River of New Netherland, and the fortress of Casimir, now called Nieuwer Amstel, with all the lands depending thereon, according to the first purchase and deed of release of the natives, dated July 19, 1651, beginning at the west side of the Minquaa, or Christina Kill, in the Indian language named Suspecough, to the mouth of the bay, or river, called Bompt-Hook, in the Indian language Cannaresse; and so far inland as the bounds and limits of the Minquaas land, with all the streams, &c. appurtenances and dependencies." Of the country northward of the Kell, no mention is made. Order in 1658 were given to William Beekman to purchase Cape Hinlopen from the natives, and to settle and fortify it, which, for want of goods, was not done till the succeeding year.

In the year 1659, fresh troubles arose from the Maryland claim to the lands on South River; and in September, Colonel Nathaniel Utie, as commissioner from Fendal, Lord Baltimore's governor, arrived at Nieuwer Amstel from Maryland. The country was ordered to be evacuated, Lord Baltimore claiming all the land between 38 and 40 degrees of latitude from sea to sea. Beekman and his council demanded evidence of his lordship's right, and offered to prove the States General's grant to the West India company, and the grant of the company to

them; and proposed to refer the controversy to the republics of England and Holland, praying at the same time, three weeks to consult Stuyvesant the general. The commissioner notwithstanding, a few days after warned him to draw off, beyond the latitude of 40 degrees; but Beekman disregarded the threat. Col. Utie thereupon returned to Maryland, and an immediate invasion was expected.

Early in the spring of the year 1660, Nicholas Valet and Brian Newton were dispatched from Port Amsterdam to Virginia, in quality of ambassadors, with full power to open a trade and conclude a league, offensive and defensive, against the barbarians. Sir William Berkely, the governor, gave them a kind reception, and approved their proposal of peace and commerce, which Sir Henry Moody was sent to agree upon and perfect. Four articles to that purpose were drawn up, and sent to the governor for confirmation. Stuyvesant artfully endeavoured, at this treaty, to procure an acknowledgment of the Dutch title to the country, which Berkely as carefully avoided. This was his answer:

"Sir,—I have received the letter you were pleased to send me by Mr. Mills's vessel, and shall be ever ready to comply with you, in all acts of neighbourly friendship and amity. But truly, sir, you desire me to do that, concerning your titles and claims to land in this northern part of America, which I am in no capacity to do; for I am but a servant of the assembly's: neither do they arrogate any power to themselves, farther than the miserable distractions of England desire them to. For when God shall be pleased in his mercy to take away and dissipate the unnatural divisions of their native country, they will immediately return to their own professed obedience. What then they should do in matters of contract, donation, or confession of right, would have little strength or signification; much more presumptive and impertinent would it be in me to do it, without their knowledge or assent. We shall very shortly meet again, and then, if to them you signify your desires, I shall labour all I can to get you a satisfactory answer. I am, sir,

"Virginia,
"August 20, 1660.

"Your humble servant,
"WILLIAM BERKELY."

Governor Stuyvesant was a faithful servant of the West India company: this is abundantly proved by his letters to them, exciting their care of the colony. In one, dated April 20, 1660, which is very long and pathetic, representing the desperate situation of affairs on both sides of the New Netherlands, he writes, "Your honours imagine, that the troubles in England will prevent any attempt on these parts: alas! they are ten to one in number to us, and are able, without any assistance, to deprive us of the country when they please." On the 25th of June, the same year, he informs them, that the demands, encroachments, and usurpations of the English, give the people here great concern. "The right to both rivers," he says, "by purchase and possession, is our own, without dispute. We apprehend that they, our more powerful neighbours, lay their claims under a royal patent, which we are unable hitherto to do in your name." Colonel Utie being unsuccessful the last year, in his embassy for the evacuation of the Dutch possessions on Delaware, Lord Baltimore, in autumn, 1660, applied by Captain Neal, his agent to the West India company, in Holland, for an order on the inhabitants of South River to submit to his authority, which they absolutely refused, asserting their right to that part of the colony.

The English, from New England, were every

day encroaching upon the Dutch. The following letter from Stuyvesant to the West India company, dated July 21, 1661, shews the state of the colony at that time on both sides. "We have not yet begun the fort on Long Island, near Oysterbay, because our neighbours lay the boundaries a mile and a half more westerly than we do, and the more as your honours, by your advice of December 24, are not inclined to stand by the treaty of Hartford, and propose to sue for redress on Long Island and the Fresh Water river, by means of the States' Ambassador. Lord Sterling is said to solicit a confirmation of his right to all Long Island, and importunes the present king to confirm the grant made by his royal father, which is affirmed to be already obtained. But more probable, and material, is the advice from Maryland, that Lord Baltimore's patent, which contains the fourth part of South river, is confirmed by the king, and published in print: that Lord Baltimore's natural brother, who is a rigid papist, being made governor there, has received Lord Baltimore's claim and protest to your honours in council, (wherewith he seems but little satisfied) and has now more hopes of success. We have advice from England, that there is an invasion intended against these parts, and the country solicited of the king, the duke, and the parliament, is to be annexed to their dominions; and for that purpose, they desire three or four frigates, persuading the king, that the company possessed and held this country under an unlawful title, having only obtained of King James leave for a watering place on Staten Island, in 1623."

In August 1663, a ship arrived from Holland at South River, with new planters, ammunition, and implements of husbandry. Lord Baltimore's son landed a little after, and was entertained by Beekman at Nieuwer Amstel. This was Charles, the son of Cecil, who in 1661, had procured a grant and confirmation of the patent passed in favour of his father in 1632. The papistical principles of the Baltimore family, the charge of colonizing, the parliamentary war with Charles I., and Cromwell's usurpation, all conspired to impede the settlement of Maryland till the year 1661. And these considerations account for the extension of the Dutch limits, on the west side of Delaware bay.

While the Dutch were contending with their European neighbours, they had the art always to maintain a friendship with the natives, until the war which broke out this year with the Indians at Esopus, now Ulster county. It continued, however, but a short season. The five nations never gave them any disturbance, which was owing to their continual wars with the French, who settled at Canada in 1603. It has been before observed, that Oliver Cromwell was applied to, for his aid in the reduction of this country, and that his son Richard took some steps towards accomplishing the scheme: the work was however reserved for the reign of Charles II., an indolent prince, and entirely given up to pleasure, who was driven to it more perhaps by the differences then subsisting between England and Holland, than by any motive that might reflect honour upon his prudence, activity, and public spirit. Before this expedition, the king granted a patent on the 12th of March, 1664, to his brother, the Duke of York and Albany, for sundry tracts of land in America, the boundaries of which, because they have given rise to much controversy, it may not be improper to transcribe.

"All that part of the main land of New England,

beginning at a certain place, called or known by the name of St. Croix, next adjoining to New Scotland in America, and from thence extending along the sea coast, unto a certain place called Pemaquid or Pemequid, and so up the river thereof, to the furthest head of the same, as it tendeth northward; and extending from thence to the river of Kimbequin, and so upwards, by the shortest course, to the river Canada northward: and also all that island, or islands, commonly called by the several name or names of Meitowacks, or Long Island, situate and being towards the west of Cape Cod, and the narrow Higansetts, abutting upon the main land, between the two rivers, there called or known by the several names of Connecticut and Hudson's river, together also with the said river, called Hudson's river, and all the land from the west side of Connecticut river, to the east side of Delaware bay, and also, all those several islands, called or known by the names of Martin's Vineyard, or Nantuck's, otherwise Nantucket: together, &c."

Part of this tract was conveyed by the duke to John Lord Berkeley, baron of Stratton, and Sir George Carteret, of Saltram in Devon, who were then members of the king's council. The lease was for the consideration of ten shillings, and dated the 23d of June, 1664. The release, dated the next day, mentions no particular sum of money as a consideration for the grant of the lands, which have the following description:

"All that tract of land, adjacent to New England, and lying and being to the westward of Long Island, and bounded on the east part by the main sea, and partly by Hudson's river; and hath upon the west, Delaware bay, or river, and extendeth southward to the main ocean as far as Cape May, at the mouth of Delaware bay; and to the northward, as far as the northernmost branch of the said bay or river of Delaware, which is forty-one degrees and forty minutes of latitude; which said tract of land is hereafter to be called by the name or names of Nova Cesarea, or New Jersey."

Thus the New Netherlands became divided into New Jersey, (so called after the isle of Jersey, in compliment to sir George Carteret, whose family came from thence) and New York, which took its name in honour of the Duke of York.

The Dutch inhabitants, by the vigilance of their governor, were not unapprised of the designs of the English court against them; for their records testify, that on the 8th of July, "The general received intelligence from one Thomas Willett, an Englishman, that an expedition was preparing in England against this place, consisting of two frigates of 40 and 50 guns, and a fly-boat of 40 guns having on board 300 soldiers, and each frigate 150 men, and that they then lay at Portsmouth, waiting for a wind." News arrived also from Boston, that they had already set sail. The burgomasters were thereupon called into council, the fortress ordered to be put into a posture of defence, and spies sent to Milford and West Chester for intelligence. Boston was in the secret of the expedition; for the general court had in May preceding, passed a vote for a supply of provisions, towards refreshing the ships on their arrival. They were four in number, and resolved to rendezvous at Gardener's Island in the Sound, but parted in a fog about the 20th of July. Richard Nicolls and Sir George Carteret, two of the commissioners, who were to take possession of the country and reduce it to the king's obedience, were on board the *Guyny*, and fell in first with Cape Cod.

The winds having blown from the south-west, the other ships, with Sir Robert Car, and Mr. Mavensick, the remaining commissioners, were rightly concluded to be driven to the eastward. After dispatching a letter to Mr. Winthrop, the governor of Connecticut, requesting his assistance, Col. Nicolls proceeded to Nantasket, and thence to Boston. The other ships got into Piscatawa. John Endicott, a very old man, was then governor of Boston, and incapable of business. The commissioners, therefore, had a conference with the council, and earnestly implored the assistance of that colony. Colonel Nicolls and Sir George Carteret, in their letter from Boston to Sir H. Bennet, secretary of state, complain much of the backwardness of that province. The reasons urged in their excuse were poverty and the season, it being the time of harvest; but perhaps disaffection to the Stuart family, whose persecuting fury had driven them from their native country, was the true spring of their conduct. The king's success in the reduction of the Dutch evidently opened him a door to come at his enemies in New England, who were far from being few; and whether this consideration might not have given rise to the project itself, must be left to conjecture. T. Dixwel, Esq., one of Charles the First's judges, and excepted out of the general pardon, lived many years at New Haven unknown, in quality of a country merchant; Sir Edmund Andross, in one of his tours through the colony of Connecticut, saw him there at church, and strongly suspected him to be one of the regicides. In his last illness, he revealed himself to the minister of the town, and ordered a small stone to be set at the head of his grave, inscribed, "T. D. Esq." While at New Haven, he went under the name of John Davis.

On the 27th of July, Nicolls and Carteret made a formal request in writing, "That the government of Boston would pass an act to furnish them with armed men, who should begin their march to the Mannhattans, on the 20th of August ensuing; and promised that, if they could get other assistance, they would give them an account of it." The governor and council answered, that they would assemble the general court, and communicate the proposal to them.

From Boston, a second letter was written to Governor Winthrop in Connecticut, dated the 29th of July, in which he was informed, that the other ships were then arrived, and would sail with the first fair wind, and he was desired to meet them at the west end of Long Island.

One of the ships entered the bay of the North River, several days before the rest; and as soon as they were all come up, Stuyvesant sent a letter dated 19—30 (showing the difference between the old and new style) of August, at Fort Anhill, directed to the commanders of the English frigates, by John Deelyer, one of the chief council, the Rev. John Megapolensis minister, Paul Lunder Vander Grift mayor, and Mr. Samuel Megapolensis, doctor in physic, with the utmost civility, to desire the reason of their approach and continuing in the harbour of Naijarlij, without giving that notice to the Dutch, which they ought.

Colonel Nicolls answered the next day with a summons.

"To the honourable the governors and chief council at the Mannhattans.

"Right worthy Sirs,—I received a letter bearing date 19—30 of August, desiring to know the intent of the approach of the English frigates; in return of which, I think it fit to let you know, that his majesty of

Great Britain, whose right and title to these parts of America is unquestionable, well knowing how much it derogates from his crown and dignity to suffer any foreigners, how near soever they be allied, to usurp a dominion, and without his majesty's royal consent to inhabit in these, or any other of his majesty's territories, hath commanded me, in his name, to require a surrender of all such forts, towns, or places of strength, which are now possessed by the Dutch, under your commands; and in his majesty's name, I do demand the town situate on the island, commonly known by the name of Manhattoes, with all the forts thereunto belonging, to be rendered unto his majesty's obedience and protection, into my hands. I am further commanded to assure you, and every respective inhabitant of the Dutch nation, that his majesty being tender of the effusion of christian blood, doth by these presents, confirm and secure to every man his estate, life, and liberty, who shall readily submit to his government. And all those who shall oppose his majesty's gracious intention, must expect all the miseries of a war which they bring upon themselves. I shall expect your answer by these gentlemen, Colonel George Carteret, one of his majesty's commissioners in America; Capt. Robert Needham, Captain Edward Groves, and Mr. Thomas Delavall, whom you will entertain with such civility as is due to them, and yourselves and yours shall receive the same, from,

"Worthy Sirs,

"Your very humble Servant,

"Richard Nicolls."

"Dated on board his majesty's ship, the Guyny, riding before Naych, the 20—31 of Aug. 1664."

Mr. Stuyvesant promised an answer to the summons the next morning, and in the mean time convened the council and burgomasters. The Dutch governor was a good soldier, and had lost a leg in the service of the States. He would willingly have made a defence; and refused a sight of the summons, both to the inhabitants and burgomasters, lest the easy terms offered might induce them to capitulate. The latter, however, insisted upon a copy, that they might communicate it to the late magistrates and principal burghers. They called together the inhabitants of the Stadt-house, and acquainted them with the governor's refusal. Governor Winthrop, at the same time, wrote to the director and his council, strongly recommending a surrender. On the 22d of August, the burgomaster came again into council, and desired to know the contents of the English message from Governor Winthrop, which Stuyvesant still refused. They continued their importunity, and he, in a fit of anger, tore it to pieces; upon which, they protested against the act, and all its consequences. Determined upon a defence of the country, Stuyvesant wrote a letter in answer to the summons, which as it declares the Dutch claim, must be given.

"My lords,—Your first letter, unsigned, of the 20—31 of August, together with that of this day, signed according to form, being the 1st of September, have been safely delivered into our hands by your deputies, unto which we shall say, that the rights of his majesty of England unto any part of America here about, among the rest, unto the colonies of Virginia, Maryland, or others in New England, whether disputable or not, is that, which for the present, we have no design to debate upon. But that his majesty hath an indisputable right to all the lands in the north parts of America, is that which the kings of France and Spain will deny, as we absolutely do,

by virtue of a commission given to me by my lords the high and mighty states-general, to be governor-general over New Holland, the isles of Curacoa, Bonaire, Aruba, with their appurtenances and dependencies, bearing date the 26th of July, 1646. As also by virtue of a grant and commission, given by my said lords, the high and mighty states-general, to the West India company, in the year 1621, with as much power, and as authentic, as his said majesty of England hath given, or can give, to any colony in America, as more fully appears by the patent and commission of the said lords the states-general, by them signed, registered, and sealed with their great seal, which were shewed to your deputies, Colonel George Carteret, Captain Robert Needham, Captain Edward Groves, and Mr. Thomas Delavall; by which commission and patent, together, (to deal frankly with you), and by divers letters, signed and sealed by our said lords, the states-general, directed to several persons, both English and Dutch, inhabiting the towns and villages on Long Island, (which, without doubt, have been produced before you by those inhabitants,) by which they are declared and acknowledged to be their subjects, with express command that they continue faithful unto them, under penalty of incurring their utmost displeasure, which makes it appear more clear than the sun at noon-day, that your first foundation, viz. (that the right and title of his majesty of Great Britain to these parts of America is unquestionable) is absolutely to be denied. Moreover, it is without dispute, and acknowledged by the world, that our predecessors, by virtue of the commission and patent of the said lords, the states-general have, without controul and peaceably, (the contrary never coming to our knowledge,) enjoyed Fort Orange about forty-eight or fifty years, the Manhattans about forty-one or forty-two years, the South River forty years, and the Fresh Water River about thirty-six years. Touching the second subject of your letter, viz., His majesty hath commanded me, in his name, to require a surrender of all such forts, towns, or places of strength, which are now possessed by the Dutch, under your command. We shall answer, that we are so confident of the discretion and equity of his majesty of Great Britain, that in case his majesty were informed of the truth, which is, that the Dutch came not into these provinces by any violence, but by virtue of commissions from my lords the states-general; first of all, in the years 1614, 1615, and 1616, up the North River, near Fort Orange, where, to hinder the invasions and massacres commonly committed by the savages, they built a little fort; and after, in the year 1622, and even to this present time, by virtue of commissions and grant to the governors of the West India company; and moreover, in the year 1656, a grant to the honourable the burgomasters of Amsterdam, of the South River; inasmuch, that by virtue of the abovesaid commissions from the high and mighty states-general, given to the persons interested as aforesaid, and others, these provinces have been governed, and consequently enjoyed, as also in regard of their first discovery, uninterrupted possessions, and purchase of the lands of the princes, natives of the country, and other private persons, (though gentiles,) we say we make no doubt, that if his said majesty of Great Britain were well informed of these passages, he would be too judicious to grant such an order, principally in a time when there is so straight a friendship and confederacy between our said lords and superiors, to trouble us in the

demanding and summons of the places and fortresses, which were put into our hands, with order to maintain them, in the name of the said lords, the states-general, as was made appear to your deputies, under the names and seal of the said high and mighty states-general, dated the 28th of July, 1646. Besides what had been mentioned, there is little probability that his said majesty of England (in regard the articles of peace are printed, and were recommended to us to observe seriously and exactly, by a letter written to us by our said lords, the states-general, and to cause them to be observed religiously in this country), would give order touching so dangerous a design, being also so apparent, that none other than my said lords, the states-general, have any right to these provinces, and consequently ought to command and maintain their subjects; and in their absence, we, the governor-general, are obliged to maintain their rights, and to repel and take revenge of all threatenings, unjust attempts, or any force whatsoever, that shall be committed against their faithful subjects and inhabitants, it being a very considerable thing to affront so mighty a state, although it were not against an ally and confederate. Consequently, if his said majesty (as it is fit) were well informed of all that could be spoken upon this subject, he would not approve of what expressions were mentioned in your letter; which are, that you are commanded by his majesty to demand in his name such places and fortresses as are in possession of the Dutch under my government; which, as it appears by my commission before-mentioned, was given me by my lords, the high and mighty states-general. And there is less ground in the express demand of my government, since all the world knows, that about three years ago, some English frigates being on the coast of Africa upon a pretended commission, they did demand certain places under the government of our said lords, the states-general, as Cape Vert, river of Gambo, and all other places in Guyny to them belonging. Upon which our said lords, the states-general, by virtue of the articles of peace, having made appear the said attempt to his majesty of England, they received a favourable answer, his said majesty disallowing all such acts of hostility as might have been done, and, besides, gave order that restitution should be made to the East India company, of whatsoever had been pillaged in the said river of Gambo; and likewise restored them to their trade, which makes us think it necessary, that a more express order should appear unto us, as a sufficient warrant for us towards my lords, the high and mighty states-general—since by virtue of our said commission we do, in these provinces, represent them, as belonging to them, and not to the king of Great Britain, except his said majesty, upon better grounds, make it appear to our said lords, the states-general, against which they may defend themselves as they shall think fit. To conclude: we cannot but declare unto you, though the governors and commissioners of his majesty have divers times quarrelled with us about the bounds of the jurisdiction of the high and mighty the states-general, in these parts, yet they never questioned their jurisdiction itself; on the contrary, in the year 1650, at Hartford, and the last year at Boston, they treated with us upon this subject, which is a sufficient proof that his majesty hath never been well informed of the equity of our cause, inasmuch as we cannot imagine, in regard to the articles of peace between the crown of England and the states-general, (under whom there are so many subjects in

America, as well as Europe), that his said majesty of Great Britain would give a commission to molest and endamage the subjects of my said lords the states-general, especially such as, ever since fifty, forty, and the latest thirty-six years have quietly enjoyed their lands, countries, forts, and inheritances; and less, that his subjects would attempt any acts of hostility or violence against them: and in case you will act by force of arms, we protest and declare, in the name of our said lords, the states-general, before God and men, that you will act an unjust violence, and a breach of the articles of peace, so solemnly sworn, agreed upon, and ratified by his majesty of England and my lords the states-general; and the rather for that to prevent the shedding of blood, in the month of February last we treated with Captain John Scott, (who reported he had a commission from his said majesty), touching the limits of Long Island, and concluded for the space of a year, that in the meantime the business might be treated on between the king of Great Britain and my lords the high and mighty states-general: and again, at present, for the hinderance and prevention of all differences, and the spilling of innocent blood, not only in these parts, but also in Europe, we offer unto you a treaty by our deputies, Mr. Cornelius Van Ruyven, secretary and receiver of New Holland, Cornelius Steenwyck, burgomaster, Mr. Samuel Megapolensis, doctor of physic, and Mr. James Cousseau, heretofore sheriff. As touching the threats in your conclusion we have nothing to answer, only that we fear nothing but what God, (who is as just as merciful) shall lay upon us—all things being in his gracious disposal; and we may as well be preserved by him with small forces as by a great army, which makes us to wish you all happiness and prosperity, and recommend you to his protection. My lords, your thrice humble, and affectionate servant and friend,

“Signed, P. Stuyvesant.

“At the fort at Amsterdam, the 2d of September New Stile, 1664.”

While the Dutch governor and council were contending with the burgomasters and people in the city, the English commissioners published a proclamation in the country, encouraging the inhabitants to submit, and promising them the king's protection, and all the privileges of subjects; and as soon as they discovered by Stuyvesant's letter, that he was averse to surrender, officers were sent to beat up for volunteers in Middleborough, Ulissen, Jamaica, and Hempsted. A warrant was also issued to Hugh Hide, who commanded the squadron, to prosecute the reduction of the fort, and an English ship then trading here, was pressed into the service. These preparations induced Stuyvesant to write another letter, on the 25th of August old style, wherein though he declares that he would stand the storm, yet to prevent the spilling of blood, he had sent John de Decker, counsellor of state, Cornelius Van Ruyven, secretary and receiver, Cornelius Steenwyck major, and James Cousseau sheriff, to consult, if possible, an accommodation. Nicolls, who knew the disposition of the people, answered immediately from Gravesend, that he would treat about nothing but a surrender. The Dutch governor, the next day, agreed to a treaty and surrender, on condition the English and Dutch limits in America were settled by the crown and the states-general. The English deputies were Sir Robert Carr, George Carteret, John Winthrop, governor of Connecticut, Samuel Wyllys, one of the assistants or counsel of

that colony, and Thomas Clarke, and John Pyncheon, commissioners from the general court of the Massachusetts bay, who but a little before, brought an aid from that province. What these persons agreed upon, Nicolls promised to ratify. At eight o'clock in the morning, of the 27th of August 1664, the commissioners on both sides met at the governor's farm and there signed the following articles of capitulation:

"These articles following were consented to by the persons hereunder subscribed, at the governor's bowery, August the 27th, old style, 1664.

"I. We consent that the States-general, or the West India company, shall freely enjoy all farms and houses (except such as are in the forts), and that within six months, they shall have free liberty to transport all such arms and ammunition, as now does belong to them, or else they shall be paid for them.

"II. All public houses shall continue for the uses which they are for.

"III. All people shall still continue free denizens, and shall enjoy their lands, houses, goods, whosoever they are within this country, and dispose of them as they please.

"IV. If any inhabitant have a mind to remove himself, he shall have a year and six weeks from this day, to remove himself, wife, children, servants, goods, and to dispose of his lands here.

"V. If any officer of state, or public minister of state, have a mind to go for England, they shall be transported freight free, in his majesty's frigates, when these frigates shall return thither.

"VI. It is consented to, that any people may freely come from the Netherlands and plant in this colony, and that Dutch vessels may freely come hither, and any of the Dutch may freely return home, or send any sort of merchandize home in vessels of their own country.

"VII. All ships from the Netherlands, or any other place, and goods therein, shall be received here, and sent hence, after the manner which formerly they were, before our coming hither, for six months next ensuing.

"VIII. The Dutch here shall enjoy the liberty of their consciences in divine worship and church discipline.

"IX. No Dutchman here, or Dutch ship here, shall upon any occasion be pressed to serve in war against any nation whatsoever.

"X. That the townsmen of the Mannhattans shall not have any soldiers quartered upon them, without being satisfied and paid for them by their officers; and at this present, if the fort be not capable of lodging all the soldiers, then the burgomasters, by their officers, shall appoint some houses capable to receive them.

"XI. The Dutch here shall enjoy their own customs concerning their inheritances.

"XII. All public writings and records, which concern the inheritances of any people, or the reglement of the church or poor, or orphans, shall be carefully kept by those in whose hands now they are, and such writings as particularly concern the states general, may at any time be sent to them.

"XIII. No judgment that has passed any judicature here, shall be called in question, but if any conceive that he hath not had justice done him, if he apply himself to the states general, the other party shall be bound to answer the supposed injury.

"XIV. If any Dutch living here, shall at any time desire to travel or traffic into England, or any place or plantation in obedience to his majesty of England, or with the Indians, he shall have (upon

his request to the governor) a certificate that he is a free denizen of this place, and liberty to do so.

"XV. If it do appear that there is a public engagement of debt, by the town of the Mannhattoes, and a way agreed on for the satisfying of that engagement, it is agreed, that the same way proposed shall go on, and that the engagement shall be satisfied.

"XVI. All inferior civil officers and magistrates shall continue as now they are (if they please), till the customary time of new elections, and then new ones be chosen by themselves, provided that such new-chosen magistrates shall take the oath of allegiance to his majesty of England, before they enter upon their office.

"XVII. All differences of contracts and bargains made before this day, by any in this country, shall be determined according to the manner of the Dutch.

"XVIII. If it do appear, that the West India company of Amsterdam do really owe any sums of money to any persons here, it is agreed that recognition, and other duties payable by ships going for the Netherlands, be continued for six months longer.

"XIX. The officers, military, and soldiers, shall march out with their arms, drums beating, and colours flying, and lighted matches; and if any of them will plant, they shall have fifty acres of land set out for them; if any of them will serve as servants, they shall continue with all safety, and become free denizens hereafter.

"XX. If at any time hereafter, the king of Great Britain and the States of the Netherlands do agree that this place and country be re-delivered into the hands of the said states, whensoever his Majesty will send his commands to re-deliver it, it shall immediately be done.

"XXI. That the town of Mannhattans shall choose deputies, and those deputies shall have free voices in all public affairs, as much as any other deputies.

"XXII. Those who have any property in any houses in the fort of Aurania, shall (if they please) slight the fortifications there, and then enjoy all their houses, as all people do where there is no fort.

"XXIII. If there be any soldiers that will go into Holland, and if the company of West India in Amsterdam, or any private persons here, will transport them into Holland, then they shall have a safe passport from Colonel Richard Nicolls, deputy governor under his royal highness, and the other commissioners, to defend the ships that shall transport such soldiers, and all the goods in them, from any surprisal or acts of hostility, to be done by any of his majesty's ships or subjects. That the copies of the king's grant to his royal highness, and the copy of his royal highness's commission to Colonel Richard Nicolls, testified by two commissioners more, and Mr. Winthrop, to be true copies, shall be delivered to the honourable Mr. Stuyvesant, the present governor, on Monday next, by eight of the clock in the morning, at the Old Miln, and these articles consented to, and signed by Colonel Richard Nicolls, deputy-governor to his royal highness, and that within two hours after the fort and town called New Amsterdam, upon the isle of Mannhattoes, shall be delivered into the hands of the said Colonel Richard Nicolls, by the service of such as shall be by him thereunto deputed, by his hand and seal.— John De Decker, Nich. Verleett, Samuel Megapolensis, Cornelius Steenwyck, Oloff Stevens Van Kortlant, James Cousseau, Robert Carr, George Carteret, John Winthrop, Samuel Willys, Thomas Clarke, John Pyncheon.

"I do consent to these articles,

"Richard Nicolls."

These articles, favourable as they were to the inhabitants, were however very disagreeable to the Dutch governor, and he therefore refused to ratify them till two days after they were signed by the commissioners.

The town of New Amsterdam, upon the reduction of the island Manhattans, took the name of New York. It consisted of several small streets, laid out in the year 1656, and was not inconsiderable for the number of its houses and inhabitants. The easy terms of the capitulation promised their peaceable subjection to the new government; and hence we find that, in two days after the surrender, the Boston aid was dismissed, with the thanks of the commissioners to the general court. Hudson's and the South river were, however, still to be reduced. Sir Robert Carr commanded the expedition on Delaware, and Carteret was commissioned to subdue the Dutch at fort Orange. The garrison capitulated on the 24th of September, and he called it Albany, in honour of the duke. While Carteret was here, he had an interview with the Indians of the five nations, and entered into a league of friendship with them. The Dutch were sensible of the importance of preserving an uninterrupted amity with those Indians, for they were both very numerous and warlike. The French pursued quite different measures, and the eruptions of those tribes, according to their own authors, often reduced Canada to the brink of ruin. Sir Robert Carr was equally successful on South river, for he compelled both the Dutch and the Swedes to capitulate and deliver up their garrisons the 1st of October, 1664; and that was the day in which the whole New Netherland became subject to the English crown. Very few of the inhabitants thought proper to remove out of the country. Governor Stuyvesant himself held his estate and died here. His remains were interred in a chapel which he had erected on his own farm, at a small distance from the city, afterwards possessed by his grandson Gerardus Stuyvesant, a man of probity, who was elected into the magistracy above thirty years successively. For loyalty to the reigning family, and a pure attachment to the protestant religion, the descendants of the Dutch planters were exceeded by none.

From the surrender in 1664, to the settlement at the English Revolution of 1688.

Richard Nicolls being now possessed of the country, took the government upon him, under the style of "deputy-governor under his royal highness the Duke of York, of all his territories in America." During his short continuance in it, he passed a vast number of grants and confirmations of the ancient Dutch patents, the profits of which must have been very considerable. Among these, no one has occasioned more animated contention, than that called the Elizabeth Town Grant in New Jersey.

Besides the chief command of this province, Nicolls had, with Sir Robert Carr, Carteret, and Mavericke, a commission from Charles II., dated the 26th of April, 1664, which, after a recital of disputes concerning limits in New England, and stating that addresses had been sent home from the Indian natives, complaining of abuses received from the English subjects, authorised all, or three, or two of them, of which Nicolls was to be one, to visit the New England colonies, and determine all complaints military, civil, and criminal, according to their discretion, and such instructions as they might receive from the crown. Hence we find, three of them had

a conference with several gentlemen from Connecticut, respecting the limits of this and that colony. The result was an adjudication, in these words:

"By virtue of his majesty's commission, we have heard the difference, about the bounds of the patents granted to his royal highness the Duke of York, and his majesty's colony of Connecticut, and having deliberately considered all the reasons alleged by Mr. Allyn, sen., Mr. Gold, Mr. Richards, and Capt. Winthrop, appointed by the assembly held at Hartford, the 13th of October, 1664, to accompany John Winthrop, Esq., the governor of his majesty's colony of Connecticut, to New York, and to agree upon the bounds of the said colony, why the said Long Island should be under the government of Connecticut, which are too long here to be recited, we do declare and order, that the southern bounds of his majesty's colony of Connecticut is the sea, and that Long Island is to be under the government of his royal highness the Duke of York, as is expressed by plain words, in the said patents, respectively, and also by virtue of his majesty's commission, and the consent of both the governors and the gentlemen above-named. We also order and declare, that the creek or river called Mamaroneck, which is reputed to be about thirteen miles to the east of West Chester, and a line drawn from the east point or side, where the fresh water falls into the salt, at high water mark, north-north-west to the line of the Massachusetts, be the western bounds of the said colony of Connecticut, and all plantations lying westward of that creek and line so drawn, to be under his royal highness's government; and all plantations lying eastward of that creek and line, to be under the government of Connecticut. Given under our hands, at James's Fort, in New York, on the island of Manhattan, this first day of December, 1664—Richard Nicolls, George Carteret, S. Mavericke."

"We, the governor and commissioners of the general assembly of Connecticut, do give our consent to the limits and bounds above-mentioned, as witness our hands—Gold, John Winthrop, jun., John Winthrop, Allen, sen., Richards."

At the time of this determination, about two-thirds of Long Island were possessed by people from New England, who had gradually encroached upon the Dutch. As to the settlement between New York and Connecticut on the main, it has always been considered by the former as founded upon ignorance and fraud. The town of Rye was settled under Connecticut, and the grant from that colony is bounded by this line of division. The station at Mamaroneck was about 30 miles from New York, from Albany 150. The general course of the river is about north twelve or fifteen degrees east: and hence it is evident, that a north-north-west line will soon intersect the river, and consequently leave the Dutch country, but a little before surrendered to Colonel Carteret, out of the province of New York. It has been generally esteemed that the Connecticut commissioners in this affair took advantage of the duke's agents, who were ignorant of the geography of the country.

About the close of the year, the estate of the Dutch West India company was seized and confiscated, hostilities being actually commenced in Europe as well as in America, though no declarations of war had yet been published by either of the contending parties. A great dispute between the inhabitants of Jamaica on Long Island, which was adjusted by Colonel Nicolls, on the 2d of January, 1665, gave rise to a salutary institution which has in part ob-

tained ever since. The controversy respected Indian deeds, and thenceforth it was ordained, that no purchase from the Indians, without the governor's licence executed in his presence, should be valid. The strength and numbers of the natives rendered it necessary to purchase their rights; and to prevent their frequent selling the same tract, it was expedient, that the bargain should be attended with some considerable solemnity.

Another instance of Col. Nicolls's prudence, was his gradual introduction of the English methods of government. It was not till the 12th of June, 1665, that he incorporated the inhabitants of New York, under the care of a mayor, five aldermen and a sheriff. Till this time, the city was ruled by a scout, burgomasters, and schepens.

In March preceding, there was a great convention before the governor at Hempstead, of two deputies from every town on Long Island, empowered to bind their constituents. The design of their meeting was to adjust the limits of their townships for the preservation of the public peace.

The war being proclaimed at London on the 4th of this month, Nicolls received the account of it in June, with a letter from the Lord Chancellor, informing him that De Ruyter, the Dutch admiral, had orders to visit New York. His lordship was misinformed, or the admiral was diverted from the enterprise, for the English peaceably held possession of the country during the whole war, which was concluded on the 21st of July, 1667, by the treaty of Breda. Some are of opinion, that the exchange made with the Dutch for Surinam, which they had taken from us, was advantageous to the nation; but these judges do not consider, that it would have been impossible for the Dutch to have preserved this colony against the increasing strength of the people in New England, Maryland, and Virginia.

After an administration of three years Nicolls returned to England. The time during his short residence here, was almost wholly taken up in confirming the ancient Dutch grants. He erected no courts of justice, but took upon himself the sole decision of all controversies whatsoever. Complaints came before him by petition; upon which he gave a day to the parties, and after a summary hearing, pronounced judgment. His determinations were called edicts, and executed by the sheriffs he had appointed. It is much to his honour that, notwithstanding all this plenitude of power, he governed the province with integrity and moderation. A representation from the inhabitants of Long Island to the general court of Connecticut, made about the time of the Revolution, commends him as a man of an easy and benevolent disposition; and this testimonial is the more to be relied upon, because the design of the writers, was, by a detail of their grievances, to induce the colony of Connecticut to take them under its immediate protection.

Francis Lovelace, a colonel, was appointed by the duke to succeed Nicolls in the government of the province, which he began to exercise in May, 1667. As he was a man of great moderation, the people lived very peaceably under him, till the surrender of the colony, which put an end to his power, and is the only event that signalized his administration.

The ambitious designs of Louis XIV. against the Dutch, gave rise to the war with the States-general in 1672. Charles II., a prince sunk in pleasures, profligate, and poor, was easily detached from his alliance with the Dutch, by the intrigues and pecuniary promises of the French king. The following

passage from Voltaire shews that his pretences for entering into the war were groundless and trifling.

"The king of England, on his side, reproached them with disrespect, in not directing their fleet to lower the flag before an English ship; and they were also accused in regard to a certain picture, wherein Cornelius de Witt, brother to the pensionary, was painted with the attributes of a conqueror. Ships were represented in the back ground of the piece, either taken or burnt. Cornelius de Witt, who had really had a great share in the maritime exploits against England, had permitted this trifling memorial of his glory; but the picture, which was in a manner unknown, was deposited in a chamber wherein scarce any body ever entered. The English ministers who presented the complaints of their king against Holland, in writing, therein mentioned certain abusive pictures. The states, who always translated the memorials of ambassadors into French, having rendered abusive, by the words *fauxs trompeurs*, they replied, they did not know what these roguish pictures (*ces tableaux trompeurs*) were. In reality, it never in the least entered into their thoughts, that it concerned this portrait of one of their citizens, nor did they ever conceive this could be a pretence for declaring war."

A few Dutch ships arrived the year after on the 30th of July, 1673, under Staten Island, at the distance of a few miles from the city of New York. John Manning, a captain of an independent company, had at that time the command of the fort, and by a messenger sent down to the squadron, treacherously made his peace with the enemy. On that very day the Dutch ships came up, moored under the fort, landed their men, and entered the garrison, without giving or receiving a shot. A council of war was afterwards held at the Stadt-House, at which were present—commodores, Cornelius Evertse, jun. and Jacob Benkes; and captains, Anthony Colve, Nicholas Boes, and Abraham Ferd. Van Zyll.

All the magistrates and constables from East Jersey, Long Island, Esopus, and Albany, were immediately summoned to New York; and the major part of them swore allegiance to the States-general, and the prince of Orange. Colonel Lovelace was ordered to depart the province, but afterwards obtained leave to return to England with Commodore Benkes. It has often been insisted on, that this conquest did not extend to the whole province of New Jersey; but upon what foundation cannot be discovered. From the Dutch records, it appears, that deputies were sent by the people inhabiting the country, even so far westward as Delaware river, who in the name of their principals made a declaration of their submission; in return for which, certain privileges were granted to them, and judicatories erected at Niewer, Amstel, Upland, and Hoer Kill. Colve's commission to be governor of this country is worth printing, because it shews the extent of the Dutch claims. The translation runs thus:—

"The honourable and awful council of war, for their high mightinesses the States-General of the United Netherlands, and his serene highness the Prince of Orange, over a squadron of ships, now at anchor in Hudson's river in New Netherlands, to all those who shall see or hear these, greeting. As it is necessary to appoint a fit and able person to carry the chief command over this conquest of New Netherlands, with all its appendencies and dependencies from Cape Hinlopen on the south side of the south or Delaware bay, and fifteen miles more south-

erly, with the said bay and South river included; so as they were formerly possessed by the directors of the city of Amsterdam, and after by the English government, in the name and right of the Duke of York; and further, from the said Cape of Hinlopen, along the Great Ocean, to the east end of Long Island and Shelter Island; from thence westward to the middle of the Sound, to a town called Greenwich, on the main, and to run landward in, northerly; provided that such line shall not come within ten miles of North river, conformable to a provincial treaty made in 1650, and ratified by the States-general, February 22, 1656, and January 23, 1664, with all lands, islands, rivers, lakes, kills, creeks, fresh and salt waters, fortresses, cities, towns, and plantations therein comprehended. So it is, that, we being sufficiently assured of the capacity of Anthony Colve, captain of a company of foot, in the service of their high mightinesses the States-general of the United Netherlands, and his serene highness the Prince of Orange, &c. By virtue of our commission, granted us by their before-mentioned high mightinesses and his highness, have appointed and qualified, as we do by these presents appoint and qualify, the said Captain Anthony Colve, to govern and rule these lands, with the appendencies and dependencies thereof, as governor-general; to protect them from all invasions of enemies, as he shall judge most necessary; hereby charging all high and low officers, justices, and magistrates, and others in authority, soldiers, burghers, and all the inhabitants of this land, to acknowledge, honour, respect, and obey the said Anthony Colve, as governor-general; for such we judge necessary for the service of the country, waiting for the approbation of our principals. Thus done at Fort William Hendrick, the twelfth day of August, 1673.

“Signed by Jacob Benkes.

“Cornelius Evertse, jun.”

The Dutch governor enjoyed his office but a very short season; for on the 9th of February, 1674, the treaty of peace between England and the States-General was signed at Westminster; the sixth article of which restored this country to the English. The terms of it were generally, “That whatsoever countries, islands, towns, ports, castles, or forts have or shall be taken on both sides, since the time that the late unhappy war broke out, either in Europe or elsewhere, shall be restored to their former lord and proprietor, in the same condition they shall be in, when the peace itself shall be proclaimed; after which time there shall be no spoil nor plunder of the inhabitants, no demolition of fortifications, nor carrying away of guns, powder, or other military stores, which belonged to any castle or fort at the time when it was taken.”

The lenity which began the administration of Colonel Nicolls was continued under Lovelace. He appears to have been a man rather of a phlegmatic than an enterprising disposition, always pursuing the common road, and scarce ever acting without the aid of his council. Instead of taking upon himself the sole determination of judicial controversies, after the example of his predecessor, he called to his assistance a few justices of the peace. This, which was called the court of assizes, was the principal law judicatory in those times. It was a court both of law and equity, for the trial of causes of 20*l*. and upwards, and ordinarily sat but once a year. Subordinate to this, were the town courts and sessions; the former took cognizance of actions under 5*l*., and the latter of suits between that sum and

twenty pounds: seven constables and overseers were judges in the first, and in the last the justices of the peace, with a jury of seven men. The verdict of the majority was sufficient. The legislative power under the duke was vested entirely in the governor and council. A third estate might then be easily dispensed with, for the charge of the province was small, and in a great measure defrayed by his royal highness, the proprietor of the country. The manner of raising public money was established by Colonel Nicolls on the 1st of June, 1665. The high sheriff issued a warrant annually to the high constables of every district, and they sent theirs to the petty constables; who, with the overseers of each town, made a list of all male persons above sixteen years of age, with an estimate of their rent and personal estates, and then taxed them according to certain rates, prescribed by a law. After the assessment was returned to the high sheriff, and approved by the governor, the constables received warrants for levying the taxes by distress and sale.

Upon the conclusion of the peace in 1674, the Duke of York, to remove all controversy respecting his property, obtained a new patent from the king, dated the 29th of June, for the lands granted in 1664, and two days afterwards commissioned Major, afterwards Sir Edmond Andross, to be governor of his territories in America. After the resignation of this province, which was made to him by the Dutch possessors, on the 31st of October following he called a court-martial, to try Manning for his treacherous and cowardly surrender. The articles of accusation exhibited against him were in substance:—

I. That the said Manning, on the 28th of July, 1673, having notice of the approach of the enemy's fleet, did not endeavour to put the garrison in a posture of defence, but on the contrary slighted such as offered their assistance.

II. That while the fleet was at anchor under Staten Island, on the 30th of July, he treacherously sent on board to treat with the enemy, to the great discouragement of the garrison.

III. That he suffered the fleet to moor under the fort, forbidding a gun to be fired on pain of death.

IV. That he permitted the enemy to land without the least opposition.

V. That shortly after he had sent persons to treat with the Dutch commodores, he struck his flag, even before the enemy were in sight of the garrison, the fort being in a condition, and the men desirous to fight.

VI. And lastly, that he treacherously caused the fort gates to be opened, and cowardly and basely let in the enemy, yielding the garrison without articles.

Such conduct, which Manning on his trial confessed to be true, is less surprising than the lenity of the sentence pronounced against him; which was, that, though he deserved death, yet because he had since the surrender been in England, and seen the king and duke, it was adjudged that his sword should be broken over his head in public, before the city hall, and himself rendered incapable of wearing a sword, and of serving his majesty for the future, in any public trust in the government.

This light censure is, however, no proof that Sir Edmond was a man of a merciful disposition; the historians of New England, where he was afterwards governor, justly transmit him to posterity, under the odious character of a sycophant tool to the duke, and an arbitrary tyrant over the people committed to his care. He knew no law but the will of his master, and Kirk and Jefferies were not fitter instru-

ments than he to execute the despotic projects of James II.

In the year 1675, Nicholas Renslaer, a Dutch clergyman, arrived. He claimed the manor of Renslaerwick, and was recommended by the duke to Sir Edmond Andross for a living in one of the churches at New York, or Albany, probably to serve the popish cause. Niewenhyt, minister of the church at Albany, disputed his right to administer the sacraments, because he had received an episcopal ordination, and was not approved by the Classis of Amsterdam, to which the Dutch churches hold themselves subordinate. In this controversy the governor took the part of Renslaer, and accordingly summoned Niewenhyt before him, to answer for his conduct. This minister was treated with such singular contempt, and so frequently harassed by fruitless and expensive attendances before the council, that the dispute became interesting, and the greater part of the people resented the usage he met with. Hence we find, that the magistrates of Albany soon after imprisoned Renslaer, for several dubious words (as they are called in the record) delivered in a sermon. The governor, on the other hand, ordered him to be released, and summoned the magistrates to attend him at New York; warrants were then issued to compel them to give security in 5000*l.* each, to make out good cause for confining the minister. Leisler, who was one of them, refused to comply with the warrant, and was thrown into jail. Sir Edmond, fearful that a great party would rise up against him, was at last compelled to discontinue his ecclesiastical jurisdiction, and to refer the controversy to the determination of the consistory of the Dutch church at Albany. It is perhaps not improbable, that these popish measures sowed the seeds of that aversion to the duke's government, which afterwards produced those violent convulsions in the province under Leisler, at the time of the revolution, in favour of the Prince of Orange. Another reason is assigned for the favour he met with from the crown. It is said, that while Charles II. was an exile, he predicted the day of his restoration. The people of Albany had a high opinion of his prophetic spirit, and many strange tales prevailed there. The parson made nothing of his claim, the manor being afterwards granted, by Col. Dongan, to Killian Van Renslaer, a distant relation. This extensive tract, by the Dutch called a colony, is an oblong, extending twenty-four miles upon Hudson's river, and as many on each side. The patent of confirmation was issued by special direction from the king, and is the most liberal in the privileges it grants of any one in the province.

If Sir Edmond Andross's administration at New York appears to be less exceptionable than while he commanded at Boston, it was through want of more opportunities to shew himself in his true light. The main course of his public proceedings, during his continuance in the province, was spent in the ordinary acts of government, which then principally consisted in passing grants to the subject, and presiding in the court of assize, established by Colonel Lovelace. The public exigences were now in part supplied by a kind of benevolence; the badge of bad times; this appears in an entry on the records, of a letter of May 5, 1676, from Governor Andross, to several towns of Long Island, desiring to know, what sums they would contribute towards the war. Near the close of his administration, he thought proper to quarrel with Philip Carteret, who in 1680 exercised the government of East Jersey, under a

commission from Sir George Carteret, dated the 31st of July, 1675; Andross disputed his right, and seized and brought him prisoner to New York; for which it is said he lost his own government, but whoever considers that Sir Edmond was immediately preferred to be governor of Boston, will rather believe, that the duke superseded him for some other reasons.

Before proceeding to the succeeding administration, in which the Indian affairs began to have a powerful influence upon the public measures, it may not be improper to present the reader with a summary view of the history and character of the Five Nations, by the Dutch called Maquas, by the French Iroquois, and by us, Five Nations, Six Nations, and lastly the Confederates. They are greatly diminished, and consist now only of about 1200 fighting men. These, of all the innumerable tribes of savages, which inhabit the northern part of America, are of most importance, both on account of their vicinity and warlike disposition. Before the last incorporation of the Tuscaroras, a people driven by the inhabitants of Carolina from the frontiers of Virginia, they consisted of five confederate cantons. The Tuscaroras were received upon a supposition, that they were originally of the same stock with the Five Nations, because there is some similitude between their languages. What in particular gave rise to this league, and when it took place, are questions which neither the natives, nor Europeans, pretend to answer. Each of these nations is divided into three families, or clans, of different ranks, bearing for their arms, and being distinguished by the names of, the tortoise, the bear, and the wolf. Their instruments of conveyances are signed by signatures, which they make with a pen, representing these animals.

No people in the world perhaps have higher notions than these Indians of military glory. All the surrounding nations have felt the effects of their prowess; and many not only became their tributaries, but were so subjugated to their power, that without their consent, they durst not commence either peace or war.

Though a regular police for the preservation of harmony within, and the defence of the state against invasions from without, is not to be expected from savages, yet perhaps they have paid more attention to it than is generally allowed. Their government is suited to their condition. A people whose riches consist not so much in abundance, as in a freedom from want; who are circumscribed by no boundaries; who live by hunting, and not by agriculture,—must always be free, and therefore subject to no other authority than such as consists with the liberty necessarily arising from their circumstances. All their affairs, whether respecting peace or war, are under the direction of their Sachems, or chief men. Great exploits and public virtue procure the esteem of a people, and qualify a man to advise in council, and execute the plan concerted for the advantage of his country; thus whoever appears to the Indians in this advantageous light, commences a Sachem without any other ceremony.

As there is no other way of arriving at this dignity, so it ceases unless an uniform zeal and activity for the common good is uninterruptedly continued. Some have thought it hereditary, but that is a mistake. The son is indeed respected for his father's services, but without personal merit he can never share in the government—which, were it otherwise, must sink into perfect disgrace. The children of

such as are distinguished for their patriotism, moved by the consideration of their birth, and the perpetual incitements to virtue constantly inculcated into them, imitate their father's exploits, and thus attain to the same honours and influence; which accounts for the opinion that the title and power of Sachem is hereditary.

Each of these republics has its own particular chiefs, who hear and determine all complaints in council, and though they have no officers for the execution of justice, yet their decrees are always obeyed, from the general reproach that would follow a contempt of their advice. The condition of this people exempts them from factions, the common disease of popular governments. It is impossible to gain a party amongst them by indirect means; for no man has either honour, riches, or power to bestow.

All affairs which concern the general interest are determined in a great assembly of the chiefs of each canton, usually held at Onondago, the centre of their country. Upon emergencies they act separately, but nothing can bind the league but the voice of the general convention.

The French, upon the maxim of divide and govern, tried all possible means to disunite these republics, and sometimes even sowed great jealousies amongst them. In consequence of this plan, they seduced many families to withdraw to Canada, and there settled them in regular towns, under the command of a fort and the tuition of missionaries.

The manners of these savages are as simple as their government. Their houses are a few crotched stakes thrust into the ground and overlaid with bark. A fire is kindled in the middle, and an aperture left at the top for the conveyance of the smoke. Whenever a considerable number of those huts are collected, they have a castle, as it is called, consisting of a square without bastions, surrounded with palisades. They have no other fortification; and this is only designed as an asylum for their old men, their wives and children, whilst the rest are gone out to war. They live almost entirely without care. While the women, or squaws, cultivate a little spot of ground for corn, the men employ themselves in hunting. As to clothes, they use a blanket girt at the waist, and thrown loosely over their shoulders; some of their women indeed have, besides this, a sort of a petticoat, and a few of their men wear shirts; but the greater part of them are generally half-naked. In winter, their legs are covered with stockings of blanket, and their feet with socks of deer skin. Many of them are fond of ornaments, and their taste is very singular. Some have rings affixed, not only to their ears but their noses. Bracelets of silver and brass round their wrists, are very common. The women formerly plaited their hair, and tied it up behind in a bag, perhaps in imitation of the beaus in Canada. Though the Indians are capable of sustaining great hardships, yet they cannot endure much labour, being rather fleet than strong. Their men are taller than the Europeans, rather corpulent, always beardless, because they pluck out the hairs. The French writers, who say they have naturally no beards, are mistaken; and the reasons they assign for it are ridiculous. They are strait-limbed, of a tawny complexion, and black uncured hair. In their food they have no manner of delicacy, for though venison is their ordinary diet, yet sometimes they eat dogs, bears, and even snakes. Their cookery is of two kinds, boiled or roasted; to perform the latter, the meat is penetrated by a short sharp stick set in the ground, inclining towards the fire,

and turned as occasion requires. They are hospitable to strangers, though few Europeans would relish their highest favours of this kind, for they are very dirty both in their garments and food. Every man has his own wife, whom he takes and leaves at pleasure; a plurality, however, at the same time, is by no means admitted among them. They have been generally commended for their chastity, but others say, on good authority, that they are very lascivious, and that the women, to avoid reproach, frequently destroy the fetus in the womb. They are so perfectly free, that unless their children, who generally assist their mother, may be called servants, they have none. The men frequently associate themselves for conversation, by which means they not only preserve the remembrance of their wars and treaties, but diffuse among their youths incitements to a love of war, as well as instruction in all its subtleties.

Since they became acquainted with the Europeans, their warlike apparatus is a musket, hatchet, and a long knife. To "take up the hatchet," is with them a phrase signifying to declare war; as on the contrary "to bury it" denotes the establishment of a peace. Their boys still accustom themselves to bows and arrows, and are so dextrous in the use of them, that a lad of sixteen will strike an English shilling five times in ten, at twelve or fourteen yards distance. Their men are excellent marksmen, both with the gun and hatchet; their dexterity at the latter is very extraordinary, for they rarely miss the object though at a considerable distance. The hatchet in the flight perpetually turns round, and yet always strikes the mark with the edge.

Before they go out, they have a feast upon dog's flesh and a great war dance. At these, the warriors, who are frightfully painted with vermilion, rise up and sing their own exploits, or those of their ancestors, and thereby kindle a military enthusiasm in the whole company. The day after the dance, they march out a few miles in a row, observing a profound silence. The procession being ended, they strip the bark from a large oak, and paint the design of their expedition on the naked trunk. The figure of a canoe, with the number of men in it, determines the strength of their party; and by a deer, a fox, or some other emblem painted at the head of it, we discover against what nation they are gone out.

The five nations being devoted to war, every art is contrived to diffuse a military spirit through the whole body of their people. The ceremonies attending the return of a party, seem calculated in particular for that purpose. The day before they enter the village, two heralds advance, and at a small distance set up a yell, which by its modulation intimates either good or bad news. If the former, the village is alarmed, and an entertainment provided for the conquerors, who in the mean time approach in sight: one of them bears the scalps stretched over a bow, and elevated upon a long pole. The boldest man in the town comes out, and receives it, and instantly flies to the hut where the rest are collected. If he is overtaken, he is beaten unmercifully; but if he outruns the pursuer, he participates in the honour of the victors, who at their first entrance receive no compliments, nor speak a single word till the end of the feast. Their parents, wives, and children then are admitted, and treat them with the profoundest respect. After these salutations, one of the conquerors is appointed to relate the whole adventure, to which the rest attentively listen without

asking a question, and the whole concludes with a savage dance.

The Indians never fight in the field, or upon equal terms, but always sculk and attack by surprise, in small parties, meeting every night at a place of rendezvous. Scarce any enemy can escape them; for, by the disposition of the grass and leaves, they follow his track with great speed any where but over a rock. Their barbarity is shocking to human nature. Women and children they generally kill and scalp, because they would retard their progress, but the men they carry into captivity. If any woman has lost a relation, and inclines to receive the prisoner in his stead, he not only escapes a series of the most inhuman tortures, and death itself, but enjoys every immunity they can bestow, and is esteemed a member of the family into which he is adopted. To part with him would be the most ignominious conduct, and considered as selling the blood of the deceased; and, for this reason, it is not without the greatest difficulty that a captive is redeemed.

When the Indians incline to peace, a messenger is sent to the enemy with a pipe, the bowl of which is made of soft red marble; and a long reed, beautifully painted, and adorned with the gay plumage of birds, forms the stem. This is his infallible protection from any assault on the way. The envoy makes his proposals to the enemy, who, if they approve them, ratify the preliminaries to the peace, by smoking through the pipe, and, from that instant, a general cessation of arms takes place. The French call it a calumet. It is used, as far as can be learned, by all the Indian nations on the continent. The rights of it are esteemed sacred, and have been only invaded by the Flat Heads; in just indignation for which the confederates maintained a war with them for near thirty years.

As to the language of the five nations, the best account of it is contained in a letter from the Reverend Mr. Spencer, who resided amongst them in the year 1748, being then a missionary from the Scotch society for propagating christian knowledge. He writes thus:—

“Except the Tuscaroras, all the six nations speak a language radically the same. It is very masculine and sonorous, abounding with gutturals and strong aspirations, but without labials. Its solemn grave tone is owing to the generosity of its feet.

“The extraordinary length of Indian words, and the guttural aspirations necessary in pronouncing them, render the speech extremely rough and difficult. The verbs never change in their terminations, as in Latin, Greek, and Hebrew, but all their variations are prefixed. Besides the singular and plural, they have also the dual number. A strange transposition of syllables of different words is very common in the Indian tongue.

“The dialect of the Oneydas is softer than that of the other nations; and the reason is, because they have more vowels, and often supply the place of harsh letters with liquids; instead of R, they always use L: Rebecca would be pronounced Lequecca.”

The art of public speaking is in high esteem among the Indians, and much studied. They are extremely fond of method, and displeased with an irregular harangue, because it is difficult to be remembered. When they answer, they repeat the whole, reducing it into strict order. Their speeches are short, and the sense conveyed in strong metaphors. In conversation they are sprightly, but solemn and serious in their messages relating to pub-

lic affairs. Their speakers deliver themselves with surprising force, and great propriety of gesture. The fierceness of their countenances, the flowing blanket, elevated tone, naked arm, and erect stature, with a half circle of auditors seated on the ground and in the open air, cannot but impress upon the mind a lively idea of the ancient orators of Greece and Rome.

At the close of every important part of the speech, ratifying an old covenant or creating a new one, a belt is generally given, to perpetuate the remembrance of the transaction. These belts are about four inches wide, and thirty in length. They consist of strings of conque-shell beads fastened together. Those beads, which passed for money, were called by the Indians Wampum, and by the Dutch Sewant; six beads were formerly valued at a styver. There were always several poor families at Albany, who supported themselves by coining this cash for the traders.

With respect to religion, the Indians may be said to be under the thickest gloom of ignorance. If they have any, which is much to be questioned, those who affirm it, will find it difficult to tell us wherein it consists. They have neither priest nor temple, sacrifice nor altar. Some traces indeed appear of the original law written upon their hearts; but they have no system of doctrines, nor any rites and modes of public worship. They are sunk, unspeakably, beneath the polite pagans of antiquity. Some confused notions, indeed, of beings superior to themselves, they have; but of the Deity, and his natural and moral perfections, no proper or tolerable conceptions; and of his general and particular providence they know nothing. They profess no obligations to him, nor acknowledge their dependence upon him. Some of them, it is said, are of opinion that there are two distinct, powerful beings, one able to help, the other to do them harm. The latter they venerate most, and some allege, that they address him by a kind of prayer. Though there are no public monuments of idolatry to be seen in their country, yet the missionaries have discovered coarse imagery in wooden trinkets, in the hands of their jugglers, which the converts deliver up as detestable. The sight of them would remind an antiquary of the Lares and Penates of the ancients, but no certain judgment can be drawn of their use. The Indians sometimes assemble in large numbers, and retire far into the wilderness, where they eat and drink in a profuse manner. These conventions are called kenticoy. Some esteem them to be debauched revels, or bacchanalia; but those who have privately followed them into these recesses give such accounts of their conduct, as naturally lead one to imagine that they pay a joint homage and supplication to some invisible being. If we suppose they have a religion, it is worse than none, and raises most melancholy ideas of their depraved condition.

As to the history of the Five Nations before their acquaintance with the Europeans, it is involved in the darkness of antiquity. It is said that their first residence was in the country about Montreal; and that the superior strength of the Adirondacks, whom the French call Algonquins, drove them into their present possessions, lying on the south side of the Mohawks river, and the great lake Ontario. Towards the close of those disputes, which continued for a great series of years, the confederates gained advantages over the Adirondacks, and struck a general terror into all the other Indians. The Hurons on the north side of the lake Erie, and the Cat In

dians on the south side, were totally conquered and dispersed. The French, who settled Canada in 1603, took umbrage at their success, and began a war with them which had well nigh ruined the new colony. In autumn, 1665, M. Courcelles, the governor, sent out a party against the Mohawks. Through ignorance of the country, and the want of snow shoes, they were almost perished, when they fell in with Schenectady. And even there the Indians would have sacrificed them to their barbarous rage, had not Corlear, a Dutchman, interposed to protect them. For this seasonable hospitality, the French governor invited him to Canada, but he was unfortunately drowned in his passage through the lake Champlain. It is in honour of this man, who was a favourite of the Indians, that the governors of New York, in all their treaties, were addressed by the name of Corlear. Twenty light companies of foot, and the whole militia of Canada, marched the next spring into the country of the Mohawks; but their success was very unequal to the charge and labour of such a tedious march of 700 miles, through an uncultivated desert; for the Indians, on their approach, retired into the woods, leaving behind them some old sachems, who preferred death to life, to glut the fury of their enemies. The emptiness of this parade on the one hand, and the Indian fearfulness of fire-arms on the other, brought about a peace in 1667, which continued for several years after. In this interval both the English and French cultivated a trade with the natives very profitable to both nations. The latter, however, were most politic and vigorous, and filled the Indian country with their missionaries. The Sieur Perot, the very year in which the peace was concluded, travelled above 1200 miles westward, making proselytes of the Indians every where to the French interest. Courcelles appears to have been a man of art and industry. He took every measure in his power for the defence of Canada. To prevent the eruptions of the Five Nations by the way of lake Champlain, he built several forts in 1665, between that and the mouth of the river Sorel. In 1672, just before his return to France, under pretence of treating with the Indians more commodiously, but in reality, as Charlevoix expresses it, "to bridle them," he obtained their leave to erect a fort at Caderacqui, or lake Ontario, which Count Frontenac, his successor, completed the following spring, and called after his own name. The command of it was afterwards given to Mr De la Salle, who, in 1678, rebuilt it with stone. This enterprising person, the same year, launched a bark of ten tons into the lake Ontario, and another of sixty tons, the year after, into lake Erie, about which time he enclosed with pallisades a little spot at Niagara.

Though the Duke of York had preferred Colonel Thomas Dongan to the government of this province on the 30th of September, 1682, he did not arrive here till the 27th of August in the following year. He was a man of integrity, moderation, and polite manners, and though a professed papist, may be classed among the best of the governors.

The people, who had been formerly ruled at the will of the duke's deputies, began their first participation in the legislative power under Colonel Dongan, for shortly after his arrival, he issued orders to the sheriffs to summon the freeholders for choosing representatives, to meet him in assembly on the 17th of October, 1683. Nothing could be more agreeable to the people, who, whether Dutch or English, were born the subjects of a free state; nor indeed was the

change of less advantage to the duke than to the inhabitants. For such a general disgust had prevailed, and in particular in Long Island, against the old form which Colonel Nicolls had introduced, as threatened the total subversion of the public tranquillity. Colonel Dongan saw the disaffection of the people at the east end of the island, for he landed there on his first arrival in the country; and to extinguish the discontent, then impatient to burst out, gave them his promise, that no laws or rates for the future should be imposed but by a general assembly. Doubtless, this alteration was agreeable to the duke's orders, who had been strongly importuned for it, as well as acceptable to the people, for they sent him soon after an address, expressing the highest sense of gratitude for so beneficial a change in the government. It would have been impossible for him much longer to have maintained the old model over free subjects, who had just before formed themselves into a colony for the enjoyment of their liberties, and had even already solicited the protection of the colony of Connecticut, from whence the greatest part of them came. Disputes relating to the limits of certain townships at the east end of Long Island, sowed the seeds of enmity against Dongan so deeply in the hearts of many who were concerned in them, that their representation to Connecticut, at the revolution, contains the bitterest invectives against him.

Dongan surpassed all his predecessors in a due attention to affairs with the Indians, by whom he was highly esteemed. It must be remembered to his honour, that though he was ordered by the duke to encourage the French priests who were come to reside among the natives, under pretence of advancing the popish cause but in reality to gain them over to a French interest; yet he forbid the five nations to entertain them. The Jesuits, however, had no small success. Their proselytes were called praying Indians, or Caghnuaques, and resided afterwards in Canada, at the fall of St. Lewis, opposite to Montreal. This village was begun in 1671, and consisted of such of the five nations as had formerly been drawn away by the intrigues of the French priests, in the times of Lovelace and Andross, who seem to have paid no attention to the Indian affairs. It was owing to the instigation also of these priests, that the five nations about this time committed hostilities on the back parts of Maryland and Virginia, which occasioned a grand convention at Albany, in the year 1684. Lord Howard of Effingham, the governor of Virginia, was present, and made a covenant with them for preventing further depredations, towards the accomplishment of which, Colonel Dongan was very instrumental.

While Lord Howard was at Albany, a messenger from De la Barre, then governor of Canada, arrived, complaining of the Senneca Indians, for interrupting the French in their trade with the more distant Indians, commonly included among us by the general name of the Far Nations. Colonel Dongan, to whom the message was sent, communicated it to the Sennecas, who admitted the charge, but justified their conduct, alleging, that the French supplied arms and ammunition to the Twightwies, with whom they were then at war. De la Barre, at the same time, meditating nothing less than the total destruction of the five nations, proceeded with an army of 1700 men to the lake Ontario. Mighty preparations were made to obtain the desired success: fresh troops were imported from France, and a letter procured from the duke of York to Colonel Dongan

commanding him to lay no obstacles in the way. The officers posted in the out forts, even as far as Messilimakinae, were ordered to rendezvous at Niagara, with all the western Indians they could engage. Dongan, regardless of the duke's orders, apprised the Indians of the French designs, and promised to assist them. After six weeks delay at fort Frontenac, during which time a great sickness occasioned by bad provisions, broke out in the French army, De la Barre found it necessary to conclude the campaign with a treaty, for which purpose he crossed the lake, and came to the place which, from the distress of his army, was called La Famine. Dongan sent an interpreter among the Indians, by all means to prevent them from attending the treaty. The Mohawks and Sennecas accordingly refused to meet De la Barre, but the Oneydoes, Onondagas, and Cayugas, influenced by the missionaries, were unwilling to hear the interpreter, except before the priests, one La Main, and three other Frenchmen, and afterwards waited upon the French governor. Two days after their arrival in the camp, Monsieur De la Barre addressing himself to Garrangula, an Onondaga chief, made the following speech, the Indians and French officers at the same time forming a circle round about him.

"The king, my master, being informed that the five nations have often infringed the peace, has ordered me to come hither with a guard, and to send Ohguesse to the Onondagas, to bring the chief Sachems to my camp. The intention of the great king is, that you and I may smoke the calumet of peace together: but on this condition that you promise me, in the name of the Sennecas, Cayugas, Onondagas, and Mohawks, to give entire satisfaction and reparation to his subjects, and for the future never to molest them.

"The Sennecas, Cayugas, Onondagas, Oneydoes, and Mohawks, have robbed and abused all the traders that were passing to the Illinois and Miamas, and other Indian nations, the children of my king. They have acted, on these occasions, contrary to the treaty of peace with my predecessor. I am ordered, therefore, to demand satisfaction, and to tell them that, in case of refusal, or their plundering us any more, I have express orders to declare war. This belt confirms my words. The warriors of the five nations have conducted the English into the lakes which belong to the king, my master, and brought the English among the nations that are his children, to destroy the trade of his subjects, and to withdraw these nations from him. They have carried the English thither, notwithstanding the prohibition of the late governor of New York, who foresaw the risk that both they and you would run. I am willing to forget those things, but if ever the like shall happen for the future, I have express orders to declare war against you. This belt confirms my words. Your warriors have made several barbarous incursions on the Illinois and Unameis; they have massacred men, women, and children, and have made many of these nations prisoners, who thought themselves safe in their villages in time of peace; these people, who are my king's children, must not be your slaves; you must give them their liberty, and send them back into their own country. If the five nations shall refuse to do this, I have express orders to declare war against them. This belt confirms my words.

"This is what I have to say to Garrangula, that he may carry to the Sennecas, Onondagas, Oneydoes, Cayugas, and Mohawks, the declaration which the

king, my master, has commanded me to make. He doth not wish them to force him to send a great army to Cadarackui fort, to begin a war which must be fatal to them. He would be sorry that this fort, that was the work of peace, should become the prison of your warriors. We must endeavour, on both sides, to prevent such misfortunes. The French, who are the brethren and friends of the five nations, will never trouble their repose, provided that the satisfaction which I demand, be given; and that the treaties of peace be hereafter observed. I shall be extremely grieved, if my words do not produce the effect which I expect from them; for then I shall be obliged to join with the governor of New York, who is commanded by his master to assist me, and burn the castles of the five nations, and destroy you. This belt confirms my words."

Garrangula heard these threats with contempt, because he had learnt the distressed state of the French army, and knew that they were incapable of executing the designs with which they set out; and therefore, after walking five or six times round the circle, he answered the French governor, who sat in an elbow chair, in the following strain:

"Yonnondio,—I honour you, and the warriors that are with me likewise honour you. Your interpreter has finished your speech; I now begin mine. My words make haste to reach your ears; hearken to them.

"Yonnondio, you must have believed, when you left Quebec, that the sun had burnt up all the forests, which render our country inaccessible to the French, or that the lakes had so far overflowed the banks, that they had surrounded our castles, and that it was impossible for us to get out of them. Yes, Yonnondio, surely you must have dreamt so, and the curiosity of seeing so great a wonder has brought you so far. Now you are undeceived, since I and the warriors here present, are come to assure you, that the Sennecas, Cayugas, Onondagas, Oneydoes, and Mohawks, are yet alive. I thank you, in their name, for bringing back into their country the calumet which your predecessor received from their hands. It was happy for you, that you left underground that murdering hatchet that has been so often died in the blood of the French. Hear, Yonnondio, I do not sleep, I have my eyes open, and the sun which enlightens me discovers to me a great captain at the head of a company of soldiers, who speaks as if he were dreaming. He says, that he only came to the lake to smoke on the great calumet with the Onondagas. But Garrangula says, that he sees the contrary, that it was to knock them on the head, if sickness had not weakened the arms of the French.

"I see Yonnondio raving in a camp of sick men, whose lives the great spirit has saved, by inflicting this sickness on them. Hear, Yonnondio! our women had taken their clubs, our children and old men had carried their bows and arrows into the heart of your camp, if our warriors had not disarmed them and kept them back, when your messenger, Ohguesse, came to our castles. It is done, and I have said it. Hear, Yonnondio! we plundered none of the French, but those that carried guns, powder, and ball to the Twightwies and Chictagbicks, because those arms might have cost us our lives. Herein we follow the example of the Jesuits, who stave all the kegs of rum brought to our castles, lest the drunken Indians should knock them on the head. Our warriors have not beaver enough to pay for all these arms that they have taken, and our old men

are not afraid of the war. This belt preserves my words.

"We carried the English into our lakes, to trade there with the Utawawas and Quatoghies, as the Adirondacks brought the French to our castles, to carry on a trade, which the English say is theirs. We are born free; we neither depend on Yonnon-dio nor Corlear.

"We may go where we please, and carry with us whom we please, and buy and sell what we please: if your allies be your slaves, use them as such, command them to receive no other but your people. This belt preserves my words.

"We knocked the Twightwies and Chictaghicks on the head, because they had cut down the trees of peace, which were the limits of our country. They have hunted beavers on our lands: they have acted contrary to the customs of all Indians, for they left none of the beavers alive, they killed both male and female. They brought the Satanas into the country, to take part with them, after they had concerted ill designs against us. We have done less than either the English or French, that have usurped the lands of so many Indian nations, and chased them from their own country. This belt preserves my words.

"Hear, Yonnondio, what I say is the voice of all the five nations—hear what they answer—open your ears to what they speak. The Sennecas, Cayugas, Onondagas, Oneydoes, and Mohawks say, that when they buried the hatchet at Cadarackui (in the presence of your predecessor) in the middle of the fort; they planted the tree of peace in the same place, to be there carefully preserved, that, in place of a retreat for soldiers, that port might be a rendezvous for merchants: that in place of arms and ammunition of war, beavers and merchandize should only enter there.

"Hear, Yonnondio, take care for the future, that so great a number of soldiers as appear there do not choke the tree of peace planted in so small a fort. It will be a great loss if, after it had so easily taken root, you should stop its growth, and prevent its covering your country and ours with its branches. I assure you, in the name of the five nations, that our warriors shall dance to the calumet of peace under its leaves, and shall remain quiet on their mats, and shall never dig up the hatchet, till their brother Yonnondio or Corlear shall, either jointly or separately, endeavour to attack the country which the great spirit has given to our ancestors. This belt preserves my words, and this other, the authority which the five nations have given me."

Then Garrangula, addressing himself to Monsieur La Main, said "Take courage Ohguesse, you have spirit, speak, explain my words, forget nothing, tell all that your brethren and friends say to Yonnondio your governor, by the mouth of Garrangula, who loves you, and desires you to accept of this present of beaver, and take part with me in my feast, to which I invite you. This present of beaver is sent to Yonnondio, on the part of the five nations."

Enraged at this bold reply De la Barre, as soon as the peace was concluded, retired to Montreal, and ingloriously finished an expensive campaign, as Dr. Colden observes, in a scold with an old Indian.

De la Barre was succeeded by the Marquis de Nonville, colonel of the dragoons, who arrived with a reinforcement of troops in 1685. The marquis was a man of courage, and an enterprising spirit, and not a little animated by the consideration, that he was sent over to repair the disgrace which his

predecessor had brought upon the French colony. The year after his arrival at Quebec, he wrote a letter to the minister in France, recommending the scheme of erecting a stone fort, sufficient to contain four or five hundred men, at Niagara, not only to exclude the English from the lakes, but to command the fur trade, and subdue the five nations. Donagan, who was jealous of his designs, took umbrage at the extraordinary supplies sent to fort Frontenac, and wrote to the French governor, signifying that, if he attacked the confederates, he would consider it as a breach of the peace subsisting between the two crowns; and to prevent his building a fort at Niagara, he protested against it, and claimed the country as dependent upon the province. De Nonville, in his answer, denied that he intended to invade the five nations, though the necessary preparations for that purpose were then carrying on, and yet Charlevoix commends him for his piety and uprightness. Colonel Dongan, who knew the importance of the Indian alliance, placed no confidence in the declarations of the marquis, but exerted himself in preparing the confederates for the war; and the French author just mentioned does him honour, while he complains of him as a perpetual obstacle in the way of the execution of their schemes.

De Nonville, to prevent the interruption of the French trade with the Twightwies, determined to divert the five nations, and carry the war into their country. To that end, in 1687, he collected 2,000 troops, and 600 Indians, at Montreal, and issued orders to all the officers in the more westerly country to meet him with additional succours at Niagara, on an expedition against the Sennecas. An English party, under one M'Gregory, at the same time was gone out to trade on the lakes, but the French, notwithstanding the peace then subsisting between the two crowns, intercepted them; seized their effects, and imprisoned their persons. Monsieur Fonti, commandant among the Chictaghicks, who was coming to the general's rendezvous at Niagara, did the like to another English party, which he met with in lake Erie—both which attacks were open infractions of the treaty at Whitehall, executed in November, 1686; by which it was agreed, that the Indian trade in America should be free to the English and French. The five nations, in the mean time, were preparing to give the French army a suitable reception. Monsieur Companie, with two or three hundred Canadians in an advanced party, surprised two villages of the confederates, who, at the invitation, and on the faith of the French, seated themselves down about eight leagues from lake Fadarackui or Ontario. To prevent their escape with intelligence to their countrymen, they were carried to the fort, and all but thirteen died in torments at the stake, singing, with an heroic spirit, in their expiring moments, the perfidy of the French. The rest, according to the express orders of the French king, were sent to the galleys in Europe. The marquis having embarked his whole army in canoes, set out from the fort at Cadurackui on the 23d of June, one half of them passing along the north, and the other on the south side the lake; and both arrived the same day at Tyronpequait, and shortly after set out on their march towards the chief village of the Sennecas, at about seven leagues distance. The main body was composed of the regulars and militia, the front and rear of the Indians and traders. The scouts advanced the second day on their march as far as the corn of the village, and within pistol-shot of 500 Sennecas, who lay upon their bellies, undiscovered.

The French, who imagined the enemy were all fled, quickened their march, to overtake the women and old men. But no sooner had they reached the foot of a hill, about a mile from the villages, than the Senneccas raised the war shout, and in the same instant charged upon the whole army both in the front and rear. Universal confusion ensued. The battalions divided, fired upon each other, and fled into the wood. The Senneccas improved the disorder of the enemy, till they were repulsed by the French Indians. According to Charlevoix's account, which may be justly suspected, the enemy lost but six men, and had twenty wounded in the conflict. Of the Senneccas, he says, sixty were wounded, and forty-five slain. The marquis was so much dispirited, that he could not be persuaded to pursue the enemy that day; which gave the Senneccas an opportunity to burn their village, and get off. Two old men remained in the castle to receive the general, and regale the barbarity of his Indian allies. After destroying the corn in this and several other villages, the army retired to the banks of the lake, and erected a fort with four bastions on the south-east side of the straits at Niagara, in which they left one hundred men under the command of Le Chevalier de la Troye, with eight months provisions; but these being chiefly blocked up, all, except seven or eight of them, who were accidentally relieved, perished through famine. Soon after this expedition Colonel Dongan met the five nations at Albany. To what intent, appears from the speech he made to them on the 5th of August, which is quoted, in order to shew his vigilance and zeal for the province committed to his care, and a sample of the mode of conducting business.

"Brethren,—I am very glad to see you here in this house, and am heartily glad that you have sustained no greater loss by the French, though I believe it was their intention to destroy you all, if they could have surprised you in your castles.

"As soon as I heard their design to war with you, I gave you notice, and came up hither myself, that I might be ready to give all the assistance and advice that so short a time would allow me.

"I am now about sending a gentleman to England to the king, my master, to let him know that the French have invaded his territories on this side of the great lake, and warred upon the brethren, his subjects. I therefore would willingly know, whether the brethren have given the governor of Canada any provocation or not; and if they have, how, and in what manner; because I am obliged to give a true account of this matter. This business may cause a war between the king of England, and the French king, both in Europe and here, and therefore I must know the truth.

"I know the governor of Canada dare not enter into the king of England's territories in a hostile manner, without provocation, if he thought the brethren were the king of England's subjects; but you have, two or three years ago, made a covenant chain with the French, contrary to my command, (which I knew could not hold long), being void of itself among the christians; for as much as subjects (as you are) ought not to treat with any foreign nation, it not lying in your power. You have brought this trouble on yourselves, and, as I believe, this is the only reason of their falling on you at this time.

"Brethren, I took it very ill, that after you had put yourselves into the number of the great king of England's subjects, you should ever offer to make peace or war, without my consent. You know that

we can live without you, but you cannot live without us; you never found that I told you a lie, and I offered you the assistance you wanted, provided that you would be advised by me; for I know the French better than any of you do.

"Now since there is a war begun upon you by the governor of Canada; I hope without any provocation by you given; I desire and command you, that you hearken to no treaty but by my advice; which if you follow you shall have the benefit of the great chain of friendship between the great king of England and the king of France, which came out of England the other day, and which I have sent to Canada by Anthony le Junard: in the meantime I will give you such advice as will be for your good; and will supply you with such necessaries as you will have need of.

"First. My advice is, as to what prisoners of the French you shall take, that you draw not their blood, but bring them home, and keep them to exchange for your people, which they have prisoners already, or may take hereafter.

"Secondly. That if it be possible that you can order it so, I would have you take one or two of your wisest sachems, and one or two of your chief captains, of each nation, to be a council to manage all affairs of the war. They to give orders to the rest of the officers what they are to do, that your designs may be kept private; for after it comes among so many people, it is blazed abroad, and your designs are often frustrated; and those chief men should keep a correspondence with me by a trusty messenger.

"Thirdly. The great matter under consideration with the brethren is, how to strengthen themselves, and weaken the enemy. My opinion is, that the brethren should send messengers to the Utawawas, Twichtwies, and the further Indians, and to send back likewise some of the prisoners of these nations, if you have any left, to bury the hatchet, and to make a covenant chain, that they may put away all the French that are among them, and that you will open a path for them this way, (they being the king of England's subjects likewise, though the French have been admitted to trade with them; for all that the French have in Canada, they had it of the great king of England), that, by that means, they may come hither freely, where they may have every thing cheaper than among the French: that you and they may join together against the French, and make so firm a league, that whoever is an enemy to one, must be to both.

"Fourthly. Another thing of concern is, that you ought to do what you can to open a path for all the north Indians and Mahikanders that are among the Utawawas and further nations. I will endeavour to do the same to bring them home; for, they not daring to return home your way, the French keep them there on purpose to join with the other nations against you, for your destruction; for you know, that one of them is worse than six of the others; therefore, all means must be used to bring them home, and use them kindly as they pass through your country.

"Fifthly. My advice further is, that messengers go in behalf of all the five nations, to the christian Indians at Canada, to persuade them to come home to their native country. This will be another great means to weaken your enemy; but if they will not be advised, you know what to do with them.

"Sixthly. I think it very necessary for the brethren's security and assistance, and to the en-

damaging the French, to build a fort upon the lake, where I may keep stores and provisions in case of necessity; and therefore I would have the brethren let me know what place will be most convenient for it.

"Seventhly. I would not have the brethren keep their corn in their castles, as I hear the Onondagas do, but bury it a great way in the woods, where few people may know where it is, for fear of such an accident as happened to the Senneecas.

"Eighthly. I have given my advice in your general assembly, by Mr. Dirk Wessels and Akus, the interpreter, how you are to manage your parties, and how necessary it is to get prisoners, to exchange for your own men that are prisoners with the French, and I am glad to hear that the brethren are so united as Mr. Dirk Wessels tells me you are, and that there was no rotten members nor French spies among you.

"Ninthly. The brethren may remember my advice which I sent you this spring, not to go to Cadarackui; if you had, they would have served you, as they did your people that came from hunting thither, for I told you that I knew the French better than you did.

"Tenthly. There was no advice or proposition that I made to the brethren all the time that the priest lived at Onondaga, but what he wrote to Canada, as I found by one of his letters, which he gave to an Indian to carry to Canada, but which was brought hither; therefore, I desire the brethren not to receive him, or any French priest any more, having sent for English priests, with whom you may be supplied to your content.

"Eleventhly. I would have the brethren look out sharp, for fear of being surprised. I believe all the strength of the French will be at their frontier places, viz. at Cadarackui and Oniagara, where they have built a fort now, and at Trois Rivières, Montreal, and Chambly.

"Twelfthly. Let me put you in mind again, not to make any treaties without my means, which will be more advantageous for you, than your doing it by yourselves, for then you will be looked upon as the king of England's subjects, and let me know, from time to time, every thing that is done.

"Thus far I have spoken to you relating to the war."

Not long after this interview, a considerable party of Mohawks and Mahikanders, or river Indians, beset fort Chambly, burnt several houses, and returned with many captives to Albany. Forty Onondagas, about the same time, surprised a few soldiers near fort Frontenac, whom they confined instead of the Indians sent home to the galleys, notwithstanding the utmost address was used to regain them, by Lamberville, a French priest, who delivered them two belts, to engage their kindness to the prisoners, and prevent their joining the quarrel with the Senneecas. The belts being sent to Colonel Dongan, he wrote to De Nonville, to demand the reason of their being delivered. Pere le Vaillant was sent about the beginning of the year 1688, under colour of bringing an answer, but in reality as a spy. Col. Dongan told him, that no peace could be made with the five nations, unless the Indians sent to the galleys, and the Caghnuaga proselytes, were returned to their respective cantons, the forts at Niagara and Frontenac razed, and the Senneecas had satisfaction made them for the damage they had sustained. The Jesuit, in his return, was ordered not to visit the Mohawks.

Dongan, who was fully sensible of the importance

of the Indian interest to the English colonies, was for compelling the French to apply to him in all their affairs with the five nations; while they, on the other hand, were for treating with them independent of the English. For this reason, among others, he refused them the assistance they frequently required, till they acknowledged the dependence of the confederates on the English crown. King James, a bigotted, popish, priest-ridden prince, ordered his governor to give up this point, and to persuade the five nations to send messengers to Canada, to receive proposals of peace from the French. For this purpose, a cessation of arms and mutual redelivery of prisoners was agreed upon. Near 1200 of the confederates attended this negotiation at Montreal, and in their speech to De Nonville, insisted with great resolution upon the terms proposed by Colonel Dongan to Father le Vaillant. The French governor declared his willingness to put an end to the war, if all his allies might be included in the treaty of peace, if the Mohawks and Senneecas would send deputies to signify their concurrence, and the French might supply fort Frontenac with provisions. The confederates, according to the French accounts, acceded to these conditions, and the treaty was ratified in the field. But a new rupture not long after ensued, from a cause entirely unsuspected. The Dinondadies had been inclined to trade with the English at Missilimakinac, and their alliance was therefore become suspected by the French. Adario, their chief, thought to regain the ancient confidence, which had been reposed in his countrymen, by a notable action against the five nations; and for that purpose put himself at the head of 100 men: nothing was more disagreeable to him, than the prospect of peace between the French and the confederates; for that event would not only render the amity of the Dinondadies useless, but give the French an opportunity of resenting their late favourable conduct towards the English. Impressed with these sentiments, out of affection to his country, he intercepted the ambassadors of the five nations, at one of the falls in Cadarackui river, killed some and took others prisoners, telling them that the French governor had informed him, that fifty warriors of the five nations were coming that way. As the Dinondadies and confederates were then at war, the ambassadors were astonished at the perfidy of the French governor, and could not help communicating the design of their journey. Adario, in prosecution of his crafty scheme, counterfeited the utmost distress, anger, and shame, on being made the ignominious tool of De Nonville's treachery, and addressing himself to Dekanesora, the principal ambassador, said to him, "Go, my brethren, I untie your bonds, and send you home again, though our nations be at war. The French governor has made me commit so black an action, that I shall never be easy after it, till the five nations shall have taken full revenge." This outrage and indignity upon the rights of ambassadors, the truth of which they did not in the least doubt, animated the confederates to the keenest thirst after revenge; and accordingly 1200 of their men, on the 26th of July, 1688, landed on the south side of the island of Montreal, while the French were in perfect security; burnt their houses, sacked their plantations, and put to the sword all the men, women, and children, without the skirts of the town. A thousand French were slain in this invasion, and twenty-six carried into captivity and burnt alive. Many more were made prisoners in another attack in October, and the lower

part of the island wholly destroyed. Only three of the confederates were lost, in all this scene of misery and desolation.

The foregoing account is from Dr. Colden, who differs from Charlevoix, who says, that the invasion was late in August, and the Indians 1500 strong; and the loss of the French only 200.

The news of this attack on Montreal no sooner reached the garrison at the lake Ontario, than they set fire to the two barks which they had built there, and abandoned the fort, leaving a match to 28 barrels of powder, designed to blow up the works. The soldiers went down the river in such precipitation, that one of the battoes and her crew were all lost in shooting a fall. The confederates in the mean time seized the fort, the powder, and the stores; and of all the French allies, who were very numerous, only the Nepicirians and Kikabous adhered to them in their calamities. The Utawawas and seven other nations instantly made peace with the English; and but for the uncommon sagacity and address of the *Sieur Perot*, the western Indians would have murdered every Frenchman amongst them. Nor did the distresses of the Canadians end here. Numerous scouts from the five nations continually infested their borders. The frequent depredations that were made, prevented them from the cultivation of their fields, and a distressing famine raged through the whole country. Nothing but the ignorance of the Indians, in the art of attacking fortified places, saved Canada from being now utterly cut off. It was therefore unspeakably fortunate to the French, that the Indians had no assistance from the English, and as unfortunate to us, that our colonies were then incapable of affording succours to the confederates, through the malignant influence of those execrable measures, which were pursued under the infamous reign of king James the Second. Colonel Dongan, whatever his conduct might have been in civil affairs, did all that he could in those relating to the Indians, and fell at last into the king's displeasure, through his zeal for the true interest of the province.

While these things were transacting in Canada, a scene of the greatest importance was opening at New York. A general disaffection to the government prevailed among the people. Papists began to settle in the colony under the smiles of the governor. The collector of the revenues, and several principal officers, threw off the mask, and openly avowed their attachment to the doctrines of Rome. A Latin school was set up, and the teacher strongly suspected for a Jesuit. The people of Long Island, who were disappointed in their expectation of the favours promised by the governor on his arrival, were become his personal enemies; and in a word, the whole body of the people trembled for the protestant cause. Here the leaven of opposition first began to work. Their intelligence from England, of the designs there in favour of the prince of Orange, elevated the hopes of the disaffected. But no man dared to act, till after the rupture in Boston. Sir Edmond Andross, who was perfectly devoted to the arbitrary measures of king James, by his tyranny in New England had drawn upon himself the universal odium of a people animated with the love of liberty, and in the defence of it resolute and courageous; and therefore, when they could no longer endure his despotic rule, they seized and imprisoned him, and afterwards sent him to England. The government, in the mean time, was vested in the hands of a committee for the safety of the people, of

which Mr. Bradstreet was chosen president. Upon the news of this event, several captains of the New York militia convened themselves to concert measures in favour of the prince of Orange. Amongst these, Jacob Leisler was the most active; a man in tolerable esteem among the people, and of a moderate fortune, but destitute of every qualification necessary for the enterprise. Milborne, his son-in-law, an Englishman, directed all his councils, while Leisler as absolutely influenced the other officers.

The first thing they contrived, was to seize the garrison in New York; and the custom, at that time, of guarding it every night by the militia, gave Leisler a fine opportunity of executing the design. He entered it with forty-nine men, and determined to hold it till the whole militia should join him. Col. Dongan, who was about to leave the province, then lay embarked in the bay, having a little before resigned the government to Francis Nicholson, the lieutenant-governor. The council, civil officers, and magistrates of the city were against Leisler, and therefore many of his friends were at first fearful of openly espousing a cause disapproved by the gentlemen of figure. For this reason, Leisler's first declaration in favour of the prince of Orange was subscribed only by a few among several companies of the trained bands. While the people, for four days successively, were in the utmost perplexity to determine what part to choose, being solicited by Leisler on the one hand, and threatened by the lieutenant-governor on the other, the town was alarmed with a report, that three ships were coming up, with orders from the prince of Orange. This falsehood was very seasonably propagated to serve the interest of Leisler; for on that day, the 3d of June, 1689, his party was augmented by the addition of six captains and 400 men in New York, and a company of 70 men from East Chester, who all subscribed a second declaration, mutually covenanting to hold the fort for that prince. Colonel Dongan continued till this time in the harbour, waiting the issue of these commotions; and Nicholson's party being now unable to contend with their opponents, were totally dispersed, the lieutenant-governor himself absconding the very night after the last declaration was signed.

Leisler being now in complete possession of the fort, sent home an address to King William and Queen Mary, as soon as he received the news of their accession to the throne. It is a tedious, incorrect, ill-drawn narrative of the grievances which the people had endured, and the methods lately taken to secure themselves, ending with a recognition of the King and Queen over the whole English dominions.

This address was soon followed by a private letter from Leisler to King William, which, in very broken English, informs his majesty of the state of the garrison, the repairs he had made to it, and the temper of the people, and concludes with strong protestations of his sincerity, loyalty, and zeal. Jost Stoll, an ensign, on the delivery of this letter to the king, had the honour to kiss his majesty's hand, but Nicholson the lieutenant-governor, and one Ennis, an episcopal clergyman, arrived in England before him; and by falsely representing the late measures in New York, as proceeding rather from their aversion to the church of England, than zeal for the prince of Orange, Leisler and his party were deprived of the rewards and notice which their activity for the revolution justly deserved. For though the king made Stoll the bearer of his thanks to the people for their fidelity, he so little regarded Leisler's com-

plaints against Nicholson, that he was soon after preferred to the government of Virginia. Dongan returned to Ireland, and succeeded to the earldom of Limerick.

Leisler's sudden investiture with supreme power over the province, and the probable prospects of King William's approbation of his conduct, could not but excite the envy and jealousy of the late council and magistrates, who had refused to join in aiding the revolution; and hence the spring of all their aversion both to the man and his measures. Colonel Bayard, and Courtland the mayor of the city, were at the head of his opponents, and finding it impossible to raise a party against him in the city, they very early retired to Albany, and there endeavoured to foment the opposition. Leisler, on the other hand, fearful of their influence, and to extinguish the jealousy of the people, thought it prudent to admit several trusty persons to a participation of that power which the militia on the 1st of July had committed solely to himself. In conjunction with these, (who, after the Boston example, were called the committee of safety) he exercised the government, assuming to himself only the honour of being president in their councils. This model continued till the month of December, when a packet arrived with a letter from the Lords Carmarthen, Halifax, and others, directed "To Francis Nicholson, Esq.; or in his absence, to such as for the time being take care for preserving the peace and administering the laws, in their majesty's province of New York, in America." This letter was dated the 29th of July, and was accompanied with another from Lord Nottingham, dated the next day, which empowered Nicholson to take upon him the chief command, and to appoint for his assistance as many of the principal freeholders and inhabitants as he should think fit, requiring him also "to do every thing appertaining to the office of lieutenant-governor, according to the laws and customs of New York until further orders."

Nicholson having absconded before this packet came to hand, Leisler considered the letter as directed to himself, and from this time issued all kinds of commissions in his own name, assuming the title as well as authority of lieutenant-governor. On the 11th of December, he summoned the committee of safety, and, agreeably to their advice, swore the following persons for his council. Peter de Lanoy, Samuel Staats, Hendrick Jansen, and Johannes Vermilie, for New York; Gerardus Beekman, for King's County; Samuel Edsel, for Queen's County; Thomas Williams, for West Chester; and William Lawrence, for Orange County.

Except the eastern inhabitants of Long Island, all the southern part of the colony cheerfully submitted to Leisler's command. The principal freeholders, however, by respectful letters, gave him hopes of their submission, and thereby prevented his betaking himself to arms, while they were privately soliciting the colony of Connecticut to take them under its jurisdiction. They had indeed no aversion to Leisler's authority in favour of any other party in the province, but were willing to be incorporated with a people, from whence they had originally colonized; and therefore as soon as Connecticut declined their request, they openly appeared to be advocates for Leisler. At this juncture the Long Island representation was drawn up.

The people of Albany, in the meantime, were determined to hold the garrison and city for king William, independent of Leisler, and on the 26th of October, which was before the packet arrived

from Lord Nottingham, formed themselves into a convention for that purpose. As Leisler's attempt to reduce this country to his command, was the original cause of the future divisions in the province, and in the end brought about his own ruin, it may not be improper to give the resolution of the convention at large, a copy of which was sent down to him.

"Peter Schuyler, mayor, Dirk Wessels, recorder, Jan Wendal, Jan Jansen Bleeker, Claes Ripse, David Schuyler, Albert Ryckman, aldermen. Killian V. Renslaer, justice, Captain Marte Gerritse, justice, Captain Gerrit Teunisse, Dirk Teunisse, justices, Lieutenant Robert Saunders, John Cuyler, Gerrit Ryerse, Evert Banker, Rynier Barentse.

"Resolved.—Since we are informed, by persons coming from New York, that Captain Jacob Leisler is designed to send up a company of armed men, upon pretence to assist us in this country, who intend to make themselves master of their majesties fort and this city, and carry divers persons and chief officers of this city prisoners to New York, and so disquiet and disturb their majesties liege people; that a letter be written to Alderman Levinus Van Schaie, now at New York, and Lieutenant Jochim Staats, to make narrow enquiry of the business, and to signify to the said Leisler, that we have received such information; and withal acquaint him, that notwithstanding we have the assistance of ninety-five men from our neighbours of New England, who are now gone for, and 100 men upon occasion, to command, from the county of Ulster, which we think will be sufficient this winter, yet we will willingly accept any such assistance as they shall be pleased to send for the defence of their majesties county of Albany; provided they be obedient to, and obey such orders and commands as they shall from time to time receive from the convention; and that by no means they will be admitted to have the command of their majesties fort or this city; which we intend, by God's assistance, to keep and preserve for the behoof of their majesties, William and Mary, king and queen of England, as we hitherto have done since their proclamation; and if you hear that they persevere with such intentions, so to disturb the inhabitants of this county, that you then, in the name and behalf of the convention and inhabitants of the city and county of Albany, protest against the said Leisler, and all such persons that shall make attempt for all losses, damages, blood-shed, or whatsoever mischiefs may ensue thereon; which you are to communicate with all speed, as you perceive their design."

Taking it for granted, that Leisler at New York, and the convention at Albany, were equally affected to the revolution, nothing could be more egregiously foolish, than the conduct of both parties, who, by their intestine divisions, threw the province into convulsions, and sowed the seeds of mutual hatred and animosity, which, for a long time after, greatly embarrassed the public affairs of the colony. When Albany declared for the Prince of Orange, there was nothing else that Leisler could properly require: and rather than sacrifice the public peace of the province to the trifling honour of resisting a man who had no evil designs, Albany ought in prudence to have delivered the garrison into his hands, till the king's definite orders should arrive. But while Leisler, on the one hand, was inebriated with his new-gotten power, so on the other, Bayard, Courtland, Schuyler, and others, could not brook a submission to the authority of a man, mean in his abilities, and inferior in his degree. Animated by

these principles, both parties prepared, the one to reduce, the other to retain, the garrison of Albany. Mr. Livingston, a principal agent for the convention, retired into Connecticut, to solicit the aid of that colony, for the protection of the frontiers against the French. Leisler, suspecting that they were to be used against him, endeavoured not only to prevent these supplies, but wrote letters, to have Livingston apprehended, as an enemy to the reigning powers, and to procure succours from Boston, falsely representing the convention as in the interest of the French and king James.

Jacob Milborne was commissioned for the reduction of Albany. Upon his arrival there, a great number of the inhabitants armed themselves, and repaired to the fort, then commanded by Mr. Schuyler, while many others followed the other members of the convention to a conference with him at the city hall. Milborne, to gain over the crowd, declared much against king James, popery, and arbitrary power; but his oratory was lost upon the hearers, who, after several meetings, still adhered to the convention. Milborne then advanced with a few men up to the fort, and Mr. Schuyler had the utmost difficulty to prevent both his own men, and the Mohawks, who were then in Albany, and perfectly devoted to his service, from firing upon Milborne's party, which consisted of an inconsiderable number. In these circumstances, he thought proper to retreat, and soon after departed from Albany. In the spring, he commanded another party upon the same errand, and the distress of the country on an Indian irruption, gave him all the desired success. No sooner was he possessed of the garrison, than most of the principal members of the convention absconded. Upon which, their effects were arbitrarily seized and confiscated, which so highly exasperated the sufferers, that their posterity for a long time vented the bitterest invectives against Leisler and his adherents.

In the midst of those intestine confusions at New York, the people of New England were engaged in a war with the Owenagungas, Ourages, and Penocooks. Between these and the Schakook Indians there was then a friendly communication, and the same was suspected of the Mohawks, among whom some of the Owenagungas had taken sanctuary. This gave rise to a conference between several commissioners from Boston, Plymouth, and Connecticut, and the five nations, at Albany, in September, 1689, the former endeavouring to engage the latter against those eastern Indians who were then at war with the New England colonies. Tahajadoris, a Mohawk sachem, in a long oration, answered the English message, and, however improbable it may seem to Europeans, repeated all that had been said the preceding day. The art they have in assisting their memories is this. The sachem who presides has a bundle of sticks prepared for the purpose, and at the close of every principal article of the message delivered to them, gives a stick to another sachem, charging him with the remembrance of it. By this means the orator, after a previous conference with the Indians, is prepared to repeat every part of the message, and give it its proper reply. This custom is invariably pursued in all their public treaties.

The conference did not answer the expectation of the people of New England, the five nations discovering a great disinclination to join in the hostilities against the eastern Indians. To atone for which, they gave the highest protestations of their willingness to distress the French, against whom the Eng-

lish had declared war, on 7th of May preceding. That part of the speech, ratifying their friendship with the English colonies, is singularly expressed. "We promise to preserve the chain inviolably, and wish that the sun may always shine in peace over all our heads that are comprehended in this chain. We give two belts. One for the sun and the other for its beams. We make fast the roots of the tree of peace and tranquillity, which is planted in this place. Its roots extend as far as the utmost of your colonies: if the French should come to shake this tree, we would feel it by the motion of its roots, which extend into our country. But we trust it will not be in the governor of Canada's power to shake this tree, which has been so firmly and long planted with us." The Indian conception of the league is couched under the idea of a chain extended from a ship to a tree, and every renewal of this league they call brightening the chain.

Nothing could have been more advantageous to the colonies, and especially to New York, than the success of the five nations against Canada. The miseries to which the French were reduced rendered them secure against their inroads, till the work of the revolution was in a great measure accomplished; and to their distressed condition we must principally ascribe the defeat of the French design of conquering the province. De Calliers, who went to France in 1668, first projected the scheme, and the troubles in England encouraged the French court to make the attempt. Caffeiniere commanded the ships, which sailed for that purpose from Rochfort; subject, nevertheless, to the Count de Frontenac, who was general of the land forces, destined to march from Canada by the route of Sorel river and the lake Champlain. The fleet and troops arrived at Chebucta, the place of rendezvous, in September; from whence the count proceeded to Quebec, leaving orders with Caffeiniere to sail for New York, and continue in the bay in sight of the city, but beyond the fire of the cannon, till the 1st of December, when, if he received no intelligence from him, he was ordered to return to France, after unlading the ammunition, stores, and provisions at Port-Royal, now Annapolis. The count was in high spirits, and fully determined upon the enterprise, till he arrived at Quebec; where the news of the success of the five nations against Montreal, the loss of his favourite fort at lake Ontario, and the advanced season of the year, defeated his aims, and broke up the expedition. De Nonville, who was recalled, carried the news of this disappointment to the court of France, leaving the chief command of the country in the hands of Count Frontenac. This gentleman was a man of courage, and well acquainted with the affairs of that country. He was then in the 68th year of his age, and yet so far from consulting his ease, that in a few days after he landed at Quebec, he re-embarked in a canoe for Montreal, where his presence was absolutely necessary, to animate the inhabitants and re-gain their Indian alliances. A war between the English and French crowns having broken out, the count betook himself to every art for concluding a peace between Canada and the five nations; and for this purpose, the utmost civilities were shewn to Taweraket by the other Indians, who had been sent to France by De Nonville, and were now returned. Three of those Indians, who doubtless were struck with the grandeur and glory of the French monarch, were properly sent on the important message of conciliating the friendship of the five nations. These, agreeably to their alliance with New York, sent two

sachems to Albany in December, with a notice that a council for that purpose was to be held at Onondaga. It is a just reflection upon the people of Albany, that they regarded the treaty so slightly, as only to send four Indians and the interpreter with instructions, in their name, to dissuade the confederates from a cessation of arms; while the French, on the other hand, had then a Jesuit among the Oneydoes. The council began on the 22d of January 1690, and consisted of eighty sachems. Sadekanaghtie, an Onondaga chief, opened the conference. The whole was managed with great art and formality, and concluded in shewing a disposition to make peace with the French, without perfecting it; guarding, at the same time, against the least umbrage to the English.

Among other measures to detach the five nations from the British interest, and raise the depressed spirit of the Canadians, the Count de Frontenac thought proper to send out several parties against the English colonies. D'Aillebout, De Mantel and Le Moynes commanded that against New York, consisting of about 200 French and some Caghuuaga Indians, who being proselytes from the Mohawks, were perfectly acquainted with that country. Their orders were, in general, to attack New York; but pursuing the advice of the Indians, they resolved, instead of Albany, to surprise Schenectady, a village seventeen miles north-west from it, and about the same distance from the Mohawks. The people of Schenectady, though they had been informed of the designs of the enemy, were in the greatest security; judging it impracticable for any men to march several hundred miles, in the depth of winter, through the snow, bearing their provisions on their backs. Besides, the village was in as much confusion as the rest of the province; the officers who were posted there being unable to preserve a regular watch, or any kind of military order. Such was the state of Schenectady, as represented by Colonel Schuyler, who was at that time mayor of the city of Albany, and at the head of the convention.

After two and twenty days march, the enemy fell in with Schenectady, on the 8th of February; and were reduced to such straits, that they had thoughts of surrendering themselves prisoners of war. But their scouts, who were a day or two in the village entirely unsuspected, returned with such encouraging accounts of the absolute security of the people, that the enemy determined on the attack. They entered, on Saturday night about eleven o'clock, at the gates, which were found unshut; and, that every house might be invested at the same time, divided into small parties of six or seven men. The inhabitants were in a profound sleep and unalarmed, till their doors were broken open. Never were people in a more wretched consternation. Before they were risen from their beds, the enemy entered their houses, and began the perpetration of the most inhuman barbarities. No tongue, says Col. Schuyler, can express the cruelties that were committed. The whole village was instantly in a blaze. Women with child ripped open, and their infants cast into the flames, or dashed against the posts of the doors. Sixty persons perished in the massacre, and twenty-seven were carried into captivity. The rest fled naked towards Albany, through a deep snow which fell that very night in a terrible storm; and twenty-five of these fugitives lost their limbs in the flight through the severity of the frost. The news of this dreadful tragedy reached Albany about break of day, and an universal dread seized the inhabitants

of that city, the enemy being reported to be 1,400 strong. A party of horse was immediately dispatched to Schenectady, and a few Mohawks then in town, fearful of being intercepted, were with difficulty sent to apprise their own castles.

The Mohawks were unacquainted with this bloody scene till two days after it happened, our messengers being scarce able to travel through the great depth of the snow. The enemy, in the mean time, pillaged the town of Schenectady till noon the next day, and then went off with their plunder, and about forty of their best horses. The rest, with all the cattle they could find, lay slaughtered in the streets.

The design of the French, in this attack, was to alarm the fears of the Indian allies, by shewing that the New York people were incapable of defending them. Every art also was used to conciliate their friendship, for they not only spared those Mohawks who were found in Schenectady, but several other particular persons, in compliment to the Indians, who requested that favour. Several women and children were also released at the desire of Captain Glen, to whom the French offered no violence; the officer declaring he had strict orders against it, on the score of his wife's civilities to certain French captives in the time of Colonel Dongan.

The Mohawks, considering the deceptive arts of the French, and that the Caghuuagas who were with them were once a part of their own body, behaved as well as could be reasonably expected. They joined a party of young men from Albany, fell upon the rear of the enemy, and either killed or captured twenty-five. Several sachems, in the mean time, came to Albany, and very affectingly addressed the inhabitants, who were just ready to abandon the country; urging their stay, and exciting an union of all the English colonies against Canada. Their sentiments concerning the French, appear from the following speech of condolence: "Brethren, we do not think, that what the French have done can be called a victory: it is only a farther proof of their cruel deceit: the governor of Canada sent to Onondaga, and talks to us of peace with our whole house; but war was in his heart, as you now see by woful experience. He did the same, formerly, at Cadaracqui, and in the Senneecas country. This is the third time he has acted so deceitfully. He has broken open our house at both ends; formerly in the Senneecas country, and now here. We hope, however, to be revenged of them."

Agreeably to this declaration, the Indians soon after treated the chevalier D'Eau and the rest of the French messengers, who came to conclude the peace proposed by Taweraket, with the utmost indignity; and afterwards delivered them up to the English. Besides this, their scouts harassed the borders of the enemy and fell upon a party of French and Indians, in the river, about 120 miles above Montreal, under the command of Louvigni, a captain who was going to Missilimakinac, to prevent the conclusion of the peace between the Utawawas and Quatoghies, with the five nations. The loss in this skirmish was nearly equal on both sides. One of the English prisoners was delivered to the Utawawas, who ate him. In revenge for this barbarity, the Indians attacked the island of Montreal at Trembling Point, and killed an officer and twelve men; while another party carried off about fifteen prisoners taken at Riviere Puante, whom they afterwards slew through fear of their pursuers, and others burnt the French plantations at St. Eurs. But what rendered this year most remarkable was, the

expedition of Sir William Phipps against Quebec. He sailed up the river with a fleet of thirty-two sail and came before the city in October. Had he improved his time and strength, the conquest would have been easy; but by spending three days in idle consultations, the French governor brought in his forces, and entertained such a mean opinion of the English knight, that he not only despised his summons to surrender, but sent a verbal answer, in which he called king William an usurper, and poured the utmost contempt upon his subjects. The messenger who carried the summons insisted upon a written answer, and that within an hour; but the Count De Frontenac absolutely refused it, adding, "I'll answer your master by the mouth of my cannon, that he may learn that a man of my condition is not to be summoned in this manner." Upon this, Sir William made two attempts to land below the town, but was repulsed by the enemy, with considerable loss of men, cannon, and baggage. Several of the ships also cannonaded the city, but without any success. The forts at the same time returned the fire, and obliged them to retire in disorder. The French writers, in their accounts of this expedition, universally censure the conduct of Sir William, though they confess the valour of his troops. La Hontan, who was then at Quebec, says, he could not have acted in a manner more agreeable to the French, if he had been in their interest. Among the causes of the ill success of the fleet, the author of the life of Sir William Phipps mentions the neglect of the conjoined troops of New York, Connecticut, and the Indians, to attack Montreal, according to the original plan of operations. He says that they marched to the lake, but there found themselves unprovided with battoes, and that the Indians were dissuaded from the attempt. By what authority these assertions may be supported, does not appear. Charlevoix says, the English colonial troops were disappointed in the intended diversion, by the small-pox, which seized the camp, killed 300 men, and terrified our Indian allies.

From the revolution to the second expedition against Canada.

While the Indians were faithfully exerting themselves against the common enemy, Colonel Henry Sloughter, who had a commission to be governor of this province, dated the 4th of January, 1689, arrived, and published it on the 19th of March, 1691. Never was a governor more necessary to the province, than at this critical conjuncture; as well for reconciling a divided people, as for defending them against the wiles of a cunning adversary. But either through the hurry of the king's affairs, or the powerful interest of a favourite, a man was sent over utterly destitute of every qualification for government—licentious in his morals, avaricious, and poor. The council present at his arrival were—Joseph Dudley, Frederick Philipse, Stephen Van Courtland, Gabriel Mienville, Chudley Brook, Thomas Willet, William Pinhorne.

If Leisler had delivered the garrison to Colonel Sloughter, as he ought to have done, upon his first landing, besides extinguishing, in a great degree, the animosities then subsisting, he would doubtless have attracted the favourable notice both of the governor and the crown. But being a weak man, he was so intoxicated with the love of power, that though he had been well informed of Sloughter's appointment to the government, he not only shut himself up in the fort with Bayard and Nichols, whom

he had, before that time, imprisoned, but refused to deliver them up, or to surrender the garrison. From this moment, he lost all credit with the governor, who joined the other party against him. On the second demand of the fort, Milborne and Delancy came out, under pretence of conferring with his excellency, but in reality to discover his designs. Sloughter, who considered them as rebels, threw them both into gaol. Leisler, upon this event, thought proper to abandon the fort, which Colonel Sloughter immediately entered. Bayard and Nichols were now released from their confinement, and sworn of the privy council. Leisler having thus ruined his cause, was apprehended with many of his adherents, and a commission of oyer and terminer issued to Sir Thomas Robinson, Col. Smith, and others, for their trials.

In vain did they plead the merit of their zeal for king William, since they had so lately opposed his governor. Leisler, in particular, endeavoured to justify his conduct, insisting that Lord Nottingham's letter entitled him to act in the quality of lieutenant-governor. Whether it was through ignorance or sycophancy, does not appear; but the judges, instead of pronouncing their own sentiments upon this part of the prisoner's defence, referred it to the governor and council, praying their opinion, whether that letter, "or any other letters, or papers, in the packet from Whitehall, can be understood, or interpreted, to be and contain any power or direction to Captain Leisler, to take the government of this province upon himself, or that the administration thereupon be holden good in law." The answer was, as might have been expected, in the negative; and Leisler and his son were condemned to death for high treason. These violent measures drove many of the inhabitants, who were fearful of being apprehended, into the neighbouring colonies, which shortly after occasioned the passing an act of general indemnity.

From the surrender of the province to the year 1683, the inhabitants were ruled by the duke's governors and their councils, who, from time to time, made rules and orders, which were esteemed to be binding as laws.

Those acts, which were made in 1683, and after the duke's accession to the throne, when the people were admitted to a participation of the legislative power, are for the most part decayed or lost. Few minutes relating to them remain on the council books, and none in the journals of the house.

As this assembly, in 1691, was the first after the revolution, it may not be improper to take some particular notice of its transactions. All laws made antecedent to this period, are disregarded both by the legislature and the courts of law. In the collection of acts, published in 1752, the compilers were directed to begin at this assembly.

It began the 9th of April, according to the writs of summons issued on the 20th of March preceding. The journal of the house opens with a list of the members returned by the sheriffs. City and county of New York—James Graham, William Merret, Jac. Van Courtlandt, Johannes Kip. City and county of Albany—Derrick Wessels, Levinus Van Scaeyck. County of Richmond—Elias Dukesbury, John Dally. County of West Chester—John Pell. County of Suffolk—Henry Pierson, Matthew Howell. Ulster and Dutchess county—Henry Beekman, Thomas Garton. Queen's County—John Bound, Nathaniel Percall. King's County—Nicholas Stillwell, John Poland.

The members for queen's county, being Quakers, were afterwards dismissed for refusing the oaths directed by the governor's commission; but all the rest were qualified before two commissioners appointed for that purpose. James Graham was elected their speaker, and approved by the governor. The majority of the members of this assembly were against the measures which Leisler pursued in the latter part of his time, and hence we find the house, after considering a petition, signed by sundry persons against Leisler, unanimously resolved, that his dissolving the late convention, and imprisoning several persons, was tumultuous, illegal, and against their majesties right, and that the late depredations on Schenectady were to be attributed to his usurpation of all power.

They resolved against the late forcible seizures made of effects of the people, and against the levying of money on their majesties subjects. And as to Leisler's holding the fort against the governor, it was voted to be an act of rebellion.

The house having, by these resolves, prepared the way of their access to the governor, addressed him in these words:

"May it please your Excellency,—We, their majesties most dutiful and loyal subjects, convened, by their majesties most gracious favour, in general assembly, in this province, do, in all most humble manner, heartily congratulate your excellency, that as, in our hearts, we do abhor and detest all the rebellious, arbitrary, and illegal proceedings of the late usurpers of their majesties authority over this province, so we do, from the bottom of our hearts, with all integrity, acknowledge and declare, that there are none that can or ought to have right to rule and govern their majesties subjects here, but by their majesties authority, which is now placed in your excellency; and therefore we do solemnly declare that we will, with our lives and fortunes, support and maintain the administration of your excellency's government, under their majesties, against all their majesties enemies whatsoever: and this we humbly pray your excellency to accept, as the sincere acknowledgment of all their majesties good subjects, within this their province; praying for their majesties long and happy reign over us, and that your excellency may long live and rule, as according to their majesties most excellent constitution of governing their subjects by a general assembly."

Before this house proceeded to pass any acts, they unanimously resolved, "That all the laws consented to by the general assembly, under James, Duke of York, and the liberties and privileges therein contained, granted to the people, and declared to be their rights, not being observed, nor ratified and approved by his royal highness, nor the late king, are null and void, and of none effect; and also, the several ordinances, made by the late governors and councils, being contrary to the constitution of England, and the practice of the government of their majesties other plantations in America, are likewise null and void, and of no effect, nor force, within this province."

Among the principal laws enacted this session, we may mention that for establishing the revenue, which was drawn into precedent. The sums raised by it were made payable into the hands of the receiver-general, and issued by the governor's warrant. By this means the governor became, for a season, independent of the people, and hence we find frequent instances of the assemblies contending with him for the discharge of debts to private persons, contracted on the faith of government.

Antecedent to the English revolution, innumerable were the controversies relating to public townships and private rights; and hence an act was now passed, for the confirmation of ancient patents and grants, intended to put an end to those debates. A law was also passed for the establishment of courts of justice, though a perpetual act had been made to that purpose in 1683, and the old court of assize entirely dissolved in 1684. As this enacted in 1691 was a temporary law, it was disputed by some, whether the establishment of the courts for general jurisdiction, by an ordinance, was consistent with the preceding act, or the general rules of law. Upon the erection of the supreme court, a chief justice, and four assistant judges, with an attorney-general, were appointed. The chief justice, Joseph Dudley, had a salary of 130*l*. per annum; Johnson, the second judge, 100*l*., and both were payable out of the revenue; but William Smith, Stephen Van Courtlandt, and William Pinborne, the other judges, and Newton, the attorney-general, had nothing allowed for their services.

It has, more than once, been a subject of animated debate, whether the people in this colony had a right to be represented in assembly, or whether it was a privilege enjoyed through the grace of the crown. A memorable act passed this session, virtually declared in favour of the former opinion upon that and several other of the principal and distinguishing liberties of Englishmen; but it was afterwards repealed by the English parliament, in the year 1697, by an act, entitled, "An act declaring what are the rights and privileges of their majesties subjects inhabiting within their province of New York."

Colonel Sloughter proposed, immediately after the session, to set out to Albany; but as Leisler's party were enraged at his imprisonment and the late sentence against him, his enemies were afraid new troubles would spring up in the absence of the governor; for this reason, both the assembly and council advised that the prisoners should be immediately executed. Sloughter, who had no inclination to favour them in this request, chose rather to delay such a violent step, being fearful of cutting off two men, who had vigorously appeared for the king, and so signally contributed to the revolution. Nothing could be more disagreeable to their enemies, whose interest was deeply concerned in their destruction. And therefore, when no other measures could prevail with the governor, tradition informs us, that Colonel Sloughter was invited to an entertainment, and prevailed on, when intoxicated, to sign the death-warrant, on the authority of which, before he recovered his senses, the prisoners were executed. Leisler's son afterwards carried home a complaint to king William against the governor. His petition was referred, according to the common course of plantation affairs, to the lords commissioners of trade, who, after hearing the whole matter, reported on the 11th of March, 1692, "That they were humbly of opinion, that Jacob Leisler and Jacob Milborne, deceased, were condemned and had suffered according to law." Their lordships, however, interceded for their families, as fit objects of mercy, and this induced Queen Mary, who approved the report, on the 17th of March, to declare, "That upon the humble application of the relations of the said Jacob Leisler and Jacob Milborne, deceased, her majesty will order the estates of Jacob Leisler and Jacob Milborne to be restored to their families, as objects of her majesty's mercy." The bodies of these un-

happy sufferers were afterwards taken up, and interred, with great pomp, in the old Dutch church, in the city of New York. Their estates were restored to their families, and Leisler's children, in the public estimation, were rather dignified than disgraced, by the fall of their ancestor.

These distractions in the province so entirely engrossed the public attention, that the Indian allies, who had been left solely to contend with the common enemy, grew extremely disaffected. The Mohawks in particular highly resented this conduct, and, at the instance of the Caghnugas, sent a messenger to Canada, to confer with Count Frontenac about a peace. To prevent this, Colonel Slaughter had an interview at Albany, in June, with the other four nations, who expressed their joy at seeing a governor again in that place. They told him, that their ancestors, as they had been informed, were greatly surprised at the arrival of the first ship in that country, and were curious to know what was in its huge belly. That they found christians in it, and one Jacques, with whom they made a chain of friendship, which they had preserved. All the Indians, except the Mohawks, assured the governor at this meeting of their resolution to prosecute the war. The Mohawks confessed their negotiations with the French, that they had received a belt from Canada, prayed the advice of the governor, and afterwards renewed their league with all our colonies.

Slaughter soon after returned to New York, and ended a short, weak, and turbulent administration, for he died suddenly on the 23d of July, 1691. Some were not without suspicions that he came unfairly to his end; but the certificate of the physician and surgeons who opened his body, by an order of council, confuted these conjectures, and his remains were interred in Stuyvesant's vault, next to those of the old Dutch governor.

At the time of Slaughter's decease, the government devolved, according to the late act for declaring the rights of the people of the province, on the council, in which Joseph Dudley had a right to preside; but they committed the chief command to Richard Ingolsby, a captain of an independent company, who was sworn into the office of president on the 26th of July, 1691. Dudley soon afterwards returned to this province from Boston, but did not think proper to dispute Ingolsby's authority, though the latter had no title, nor the greatest abilities for government, and was besides obnoxious to the party who had joined Leisler, having been an agent in the measures which accomplished his ruin. To the late troubles, which were then recent, and the agreement subsisting between the council and assembly we must ascribe it, that the former tacitly acknowledged Ingolsby's right to the president's chair; for they concurred with him in passing several laws in autumn and the spring following, the validity of which was never disputed.

This summer Major Schuyler, with a party of Mohawks, passed through the lake Champlain, and made a bold irruption upon the French settlement at the north end of it. De Callieres, the governor of Montreal, to oppose him, collected a small army of 800 men, and encamped at La Prairie. Schuyler had several conflicts with the enemy, and slew about 300 of them, which exceeded in number his whole party. The French, ashamed of their ill success, attributed it to the want of order, too many desiring to have the command. But the true cause was the ignorance of their officers in the Indian manner of fighting. They kept their men in a body, while the

English colonists posted themselves behind trees, hidden from the enemy. Major Schuyler's design, in this descent, was to animate the Indians and preserve their enmity with the French. They, accordingly, continued their hostilities against them, and, by frequent incursions, kept the country in constant alarm.

In the midst of these distresses, the French governor preserved his sprightliness and vigour, animating every body about him. After he had negotiated with the Utawawas, who came to trade at Montreal, he sent them home under the care of a captain and 110 men; and to secure their attachment to the French interest, gave them two Indian prisoners, and, besides, sent very considerable presents to the western Indians, in their alliance. The two captives were afterwards burnt. The five nations, in the mean time, grew more and more incensed, and continually harassed the French borders. M. Beaucour, a young French gentleman, in the following winter marched a body of about 300 men to attack them at the isthmus, at Niagara. Incredible were the fatigues they underwent in this long march over the snow, bearing their provisions on their backs. Eighty men of the five nations opposed the French party, and bravely maintained their ground till most of them were cut off. In return for which, the confederates in small parties obstructed the passage of the French through lake Ontario, and the river issuing out of it, and cut off their communication with the western Indians. An Indian called Black Kettle commanded in these incursions of the five nations, and his successes, which continued the whole summer, so exasperated the count that he ordered an Indian prisoner to be burnt alive. The bravery of this savage was as extraordinary, as the torments inflicted on him were cruel. He sang his military achievements without interruption, even while his barbarous executioners practised all possible cruelties. They broiled his feet, thrust his fingers into red-hot pipes, cut his joints, and twisted the sinews with bars of iron. After this his scalp was ripped off, and hot sand poured on the wound. We cannot but shrink with horror and disgust from the conduct of the French, who were boasting themselves the most, if not the only, civilized nation in the world, and who, with all the advantages of education, and professing christianity, were surpassing the Indians, whom they reviled as savages, in base and remorseless atrocities.

In June, 1692, Captain Ingolsby met the five nations at Albany, and encouraged them to persevere in the war. The Indians declared their enmity to the French in the strongest terms, and as heartily professed their friendship to us. "Brother Corlear," said the sachem, "we are all subjects of one great king and queen, we have one head, one heart, one interest, and are all engaged in the same war." The Indians at the same time did not forget, at this interview, to condemn the inactivity of the English, telling them, that the destruction of Canada would not make one summer's work against their united strength, if vigorously exerted.

Colonel Benjamin Fletcher arrived with a commission to be governor on the 29th of August, 1692, which was published the next day, before the following members, in council:—Frederick Philipse, Nicholas Bayard, Chudley Brooke, Thomas Willet, Stephen Van Courtlandt, Gabriel Mienville, William Nicoll, and Thomas Johnson.

William Pinhorne, one of that board, being a non-resident was refused the oaths; and Joseph

Dudley, for the same reason, removed both from his seat in council and his office of chief justice; Caleb Heathcote and John Young succeeded them in council; and William Smith was seated in Dudley's place on the bench.

Colonel Fletcher brought over with him a present to the colony of arms, ammunition, and warlike stores; in gratitude for which, he exhorted the council and assembly, who were sitting at his arrival, to send home an address of thanks to the king. It consists, principally, of a representation of the great expense the province was continually at to defend the frontiers, and praying his majesty's direction, that the neighbouring colonies might be compelled to join their aid for the support of Albany. The following passage in it shews the sense of the legislature, upon a matter which was afterwards very much debated. "When these countries were possessed by the Dutch West-India company, they always had pretences (and had the most part of it within their actual jurisdiction) to all that tract of land (with the islands adjacent) extending from the west side of Connecticut river to the lands lying on the west side of Delaware bay, as a suitable portion of land for one colony or government; all which, including the lands on the west of Delaware bay or river, were in the duke of York's grant, from his majesty King Charles II., whose governors also possessed those lands on the west side of Delaware bay or river. By several grants as well from the crown, as from the duke, the said province has been so diminished, that it is now decreased to a very few towns and villages; the number of men fit to bear arms in the whole government not amounting to 3,000, who are all reduced to great poverty."

Fletcher was by profession a soldier, a man of strong passions, and inconsiderable talents, very active, and equally avaricious. Nothing could be more fortunate to him, than his early acquaintance with Major Schuyler, at Albany, at the treaty for confirmation of the Indian alliance, the autumn after his arrival. No man then in the province understood the state of affairs with the five nations better than Major Schuyler. He had so great an influence over them, that whatever Quider, as they called him (instead of Peter, which they could not pronounce), recommended or disapproved, had the force of a law. This power over them was supported, as it had been obtained, by repeated offices of kindness, and his singular bravery and activity in the defence of his country. These qualifications rendered him singularly serviceable and necessary, both to the province and the governor. For this reason, Fletcher took him into his confidence, and on the 25th of October raised him to the council board. Under the tutelage of Major Schuyler, the governor became daily more and more acquainted with the Indian affairs; his constant application to which procured and preserved him a reputation and influence in the colony. Without this knowledge, and which was all that he had to distinguish himself, his incessant solicitations for money, his passionate temper and bigoted principles, must necessarily have rendered him obnoxious to the people, and kindled a hot fire of contention in the province.

The old French governor, who found that all his measures for accomplishing a peace with the five nations proved abortive, was now meditating a blow on the Mohawks. He accordingly collected an army of 600 or 700 French and Indians, and supplied them with every thing necessary for a winter campaign. They set out from Montreal on the 15th of

January, 1693; and after a march attended with incredible hardships, they passed by Schenectady on the 6th of February, and, that night, captured five men, and some women and children, at the first castle of the Mohawks. The second castle was taken with equal ease, the Indian inhabitants being in perfect security, and for the most part at Schenectady. At the third, the enemy found about forty Indians in a war dance, designing to go out upon some enterprise the next day. Upon their entering the castle a conflict ensued, in which the French lost about thirty men. Three hundred of the Indian allies were taken captives in this descent; and, but for the intercession of the savages in the French interest, would all have been put to the sword.

The Indians were enraged, and with good reason, at the people of Schenectady, who gave them no assistance against the enemy, though they had notice of their marching by that village. But this was atoned for by the succours from Albany. Colonel Schuyler voluntarily headed a party of 200 men, and went out against the enemy. On the 15th of February he was joined by near 300 Indians, ill armed, and many of them boys. A pretended deserter, who came to dissuade the Indians from the pursuit, informed him the next day, that the French had built a fort, and waited to fight him; upon which he sent to Ingolsby, the commandant at Albany, as well for a reinforcement, as for a supply of provisions; for the greatest part of his men came out with only a few biscuits in their pockets, and at the time they fell in with the enemy, on the 17th of the month, had been several days without any kind of food. Upon approaching the French army, sundry skirmishes ensued; the enemy endeavouring to prevent Indians in alliance with the English from felling trees for their protection. Capt. Syms, with 80 regulars of the independent companies, and a supply of provisions, arrived on the 19th, but the enemy had marched off the day before, in a great snow storm. They, however, pursued them, and would have attacked their rear, if the Mohawks had not been averse to it. When the French reached the north branch of Hudson's river, luckily for them, a cake of ice served them to cross over it, the river being open both above and below. The frost was now extremely severe, and the Mohawks fearful of an engagement; upon which Schuyler, who had retaken about fifty Indian captives, desisted from the pursuit on the 20th of February; four of his men and as many Indians being killed, and twelve wounded. The Indians, at this time, were so distressed for provisions, that they fed upon the dead bodies of the French; and the enemy in their turn were reduced, before they got home, to eat up their shoes. The French in this enterprise lost 80 men, and had above 30 wounded.

Fletcher's extraordinary dispatch up to Albany, upon the first news of this descent, gained the esteem both of the public and the Indian allies.

The express reached New York on the 12th of February, at ten o'clock in the night, and in less than two days, the governor embarked with 300 volunteers. The river, which was heretofore very uncommon at that season, was open. Fletcher landed at Albany, and arrived at Schenectady the 17th of the month, which is about 160 miles from New York; but he was still too late to be of any other use than to strengthen the ancient alliance. The Indians, in commendation of his activity on the occasion, gave him the name of Cayenguirago, or The great Swift Arrow.

Fletcher returned to New York, and in March met the assembly, who were so well pleased with his zealous vigilance, that besides giving him the thanks of the house, they raised 6000*l.* for a year's pay of 300 volunteers and their officers, for the defence of the frontiers.

As the greatest part of this province consisted of Dutch inhabitants, all the governors, as well in the duke's time as after the revolution of 1688, thought it good policy to encourage English preachers and schoolmasters in the colony. No man could be more bent upon such a project than Fletcher, a bigot to the episcopal form of church government. He, accordingly, recommended this matter to the assembly, on his first arrival, as well as at their present meeting. The house, from their attachment to the Dutch language, and the model of the church of Holland, secured by one of the articles of surrender, were entirely disinclined to the scheme, which occasioned a warm rebuke from the governor, in his speech at the close of the session, in these words: "Gentlemen, the first thing that I did recommend to you, at our last meeting, was to provide for a ministry, and nothing is done in it. There are none of you, but what are big with the privileges of Englishmen and Magna Charta, which is your right; and the same law doth provide for the religion of the church of England, against sabbath-breaking and all other profanity. But as you have made it last, and postponed it this session, I hope you will begin with it the next meeting, and do somewhat toward it effectually."

The news of the arrival of the recruits and ammunition at Canada, the late loss of the Mohawks, and the unfulfilled promises of assistance made from time to time by the English, together with the incessant solicitations of Milet, the jesuit, all conspired to induce the Oneidas to sue for a peace with the French. To prevent so important an event, Fletcher met the five nations at Albany, in July 1693, with a considerable present of knives, hatchets, clothing, and ammunition, which had been sent over by the crown for that purpose. The Indians consented to a renewal of the ancient league, and expressed their gratitude for the king's donation with singular force. "Brother Cayenguarago, we roll and wallow in joy, by reason of the great favour the great king and queen have done us, in sending us arms and ammunition at a time when we are in the greatest need of them; and because there is such unity among the brethren." Col. Fletcher pressed their delivering up to him Milet, the old priest, which they promised, but never performed. On the contrary, he had influence enough to persuade all but the Mohawks to treat about the peace at Onondaga, though the governor exerted himself to prevent it.

Soon after this interview, Fletcher returned to New York; and, in September, met a new assembly, of which James Graham was chosen speaker. The governor laboured at this session to procure the establishment of a ministry throughout the colony, a revenue to his majesty for life, the repairing the fort in New York, and the erection of a chapel. That part of his speech, relating to the ministry, was in these words: "I recommended to the former assembly the settling of an able ministry, that the worship of God may be observed among us; for I find that great and first duty very much neglected. Let us not forget that there is a God that made us, who will protect us if we serve him. This has been always the first thing I have recommended, yet the last in your consideration. I hope you are all satisfied of the great necessity and duty that lies upon

you to do this, as you expect his blessing upon your labours." The zeal with which this affair was recommended, induced the house, on the 12th of September, to appoint a committee of eight members, to agree upon a scheme for settling a ministry in each respective precinct throughout the province. This committee made a report the next day, but it was recommitted till the afternoon, and then deferred to the next morning. Several debates arising about the report in the house, it was again "recommitted for further consideration." On the 15th of September it was approved, the establishment being then limited to several parishes in four counties, and a bill ordered to be brought in accordingly; which the speaker (who, on the 18th of September, was appointed to draw all their bills) produced on the 19th. It was read twice on the same day, and then referred to a committee of the whole house. The third reading was on the 21st of September, when the bill passed, and was sent up to the governor and council, who immediately returned it with an amendment, to vest his excellency with an episcopal power of inducting every incumbent, adding to that part of the bill near the end, which gave the right of presentation to the people, these words, "and presented to the governor to be approved and collated." The house declined their consent to the addition, and immediately returned the bill, praying, "that it may pass without the amendment, having, in the drawing of the bill, had a due regard to the pious intent of settling a ministry for the benefit of the people." Fletcher was so exasperated with their refusal, that he no sooner received the answer of the house, than he convened them before him, and in an angry speech broke up the session. That part of it, relating to this bill, is given, because it is characteristic of the man and the times.

"Gentlemen, there is also a bill for settling a ministry in this city and some other countries of the government. In that very thing you have shewn a great deal of stiffness. You take upon you, as if you were dictators: I sent down to you an amendment of three or four words in that bill, which, though very immaterial, yet was positively denied. I must tell you it seems very unmannerly. There never was an amendment yet desired by the council board but what was rejected. It is the sign of a stubborn ill temper.

"But, gentlemen, I must take leave to tell you, if you seem to understand by these words, that none can serve without your collation or establishment, you are far mistaken. For I have the power of collating or suspending any minister, in my government, by their majesties letters patent; and whilst I stay in the government, I will take care that neither heresy, sedition, schism, or rebellion, be preached among you, nor vice and profanity encouraged. It is my endeavour to lead a virtuous and pious life amongst you, and to give a good example: I wish you all to do the same. You ought to consider, that you have but a third share in the legislative power of the government; and ought not to take all upon you, nor be so peremptory. You ought to let the council have a share. They are in the nature of the house of lords, or upper house; but you seem to take the whole power in your hands, and set up for every thing. You have set a long time to little purpose, and have been a great charge to the country. Ten shillings a day is a large allowance, and you punctually exact it. You have been always forward enough to pull down the fees of other ministers in the government. Why did you

not think it expedient to correct your own, to a more moderate allowance?

"Gentlemen, I shall say no more at present, but that you do withdraw to your private affairs in the country. I do prorogue you to the 10th of January next, and you are hereby prorogued to the 10th day of January next ensuing."

The violence of this man's temper is very evident in all his speeches and messages to the assembly; and it can only be attributed to the ignorance of the times, that the members of that house, instead of asserting their equality, peaceably put up with his rudeness. Certainly they deserved better usage at his hands. For the revenue, established the last year, was, at this session, continued five years longer than was originally intended. This was rendering the governor for a time independent of the people. For, at that day, the assembly had no treasure, but the amount of all taxes went of course into the hands of the receiver-general, who was appointed by the crown. Out of this fund, monies were only issuable by the governor's warrant; so that every officer in the government, from Mr. Blaithwait, who drew annually five per cent. out of the revenue, as auditor-general, down to the meanest servant of the public, became dependent, solely, on the governor. And hence we find the house, at the close of every session, humbly addressing his excellency for the trifling wages of their own clerk. Fletcher was, notwithstanding, so much displeased with them, that soon after the prorogation he dissolved the assembly.

The members of the new assembly met according to the writ of summons, in March, 1694, and chose Colonel Peirson for their speaker, Mr. Graham being left out at the election for the city. The shortness of this session, which continued only to the latter end of the month, was owing to the disagreeable business the house began upon, of examining the state of the public accounts, and in particular the muster-rolls of the volunteers in the pay of the province. They, however, resumed it again in September, and formally entered their dissatisfaction with the receiver-general's accounts. The governor, at the same time, fostered the discontent, by a demand of additional pay for the king's soldiers, then just arrived, and new supplies for detachments in defence of the frontiers. He at last prorogued them, after obtaining an act for supporting 100 men upon the borders. The same disputes revived again in the spring, 1695; and proceeded to such lengths, that the assembly asked the governor's leave to print their minutes, that they might appeal to the public. It was at this session, on the 12th of April, 1695, that, upon a petition of five churchwardens and vestrymen of the city of New York, the house declared it their opinion, "That the vestrymen and churchwardens have power to call a dissenting protestant minister, and that he is to be paid and maintained as the act directs." The intent of this petition was to refute an opinion which prevailed, that the late ministry act was made for the sole benefit of episcopal clergymen.

The quiet, undisturbed state of the frontiers, while the French were endeavouring to make a peace with the five nations, and the complaints of the volunteers, who had not received their pay, added much to the unwillingness of the assembly to answer Fletcher's perpetual demands of money. But when the Indians refused to comply with the terms of peace demanded by the French governor, which were to suffer him to rebuild the fort at Cadaraqui, and to include the Indian allies, the war broke out

afresh, and the assembly were obliged to augment both their detachments and supplies. The Count Frontenac now levelled his wrath principally against the Mohawks, who were more attached than any other of the five nations to the interest of the province; but as his intentions had taken air, he prudently changed his measures, and sent a party of 300 men to the Isthmus at Niagara, to surprise those of the five nations that might be hunting there. Among a few that were met with, some were killed, and others taken prisoners, and afterwards burnt at Montreal. The allied Indians imitated the count's example, and burnt ten Dewagunga captives.

Colonel Fletcher and his assembly having come to an open rupture in the spring, he called another in June, of which James Graham was chosen speaker. The Count Frontenac was then repairing the old fort at Cadaraqui; and the intelligence of this, and the king's assignment of the quotas of the several colonies for an united force against the French, were the principal matters which the governor laid before the assembly. The list of the quotas was this: Pennsylvania 80%, Massachusetts bay 350%, Maryland 160%, Virginia 240%, Rhode Island and Providence 48%, Connecticut 120%, and New York 200%.

As a number of forces were now arrived, the assembly were in hopes the province would be relieved from raising any more men for the defence of the frontiers; and to obtain this favour of the governor, ordered 1,000% to be levied, one-half to be presented to him, and the rest he had leave to distribute among the English officers and soldiers. A bill for this purpose was drawn, but though his excellency thanked them for their favourable intention, he thought it not for his honour to consent to it. After passing several laws, the session broke up in perfect harmony, the governor in his great grace recommending it to the house, to appoint a committee to examine the public accounts against the next sessions.

In September, Fletcher went up to Albany, with very considerable presents to the Indians, whom he blamed for suffering the French to rebuild the fort at Cadaraqui, or Frontenac, which commands the entrance from Canada into the great Lake Ontario.

While these works were carrying on, the Dionandadies, who were then poorly supplied by the French, made overtures of a peace with the five nations, which the latter readily embraced, because it was owing to their fears of these Indians, who lived near the lake Misilimachinae, that they never dared to march with their whole strength against Canada. The French commandant was fully sensible of the importance of preventing this alliance. The civilities of the Dionandadies to the prisoners, by whom the treaty, to prevent a discovery, was negotiated, gave the officer the first suspicion of it. One of them had the unhappiness to fall into the hands of the French, who put him to the most exquisite torments, that all future intercourse with the Dionandadies might be cut off. Dr. Colden, in just resentment for this inhuman barbarity, published the whole process from La Potherie's History of North America, as follows:—

"The prisoner being first made fast to a stake, so as to have room to move round it, a Frenchman began the horrid tragedy, by broiling the flesh of the prisoner's legs from his toes to his knees, with the red-hot barrel of a gun. His example was followed by an Utawawa, who being desirous to outdo the French in their refined cruelty, split a furrow from the prisoner's shoulder to his garter, and filling it with gunpowder, set fire to it. This gave him

exquisite pain, and raised excessive laughter in his tormentors. When they found his throat so much parched, that he was no longer able to gratify their ears with his howling, they gave him water, to enable him to continue their pleasure longer. But at last his strength failing, an Utawawa flayed off his scalp, and threw burning hot coals on his skull. They then untied him, and bid him run for his life. He began to run, tumbling, like a drunken man. They shut up the way to the east, and made him run westward, the country (as they think) of departed miserable souls. He had still force left to throw stones, till they put an end to his misery by knocking him on the head. After this every one cut a slice from his body, to conclude the tragedy with a feast."

From the time Colonel Fletcher received his instructions, respecting the quotas of these colonies for the defence of the frontiers, he repeatedly, but in vain, urged their compliance with the king's direction; he then carried his complaints against them home to his majesty, but all his applications were defeated by the agents of those colonies who resided in England. As soon therefore as he had laid this matter before the assembly, in autumn 1695, the house appointed William Nicol to go home in the quality of an agent for this province, for which they allowed him 1,000*l.*: but his solicitations proved unsuccessful. Fletcher maintained a good correspondence with the assembly, through the rest of his administration; and nothing appears upon their journals worth the reader's attention.

The French never had a governor in Canada so vigilant and active as the Count de Frontenac. He had no sooner repaired the old fort, called by his name, than he formed a design of invading the country of the five nations, with a great army. For this purpose, in 1696, he convened at Montreal all the regulars, as well as militia, under his command; the Owenagungas, Quatoghies of Loretto, Adirondacks, Sokakies, Nipiciriniens, the converted praying Indians of the five nations, and a few Utawawas. Instead of waggons and horses, (which are useless in such a country as he had to march through) the army was conveyed through rivers and lakes, in light barks, which were portable, whenever the rapidity of the stream and the crossing an isthmus rendered it necessary. The count left La Chine, at the south end of the island of Montreal, on the 7th of July. Two battalions of regulars, under the command of Le Chevalier de Callieres, headed by a number of Indians, led the van, with two small pieces of cannon, the mortars, grenadoes, and ammunition. After them followed the provisions; then the main body, with the count's household, a considerable number of volunteers and the engineer, and four battalions of the militia commanded by Monsieur de Ramezai, governor of Trois Rivières. Two battalions of regulars and a few Indians, under the Chevalier de Vaudreuil, brought up the rear. Before the army went a parcel of scouts, to descry the tracks and ambuscades of the enemy.

After 12 days march they arrived at Cadaracqui, about 180 miles from Montreal, and then crossed the lake to Oswego. Fifty men marched on each side of the Onondaga river, which is narrow and rapid. When they entered the little lake, the army divided into two parts, coasting along the edges, that the enemy might be uncertain as to the place of their landing; and where they did land they erected a fort. The Onondagas had sent away their wives and children, and were determined to defend

their castle, till they were informed by a deserter of the superior strength of the French, and the nature of bombs, which were intended to be used against them—and then, after setting fire to their village, they retired into the woods. As soon as the count heard of this, he marched to their huts in order of battle; being himself carried in an elbow chair, behind the artillery. With this mighty apparatus he entered it, and the destruction of a little Indian corn was the great acquisition. A brave sachem, then about 100 years old, was the only person who tarried in the castle to salute the old general. The French Indians put him to torment, which he endured with astonishing presence of mind. To one who stabbed him with a knife, he said, "you had better make me die by fire, that these French dogs may learn how to suffer like men: you Indians, their allies, you dogs of dogs, think of me when you are in like condition." "Never perhaps," says Charlevoix, "was a man treated with more cruelty, nor did any ever bear it with superior magnanimity and resolution." This sachem was the only man, of all the Onondagas, that was killed; and had not thirty-five Oneydoes, who waited to receive Vaudreuil at their castles, been afterwards basely carried into captivity, the count would have returned without the least mark of triumph. As soon as he began his retreat, the Onondagas followed, and annoyed his army by cutting off several batteaux.

This expensive enterprise, and the continual incursions of the five nations on the country near Montreal, again spread a famine through all Canada. The count, however, kept up his spirits to the last; and sent out scalping parties, who infested Albany, as the allied Indians did Montreal, till the treaty of peace signed at Ryswick, in 1697.

Richard, Earl of Bellamont, was appointed to succeed Colonel Fletcher in the year 1695, but did not receive his commission till the 18th of June, 1697; and as he delayed his voyage till after the peace of Ryswick, which was signed the 10th of September following, he was blown off the coast to Barbadoes, and did not arrive before the 2d of April, 1698.

During the late war the seas were extremely infested with English pirates, some of whom sailed out of New York; and it was strongly suspected that they had received too much countenance there, even from the government, during Fletcher's administration. His lordship's promotion to the chief command of the Massachusetts bay and New Hampshire, as well as this province, was owing partly to his rank, but principally to the affair of the pirates; and the multiplicity of business to which the charge of three colonies would necessarily expose him, induced the earl to bring over with him John Nansan, his kinsman, in the quality of lieutenant-governor. When Lord Bellamont was appointed to the government of these provinces, the king did him the honour to say, "that he thought him a man of resolution and integrity, and with these qualities more likely than any other he could think of, to put a stop to the growth of piracy."

Before the earl set out for America, he became acquainted with Robert Livingston, Esq. who was then in England, soliciting his own affairs before the council and the treasury. The earl took occasion, in one of his conferences with Mr. Livingston, to mention the scandal the province was under on account of the pirates. The latter, who confessed it was not without reason, brought the earl acquainted with one Kid, whom he recommended as a man of integrity and courage; that knew the

pirates and their rendezvous, and would undertake to apprehend them, if the king would employ him in a good sailing frigate of thirty guns and one hundred and fifty men. The earl laid the proposal before the king, who consulted the admiralty upon that subject; but this project dropped, through the uncertainty of the adventure, and the French war, which gave full employment to all the ships in the navy. Mr. Livingston then proposed a private adventure against the pirates, offering to be concerned with Kid, a fifth part in the ship and charges, and to be bound for Kid's execution of the commission. The king then approved of the design, and reserved a tenth share, to shew that he was concerned in the enterprise. Lord Chancellor Somers, the duke of Shrewsbury, the earls of Romney and Oxford, Sir Edmund Harrison and others, joined in the scheme, agreeing to the expense of 6000*l*. But the management of the whole affair was left to Lord Bellamont, who gave orders to Kid to pursue his commission, which was in common form. Kid sailed from Plymouth, for New York, in April 1696; and afterwards turned pirate, burnt his ship, and came to Boston, where the earl apprehended him. His lordship wrote to the secretary of state, desiring that Kid might be sent for. The Rochester man of war was dispatched upon this service, but being driven back, a general suspicion prevailed in England, that all was collusion between the ministry and the adventurers, who, it was thought, were unwilling Kid should be brought home, lest he might discover that the chancellor, the duke, and others, were confederates in the piracy. The matter even proceeded to such lengths, that a motion was made in the house of commons, that all who were concerned in the adventure might be turned out of their employments; but it was rejected by a great majority.

The tory party, who excited these clamours, though they lost their motion in the house, afterward impeached several whig lords; and, among other articles, charged them with being concerned in Kid's piracy. But these prosecutions served only to brighten the innocence of those against whom they were brought; for the impeached lords were honourably acquitted by their peers.

Lord Bellamont's commission was published in council on the day of his arrival; Colonel Fletcher, who still remained governor under the proprietors of Pennsylvania, and Lieut.-Governor Nanfan being present. The members of the council were Frederick Philipse, Stephen Van Cortlandt, Nicholas Bayard, Gabriel Mienville, William Smith, William Nicoll, Thomas Willet, William Pinborne, John Lawrence.

After the earl had dispatched Capt. John Schuyler, and Dellius, the Dutch minister of Albany, to Canada, with the account of the peace, and to solicit a mutual exchange of prisoners; he laid before the council the letters from Secretary Vernon and the East India company, relating to the pirates, informing that board that he had an affidavit, that Fletcher had permitted them to land their spoils in this province, and that Mr. Nicoll bargained for their protections, and received for his services 800 Spanish dollars. Nicoll confessed the receipt of the money for protections, but said it was in virtue of a late act of assembly, allowing privateers on their giving security; but he denied the receipt of any money from known pirates. One Weaver was admitted at this time into the council chamber, and acted in the quality of king's counsel, and in answer to Mr. Nicoll, denied that there was any such act of assembly as he mentioned. After considering the whole

matter, the council advised his excellency to send Fletcher home, but to try Nicoll in New York, because his estate would not bear the expense of a trial in England. Their advice was never carried into execution, which was probably owing to a want of evidence against the parties accused. It is nevertheless certain, that the pirates were frequently in the sound, and supplied with provisions by the inhabitants of Long Island, who for many years afterwards, were so infatuated with a notion that the pirates buried great quantities of money along the coast, that there is scarce a point of land, or an island, without the marks of their cupidity. Some credulous people ruined themselves by these researches, and propagated a thousand idle fables, afterwards passing current among the vulgar.

As Fletcher, through the whole of his administration, had been entirely influenced by the enemies of Leisler; nothing could be more agreeable to the numerous adherents of that unhappy man, than the earl's disaffection to the late governor. It was for this reason, they immediately devoted themselves to his lordship, as the head of their party.

The majority of the members of the council were Fletcher's friends, and there needed nothing more to render them obnoxious to his lordship. Leisler's advocates at the same time mortally hated them, not only because they had imbrued their hands in the blood of the principal men of their party, but also because they had engrossed the sole confidence of the late governor, and brought down his resentment upon them. Hence, at the commencement of the earl's administration, the members of the council had every thing to fear; while the party they had depressed, began once again to erect its head under the smiles of a governor who was fond of their aid, as they were solicitous to conciliate his favour. Had the earl countenanced the enemies, as well as the friends of Leisler, which he might have done, his administration would doubtless have been easier to himself and advantageous to the province. But his inflexible aversion to Fletcher prevented his acting with that moderation, which was necessary to enable him to govern both parties. The fire of his temper appeared very early, on his suspending Mr. Nicoll from the board of council, and obliging him to enter into recognizance in 2,000*l*. to answer for his conduct relating to the protections. But his speech to the new assembly, convened on the 18th of May, gave the fullest evidence of his abhorrence of the late administration. Philip French was chosen speaker, and waited upon his excellency with the house, when his lordship spoke to them in the following manner:—

"I cannot but observe to you, what a legacy my predecessor has left me, and what difficulties to struggle with—a divided people, an empty purse, a few miserable, naked, half-starved soldiers, not half the number the king allowed pay for, the fortifications, and even the governor's house, very much out of repair—and in a word the whole government out of frame. It hath been represented to the government in England, that this province has been a noted receptacle of pirates, and the trade of it under no restriction, but the acts of trade violated by the neglect and connivance of those whose duty it was to have prevented it."

After this introduction, he puts them in mind that the revenue was near expiring: "It would be hard," he says, "if I that come among you with an honest mind, and a resolution to be just to your interest, should meet with greater difficulties, in the discharge

of his majesty's service, than those that have gone before me. I will take care there shall be no misapplication of the public money. I will pocket none of it myself, nor shall there be any embezzlement by others; but exact accounts shall be given you, when, and as often, as you shall require."

It was customary with Fletcher to be present in the field to influence elections; and as the assembly consisted at this time of but nineteen members, they were too easily influenced to serve the private ends of a faction. For that reason, his lordship was warm in a scheme of increasing their number, at present to thirty, and so in proportion as the colony became more populous; and hence we find the following clause in his speech:—"You cannot but know, what abuses have been formerly in elections of members to serve in the general assembly, which tends to the subversion of your liberties. I do therefore recommend the making of a law to provide against it."

The house, though unanimous in a hearty address of thanks to the governor for his speech, could scarce agree upon any thing else. It was not till the beginning of June, that they had finished the controversies relating to the late turbulent elections; and even then six members seceded from the house, which obliged his excellency to dissolve the assembly on the 14th of June, 1698. About the same time, the governor dismissed two of the council—Pinhorne for disrespectful words of the king, and Brook the receiver-general, who was also turned out of that office, as well as removed from his place on the bench.

In July, the disputes with the French, concerning the exchange of prisoners, obliged his excellency to go up to Albany. When the earl sent the account of the conclusion of the peace to the governor of Canada, all the French prisoners were restored, and as to those among the Indians, he promised to order them to be safely escorted to Montreal. His lordship then added, "I doubt not, sir, that you on your part will also issue an order to relieve the subjects of the king, captured during the war, whether Christians or Indians."

The count, fearful of being drawn into an implicit acknowledgment that the five nations were subject to the English crown, demanded the French prisoners among the Indians to be brought to Montreal; threatening, at the same time, to continue the war against the confederates, if they did not comply with his request. After the earl's interview with them, he wrote a second letter to the count, informing him, that they had importunately begged to continue under the protection of the English crown, professing an inviolable subjection and fidelity to his majesty; and that the five nations were always considered as subjects, which, says his lordship, "can be manifested to all the world by authentic and solid proofs." His lordship added, that he would not suffer them to be insulted, and threatened to execute the laws of England upon the missionaries, if they continued any longer in the five cantons. A resolute spirit runs through the whole letter, which concludes in these words:—"If it is necessary I will arm every man in the provinces, under my government, to oppose you; and redress the injury that you may perpetrate against our Indians." The count, in his answer, proposed to refer the dispute to the commissaries to be appointed according to the treaty of Ryswick. The count misunderstood the treaty. No provision was made by it for commissaries to settle the limits between the English and French possessions, but only to examine and determine the con-

troverted rights and pretensions to Hudson's bay. The Earl of Bellamont continued the claim, insisting that the French prisoners should be delivered up at Albany.

The French count dying while this matter was controverted, Monsieur de Callieres, his successor, sent ambassadors the next year to Onondaga, there to regulate the exchange of prisoners, which was accomplished without the earl's consent, and thus the important point in dispute remained unsettled. The Jesuit Bruyas, who was upon this embassy, offered to live at Onondaga; but the Indians refused his belt, saying that Corlear, or the governor of New York, had already offered them ministers for their instruction.

Great alterations were made in council at his excellency's return from Albany. Bayard, Meinvielle, Willet, Townly, and Lawrence, were all suspended on the 28th of September; and Colonel Abraham Depeyster, Robert Livingston, and Samuel Staats, called to that board. The next day, Frederick Philipse resigned his seat, and Robert Walters was sworn in his stead.

The new assembly, of which James Graham was chosen speaker, met in the spring. His excellency spoke to them on the 21st of March, 1699.

As the late assembly was principally composed of Anti-Leislerians, so this consisted almost entirely of the opposite party. The elections were attended with great outrage and tumult; and many applications made relating to the returns; but as Abraham Gouverneur, who had been secretary to Leisler, got returned for Orange county, and was very active in the house, all the petitions were rejected without ceremony.

Among the principal acts passed in this session, there was one for indemnifying those who were excepted out of the general pardon in 1691; another against pirates; one for the settlement of Milborne's estate; and another to raise 1,500*l.* as a present to his lordship, and 500*l.* for the lieutenant-governor, his kinsman; besides which, the revenue was continued for six years longer. A necessary law was also made for the regulation of elections, containing the substance of the English statutes of 8 Hen. VI. c. 7, and the 7 and 8 Will. III.

This assembly took also into consideration sundry extravagant grants of land, which Colonel Fletcher had made to several of his favourites. Among these, two grants to Dellius, the Dutch minister, and one to Nicholas Bayard, were the most considerable. Dellius was one of the commissioners for Indian affairs, and had fraudulently obtained the Indian deeds, according to which the patents had been granted. One of the grants included all the lands within twelve miles on the east side of Hudson's river, and extended twenty miles in length, from the north bounds of Saraghtoga. The second patent, which was granted to him in company with Pinhorne, Bancker, and others, contained all the lands within two miles on the Mohawks river, and along its banks to the extent of fifty miles. Bayard's grant was also for lands in that country, and very extravagant. Lord Bellamont, who justly thought these great patents, with the trifling annual reservation of a few skins, would impede the settlement of the country, as well as alienate the affections of our Indian allies, wisely procured recommendatory instructions from the lords justices, for vacating those patents, which was now regularly accomplished by a law, and Dellius thereby suspended from his ministerial function.

The earl having thus carried all his points at

New York, set out for Boston in June, and after he had settled his salary there, and apprehended the pirate Kidd, returned again in the autumn.

The revenue being settled for six years, his lordship had no occasion to meet the assembly till the summer of the year 1700, and then indeed little else was done than to pass a few laws.—One for hanging every popish priest that came voluntarily into the province, which was occasioned by the great number of French Jesuits, who were continually practising upon the friendly Indians. By another, provision was made for erecting a fort in the country of the Onondagas, but was repealed a few months after the king's providing for that purpose.

The earl was a man of ability and polite manners; and being a mortal enemy to the French, as well as a lover of liberty, he would doubtless have been of considerable service to the colony; but he died there on the 5th of March, in 1701, when he was but just become acquainted with the country.

The earl of Bellamont's death was the source of new troubles; for Nanfan, the lieutenant-governor, being then absent in Barbadoes, a dispute arose among the counsellors concerning the exercise of the powers of government. Abraham de Peyster, Samuel Staats, Robert Walters, and Thomas Weaver, who sided with the party that adhered to Leisler, insisted that the government was devolved upon the council, who had a right to act by a majority of voices; but Colonel Smith contended that all the powers of the late governor were devolved upon him, as president, he being the eldest member of that board. Colonel Schuyler and Robert Livingston, who did not arrive in town till the 21st of March, joined Mr. Smith, and refused to appear at the council-board, till nearly the middle of April. The assembly, which was convened on the second of that month, were in equal perplexity, for they adjourned from day to day, waiting the issue of this rupture. Both parties continuing inflexible, those members who opposed Colonel Smith sent down to the house a representation of the controversy, assigning a number of reasons for the sitting of the assembly, which the house took into their consideration, and on the 16th of April resolved, that the execution of the earl's commission and instructions, in the absence of the lieutenant-governor, was the right of the council by majority of voices, and not of any single member of that board; and this was afterwards the opinion of the lords of trade. The disputes, nevertheless, continuing in the council, strenuously supported by Mr. Livingston, the house, on the 19th of April, thought proper to adjourn themselves to the first Tuesday in June.

In this interval, on the 18th of May, John Nanfan, the lieutenant-governor, arrived, and settled the controversy, by taking upon himself the supreme command.

Mr. Nanfan brought the welcome intelligence, that the king had given 2,000*l.* sterling for the defence of Albany and Schenectady, as well as 500*l.* more for erecting a fort in the country of Onondagas. And, not long after, an ordinance was issued, agreeably to the special direction of the lords of trade, for erecting a court of chancery, to sit the first Thursday in every month. By this ordinance the powers of the chancellor were vested in the governor and council, or any two of that board: commissions were also granted, appointing masters, clerks, and a register: so that this court was completely organized on the 2d of September, 1701.

Attwood, who was then chief justice of the supreme

court, was now sworn of the council. Abraham de Peyster and Robert Walters were his assistants on the bench; and the former was also made deputy auditor-general, under Mr. Blaithwait. Sampson Shelton Broughton was the attorney-general, and came into that office when Attwood took his seat on the bench, before the decease of Lord Bellamont. Both these had their commissions from England. The lieutenant-governor, and the major part of the board of council, together with the several other officers above named, being strongly in the interest of the Leislerian party, it was not a little surprising, that Mr. Nanfan dissolved the late assembly on the 1st of June.

Great were the struggles at the ensuing elections, which, however, generally prevailed in favour of those who joined Leisler at the revolution; and hence, when the new assembly met on the 19th of August, 1701, Abraham Gouverneur was elected for their speaker. Dutchess was thought heretofore incapable of bearing the charge of a representation: but the people of that county, now animated by the heat of the times, sent Jacob Rutsen and Adrian Garretsen to represent them in assembly.

Mr. Nanfan, in his speech to the house, informs them of the memorable grant made to the crown, on the 19th of July, by the five nations, of a vast tract of land, to prevent the necessity of their submitting to the French in case of a war; that his majesty had given out of his exchequer 2,500*l.* sterling for forts, and 800*l.* to be laid out in presents to the Indians; and that he had also settled a salary of 300*l.* on a chief justice, and 150*l.* on the attorney-general, who were both now arrived here.

The fire of contention, which had lately appeared in the tumultuous elections, blazed out afresh in the house. Nicoll, the late counsellor, got himself elected for Suffolk, and was in hopes of being seated in the chair: but Abraham Gouverneur was chosen speaker. Several members contended, that he, being an alien, was unqualified for that station. To this it was answered, that he was in the province in the year 1683, at the time of passing an act to naturalise all the free inhabitants, professing the christian religion; and that for this reason, the same objection against him had been over-ruled at the last assembly. In return for this attack, Gouverneur disputed Nicoll's right to sit as a member of that house; and succeeded in a resolve, that he and Mr. Wessels, who had been returned for Albany, were both unqualified, according to the late act, they being neither of them residents in the respective counties for which they were chosen. This occasioned an imprudent secession of seven members, who had joined the interest of Mr. Nicoll; which gave their adversaries an opportunity to expel them, and introduce others in their stead.

Among the first opposers of Captain Leisler, none was more considerable than Mr. Livingston. The measures of the convention at Albany were very much directed by his advice; and he was peculiarly obnoxious to his adversaries, because he was a man of sense and resolution, two qualifications rarely to be found united in one person at that period. Mr. Livingston's intimacy with the late earl had, till this time, been his defence against the rage of the party which he had formerly opposed; but as that lord was now dead, and Mr. Livingston's conduct in council, in favour of Colonel Smith, had given fresh provocation to his enemies, they were fully bent upon his destruction. It was in execution of this scheme, that as soon as the disputed elections

were over, the house proceeded to examine the state of the public accounts, which they partly began at the late assembly.

The pretence was, that he refused to account for the public monies he had formerly received out of the excise; upon which, a committee of both houses advised the passing a bill to confiscate his estate, unless he agreed to account by a certain day. But instead of this, an act was afterwards passed to oblige him to account for a sum amounting to near 18,000*l*. While this matter was transacting, a new complaint was forged, and he was summoned before another committee of both houses, relating to his procuring the five nations to signify their desire that he should be sent home to solicit their affairs. The criminality of this charge could only be seen by his enemies. Besides, there was no evidence to support it, and therefore the committee required him to purge himself by his own oath. Mr. Livingston, who was better acquainted with English law and liberty than to countenance a practice so odious, rejected the insolent demand with disdain; upon which the house, by the advice of the committee, addressed the lieutenant-governor, to pray his majesty to remove him from his office of secretary of Indian affairs, and that the governor, in the meantime, would suspend him from the exercise of his commission. Mr. Livingston's reason for not accounting was truly unanswerable; his books and vouchers were taken into the hands of the government, and detained from him.

It was at this favourable conjuncture that Jacob Leisler's petition to the king, and his majesty's letter to the late earl of Bellamont, were laid before the assembly. Leisler, displeased with the report of the lords of trade, that his father and his brother, Milborne, had suffered according to law, laid his case before the parliament, and obtained an act to reverse the attainder. After which, he applied to the king, complaining that his father had disbursed about 4,000*l*, in purchasing arms and forwarding the revolution; in consequence of which he procured the following letter to Lord Bellamont, dated at Whitehall the 6th of February, 1699—1700.

"My Lord,—The king being moved upon the petition of Mr. Jacob Leisler, and having a gracious sense of his father's services and sufferings, and the ill circumstances the petitioner is thereby reduced to, his majesty is pleased to direct, that the same be transmitted to your lordship, and that you recommend his case to the general assembly of New York, being the only place where he can be relieved, and the prayer of his petition complied with.

"I am, my Lord, your Lordship's

"Most obedient and humble servant,

"JERSEY."

As soon as this letter and the petition were brought into the house, the sum of 1,000*l*. was ordered to be levied for the benefit of Mr. Leisler, as well as several sums for other persons, by a bill for paying the debts of the government; which, nevertheless, did not pass into a law till the next session. Every thing that was done at this meeting of the assembly, which continued till the 18th of October, was under the influence of a party spirit; and nothing can be a fuller evidence of it than an incorrect, impertinent, address to his majesty, which was drawn up by the house at the close of the session, and signed by fourteen of the members. It contains a tedious narrative of their proceedings relating to the disputed elections, and concludes with a little incense, to regale some of the then principal agents in the public affairs, in these words:

"This necessary account of ourselves and our unhappy divisions, which we hoped the moderation of our lieutenant-governor, the wisdom and prudence of William Attwood, Esq. our chief justice, and Thomas Weaver, Esq. your majesty's collector and receiver-general, might have healed, we lay before your majesty with all humility, and deep sense of your majesty's goodness to us, lately expressed in sending over so excellent a person to be our chief justice."

The news of the king's having appointed Lord Cornbury to succeed the Earl of Bellamont, so strongly animated the hopes of the Anti-Leislerian party, that about the commencement of the year 1702, Nicholas Bayard promoted several addresses to the king, the parliament, and Lord Cornbury, which were subscribed at a tavern kept by one Hutchins, an alderman of the city of New York. In that to his majesty they assured him, "That the late differences were not grounded on a regard to his interest, but the corrupt designs of those who laid hold on an opportunity to enrich themselves by the spoils of their neighbours." The petition to the parliament says, that Leisler and his adherents gained the fort, at the revolution, without any opposition; that he oppressed and imprisoned the people without cause, plundered them of their goods, and compelled them to flee their country, though they were well affected to the prince of Orange. That the Earl of Bellamont appointed indigent sheriffs, who returned such members to the assembly as were unduly elected, and in his lordship's esteem. That he suspended many from the board of council, who were faithful servants of the crown, introducing his own tools in their stead. Nay they denied the authority of the late assembly, and added, that the house had bribed both the lieutenant-governor and the chief justice; the one to pass their bills, the other to defend the legality of their proceedings. A third address was prepared to be presented to Lord Cornbury, to congratulate his arrival, as well to prepossess him in their favour, as to prejudice him against the opposite party.

Nothing could have a more natural tendency to excite the wrath of the lieutenant-governor, and the revenge of the council and assembly, than the reflections contained in those several addresses. Nanfan had no sooner received intelligence of them than he summoned Hutchins to deliver them up to him, and upon his refusal committed him to jail, on the 19th of January; the next day Nicholas Bayard, Rip Van Dam, Philip French, and Thomas Wenham, hot with party zeal, sent an imprudent address to the lieutenant-governor, boldly justifying the legality of the address, and demanding his discharge out of custody. We have before observed, that upon Slougher's arrival in 1691, an act was passed, to recognise the right of King William and Queen Mary to the sovereignty of this province. At the end of that law, a clause was added in these words: "That whatsoever person or persons shall, by any manner of ways, or upon any pretence whatsoever, endeavour, by force of arms or otherwise, to disturb the peace, good and quiet of their majesties' government, as it is now established, shall be deemed and esteemed as rebels and traitors unto their majesties, and incur the pains, penalties, and forfeitures, as the laws of England have for such offences made and provided." Under pretext of this law, which Bayard himself had been personally concerned in enacting, Mr. Nanfan issued a warrant for committing him to jail as a traitor on the 21st of January, 1702; and lest the mob should interpose, a company

of soldiers for a week after constantly guarded the prisoner.

Through the uncertainty of the time of Lord Cornbury's arrival, Mr. Nanfan chose to bring the prisoner to his trial as soon as possible; and for that purpose issued a commission of oyer and terminer, on the 12th of February, to William Attwood the chief justice, and Abraham de Peyster and Robert Walters, who were the puisne judges of the supreme court; and not long after Bayard was arraigned, indicted, tried, and convicted of high treason. Several reasons were afterwards offered in arrest of judgment; but as the prisoner was unfortunately in the hands of an enraged party, Attwood overruled what was offered, and condemned him to death on the 16th of March.

Bayard applied to Mr. Nanfan for a reprieve, till his majesty's pleasure might be known; and obtained it, not without great difficulty, nor till after a seeming confession of guilt was extorted. Hutchins, who was also convicted, was bailed upon the payment of forty pieces of eight to the sheriff; but Bayard, who refused to procure him the gift of a farm of about 1,500*l.* value, was not released from his confinement till after the arrival of Lord Cornbury, who not only gave his consent to an act for reversing the late attainders, but procured the queen's confirmation of it, upon their giving security according to the advice of Sir Edward Northey, not to bring any suits against those who were concerned in their prosecution; which the attorney-general thought proper, as the act ordained all the proceedings to be obliterated.

After these trials, Nanfan erected a court of exchequer, and again convened the assembly, who thanked him for his late measures, and passed an act to outlaw Philip French, and Thomas Wenham, who absconded from Bayard's commitment; another to augment the number of representatives, and several others—which were, all but one, afterwards repealed by Queen Anne. During this session, Lord Cornbury being daily expected, the lieutenant-governor suspended Mr. Livingston from his seat in council, and thus continued to abet Leisler's party to the end of his administration.

Lord Cornbury's arrival opened a new scene. His father, the earl of Clarendon, adhered to the cause of the late abdicated king, and always refused the oaths both to King William and Queen Anne. But the son recommended himself at the revolution, by appearing very early for the prince of Orange, being one of the first officers that deserted King James's army. King William, in gratitude for his services, gave him a commission for this government, which upon the death of the king was renewed by Queen Anne, who at the same time appointed him to the chief command of New Jersey, the government of which the proprietors had lately surrendered into her hands. As Lord Cornbury came to this province in very indigent circumstances, hunted out of England by a host of hungry creditors, he was bent upon getting as much money as he could squeeze out of the purses of an impoverished people. His talents were, perhaps, not superior to the most inconsiderable of his predecessors; but in his zeal for the church he was surpassed by none. With these bright qualifications he began his administration on the 3d of May, 1702, assisted by a council consisting of the following members:—

William Attwood, William Smith, Peter Schuyler, Abraham de Peyster, Samuel Staatt, Robert Walters, Thomas Weaver, Sampson Shelton Broughton,

Wolfgang William Romar, William Lawrence, Gerardus Beekman, Rip Van Dam.

His lordship without the least disguise espousing the anti-Leislerian faction, Attwood, the chief justice, and Weaver, who acted in quality of solicitor-general, thought proper to retire from his frowns to Virginia, whence they sailed to England; the former concealing himself under the name of Jones, while the latter called himself Jackson. Col. Heathcote and Doctor Bridges succeeded in their places at the council board.

The following summer was remarkable for an uncommon mortality, which prevailed in the city of New York and makes a grand epoch among the inhabitants, distinguished by the "time of the great sickness." The fever killed almost every patient seized with it, and was brought here in a vessel, from St. Thomas in the West Indies, an island remarkable for contagious diseases. On this occasion Lord Cornbury had his residence and court at Jamaica, a pleasant village on Long Island, distant about twelve miles from the city.

The inhabitants of Jamaica consisted at that time partly of original Dutch planters, but mostly of New England emigrants, encouraged to settle there after the surrender by the Duke of York's conditions for plantations, one of which was in these words:—"That every township should be obliged to pay their own ministers, according to such agreements as they should make with them; the minister being elected by the major part of the householders and inhabitants of the town." These people had erected an edifice for the worship of God, and enjoyed a handsome donation of a parsonage-house and glebe, for the use of their minister. After the ministry act was passed by Col. Fletcher, in 1693, a few Episcopalians crept into the town, and viewed the Presbyterian church with a jealous eye. The town vote, in virtue of which the building had been erected, contained no clause to prevent its being hereafter engrossed by any other sect. The episcopal party, who knew this, formed a design of seizing the edifice for themselves, which they shortly after carried into execution, by entering the church between the morning and evening service, while the Presbyterian minister and his congregation were in perfect security, unsuspecting of the zeal of their adversaries and a fraudulent ejection on a day consecrated to sacred rest.

Great outrage ensued among the people, for the contention was animating and important. The original proprietors of the house tore up the seats, and afterwards got the key and the possession of the church, which were shortly after again taken from them by force and violence. In these controversies the governor abetted the episcopal zealots, and harassed the others by numberless prosecutions, heavy fines, and long imprisonments; through fear of which many, who had been active in the dispute, fled out of the province. Lord Cornbury's situation should have prevented him from taking part in so ignominious a quarrel; but his lordship's sense of honour and justice was as weak and indelicate as his bigotry was violent and uncontrollable; and hence we find him guilty of an act implicating a number of vices, which no man could have perpetrated without violence to the very slightest remains of generosity and justice. When his excellency retired to Jamaica, one Hubbard, the Presbyterian minister, lived in the best house in the town. His lordship begged the loan of it for the use of his own family, and the clergyman put himself to no small

inconvenience to favour the governor's request; but in return for the generous benefaction, his lordship perfidiously delivered the parsonage-house into the hands of the episcopal party, and encouraged one Cardwell, the sheriff, a mean fellow who afterwards put an end to his own life, to seize upon the glebe, which he surveyed into lots and farmed for the benefit of the episcopal church. These tyrannical measures justly inflamed the indignation of the injured sufferers, and that again the more embittered his lordship against them. They resented, and he prosecuted; nor did he confine his pious rage to the people of Jamaica. He detested all who were of the same denomination; nay, averse to every sect except his own, he insisted that neither the ministers nor schoolmasters of the Dutch, the most numerous persuasion in the province, had a right to preach or instruct without his licence; and some of them tamely submitted to his unauthoritative rule.

While his excellency was exerting his bigotry, during the summer season, at Jamaica, the elections were carrying on with great heat, for an assembly which met him at that village, in the fall. It consisted principally of the party which had been borne down by the Earl of Bellamont and his kinsman; and hence we find Philip French, who had lately been outlawed, was returned a representative for New York, and William Nicoll elected into the speaker's chair. Several extracts from his lordship's speech are laid before the reader, as a specimen of his temper and designs. "It was an extreme surprise to me (says his lordship) to find this province, at my landing at New York, in such a convulsion as must unavoidably have occasioned its ruin, if it had been suffered to go on a little longer. The many complaints that were brought to me against the persons I found here in power, sufficiently proved against them, and the miserable accounts I had of the condition of our frontiers, made me think it convenient to delay my meeting you in general assembly, till I could inform myself in some measure of the condition of this province, that I might be able to offer to your consideration some few of those things which will be necessary to be done forthwith for the defence of the country."

He then recommends their fortifying the port of New York, and the frontiers; adding, that he found the soldiers naked and unarmed: after which, he proposes a militia bill, the erection of public schools, and an examination of the provincial debts and accounts; and not only promises to make a faithful application of the monies to be raised, but that he would render them an account. The whole speech is sweetened with this gracious conclusion: "Now, gentlemen, I have no more to trouble you with, but to assure you, in the name of the great queen of England, my mistress, that you may safely depend upon all the protection that good and faithful subjects can desire or expect from a sovereign, whose greatest delight is the welfare of her people, under whose auspicious reign we are sure to enjoy what no nation in the world dares claim but the subjects of England; I mean, the free enjoyment of the best religion in the world, the full possession of all lawful liberty, and the undisturbed enjoyment of our freeholds and properties. These are some of the many benefits which I take the inhabitants of this province to be well entitled to by the laws of England; and I am glad of this opportunity to assure you, that as long as I have the honour to serve the queen in the government of this province, those laws shall be put in execution, according to the intent with which

they were made; that is, for the preservation and protection of the people, and not for their oppression. I heartily rejoice to see, that the free choice of the people has fallen upon gentlemen, whose constant fidelity to the crown, and unwearied application to the good of their country, is so universally known."

The house echoed back an address of high compliment to his lordship, declaring, "That, being deeply sensible of the misery and calamity the country lay under at his arrival, they were not sufficiently able to express the satisfaction they had, both in their relief and their deliverer."

Well pleased with a governor who headed their party, the assembly granted him all his requests; 1,800*l.* was raised, for the support of 180 men, to defend their frontiers—besides 2,000*l.* more, as a present towards defraying the expenses of his voyage. The queen, by her letter of the 20th of April, in the next year, forbade any such donations for the future. It is observable, that though the county of Dutchess had no representatives at this assembly, yet such was then the known indigence of that now populous and flourishing county, that but 18*l.* were apportioned for their quota of these levies.

Besides the acts above-mentioned, the house brought up a militia bill, and continued the revenue to the 1st of May, 1709; and a law passed to establish a grammar-school, according to his lordship's recommendation. Besides the great harmony that subsisted between the governor and his assembly, there was nothing remarkable, except two resolutions against the court of chancery, moved by Mr. Nanfan, occasioned by a petition of several disappointed suitors, who were displeased with a decree. The resolutions were in these words: "That the setting up a court of equity in this colony, without consent of general assembly, is an innovation without any former precedent, inconvenient, and contrary to the English law." And again: "That the court of chancery, as lately erected, and managed here, was and is unwarrantable, a great oppression to the subject, of pernicious example and consequence; that all proceedings, orders, and decrees in the same, are, and of right ought to be, declared null and void; and that a bill be brought in according to these two resolutions," which was done; but though his lordship was by no means disinclined to fix contempt on Nanfan's administration, yet as this bill would diminish his own power, himself being the chancellor, the matter was never moved farther than to the order for the ingrossment of the bill upon the second reading.

Though a war was proclaimed by England on the 4th of May, 1702, against France and Spain; yet, as the five nations had entered into a treaty of neutrality with the French in Canada, this province, instead of being harassed on its borders by the enemy, carried on a trade very advantageous to all those who were concerned in it. The governor, however, continued his solicitations for money with unremitted importunity; and by alarming the assembly which met in April, 1703, with his expectation of an attack by sea, 1,500*l.* were raised, under pretence of erecting two batteries at the Narrows; which, instead of being employed for that use, his lordship, notwithstanding the province had expended 22,000*l.* during the late peace, ventured to appropriate to his private advantage. But while he was robbing the public, he consented to several laws for the emolument of the clergy.

Whether it was owing to the extraordinary sagacity of the house, or their presumption that his lord-

ship was as little to be trusted as any of his predecessors, that after voting the above sum for the batteries, they added, that it should be "for no other use whatsoever," is left for the reader to determine. It is certain they now began to see the danger of throwing the public money into the hands of a receiver-general appointed by the crown, from whence the governor, by his warrants, might draw it at his pleasure. To this cause we must assign it, that in an address to his lordship, on the 19th of June, 1703, they desire and insist, that some proper and sufficient person might be commissioned treasurer, for the receiving and paying such monies now intended to be raised for the public use, as a means to obstruct misapplications for the future." Another address was sent home to the queen, complaining of the ill state of the revenue, through the frauds which had formerly been committed, the better to facilitate the important design of having a treasurer dependent on the assembly. The success of these measures will appear in the sequel.

Though the frontiers enjoyed the profoundest tranquillity all the next winter, and 1,300*l.* had been expended in supporting 100 fuzileers about Albany, besides the four independent companies in the pay of the crown, yet his excellency demanded provisions for 150 men, at the next meeting of the assembly, in April, 1704. The house having reason to suspect that the several sums of eighteen and thirteen hundred pounds, lately raised for the public service, had been prodigally expended or embezzled, prudently declined any further aids, till they were satisfied that no misapplication had been made. For this purpose they appointed a committee, who reported that there was a balance of near 1,000*l.* due to the colony. His lordship, who had hitherto been treated with great complaisance, took offence at this parsimonious scrutiny, and ordered the assembly to attend him; when, after the example of Fletcher, whom, excepting his superior activity, his lordship mostly resembled, he made an angry speech, in which he charges them with innovations never attempted by their predecessors, and hopes they would not force him to exert "certain powers" vested in him by the queen. But what he more particularly took notice of, was their insisting in several late bills, upon the title of "general assembly," and a saving of the "rights of the house," in a resolution agreeing to an amendment for preventing delay; with respect to which, his lordship used these words: "I know of no right that you have as an assembly, out such as the queen is pleased to allow you." As to the vote, by which they found a balance due to the colony of 913*l.* 15*s.*, "it is true," (says his lordship), "the queen is pleased to command me, in her instructions, to permit the assembly, from time to time, to view and examine the accounts of money, or value of money, disposed by virtue of the laws made by them; but you can in no wise meddle with that money; but if you find any misapplication of any of that money, you ought to acquaint me with it, that I may take care to see those mistakes rectified, which I shall certainly do."

The house bore these rebukes with the utmost passiveness, contenting themselves with little else than a general complaint of the deficiency of the revenue, which became the subject of their particular consideration in the autumn. The governor, on the one hand, then proposed an additional duty of ten per cent. on certain goods not immediately imported from Europe, to which the assembly, on the other, was utterly averse, and as soon as they re-

solved against it, the very printer, clerk, and door-keeper, were denied the payment of their salaries. Several other demands being made for the public debts, the house resolved to address his lordship for an exact account of the revenue; which, together with their refusal to admit the council's amendment of a money bill, gave him such high provocation, that he was induced to dissolve an assembly, whose prodigal liberality had justly exposed them to the resentment of the people. The new assembly, which met on the 14th of June, 1705, neglected the affair of the revenue, and the additional duty, though his lordship strongly recommended them both. Among the principal acts passed at this meeting, is that for the benefit of the clergy, who were entitled to the salaries formerly established by Colonel Fletcher; which, though less than his lordship recommended, was, doubtless, a grateful offering to his unceasing zeal for the church, manifested in a part of his speech at the opening of the session, in these words: "The difficulties which some very worthy ministers of the church of England have met with, in getting the maintenance settled upon them by an act of the general assembly of this province, passed in the year 1693, moves me to propose to you the passing an act, explanatory of the forementioned act, that those worthy good men, who have ventured to come so far, for the service of God in his church, and the good and edification of the people, to the salvation of their souls, may not for the future be vexed, as some of them have been; but may enjoy in quiet that maintenance which was by a law provided for them. I farther recommended to you, the passing of an act to provide for the maintenance of some ministers, in some of the towns at the east end of Long Island, where I do not find any provision has been yet made for propagating religion."

The harbour being wholly unfortified, a French privateer actually entered it in 1705, and put the inhabitants into great consternation. The assembly, at their session in June, the next year, were not disinclined, through the importunity of the people, to put the city in a better posture of defence for the future; but being fully convinced, by his lordship's embezzlement of 1,500*l.*, formerly raised for two batteries at the Narrows, and near 1,000*l.* levied for the protection of the frontiers, that he was no more to be trusted with public monies, offered a bill for raising 3,000*l.* for fortifications, appointing that sum to be deposited in the hands of a private person of their own nomination; but his excellency did not pass it till their next meeting in the autumn, when he informed them that he had received the queen's command, "to permit the general assembly to name their own treasurer, when they raised extraordinary supplies for particular uses, and which are no part of the standing and constant revenue; the treasurer being accountable to the three branches of the legislature, and the governor always acquainted with the occasion of issuing such warrants."

His lordship's renewing the proposal of raising fortifications at the Narrows, which he had himself hitherto scandalously prevented, is a proof of his excessive effrontery and contempt of the people; and the neglect of the house to take the least notice, either of that matter or the revenue, occasioned another dissolution.

Before we proceed to the transactions of the new assembly, which did not meet till the year 1708, it will not be improper to lay before the reader the account of a memorable proof of that persecuting spirit, which influenced Lord Cornbury's whole administration.

The inhabitants of the city of New York consisted at this time of Dutch Calvinists, upon the plan of the church of Holland—French refugees, on the Geneva model—a few English Episcopalians—and a still smaller number of English and Irish Presbyterians, who having neither a minister nor a church, used to assemble themselves every Sunday at a private house, for the worship of God. Such were the circumstances when Francis M'Kemie and John Hampton, two Presbyterian ministers, arrived in January, 1707. As soon as Lord Cornbury, who hated the whole persuasion, heard that the Dutch had consented to M'Kemie's preaching in their church, he arbitrarily forbade it; so that the public worship on the next sabbath was performed with open doors at a private house. Mr. Hampton preached the same day at the Presbyterian church in New Town, distant a few miles from the city. At that village both these ministers were two or three days after apprehended by Cardvel the sheriff, pursuant to his lordship's warrant for preaching without his licence. From hence they were led in triumph a circuit of several miles through Jamaica to New York. They appeared before his lordship with an undaunted courage, and had a conference with him, in which it is difficult to determine whether his lordship excelled in the character of a savage bigot, or an ill-mannered tyrant. The ministers were no lawyers, or they would not have founded their justification on the supposed extent of the English act of toleration. They knew not that the ecclesiastical statutes had no relation to this colony, and that its religious state consisted in a perfect parity between protestants of all denominations. They erroneously supposed that all the penal laws extended to this province, and relied for their defence on the toleration, offering testimonials for their having complied with the act of parliament in Virginia and Maryland, and promised to certify the house, in which M'Kemie had preached, to the next sessions. His lordship's discourse with them was the more ridiculous, because he had Bickley, the attorney-general, to assist him. Against the extension of the statute, they insisted that the penal laws were limited to England, and so also the toleration act, because the sole intent of it was to take away the penalties formerly established. But grant the position, and the consequence they drew from it, it argues that his lordship and Mr. Attorney were either very weak, or influenced by evil designs. If the penal laws did not extend to the plantations, then the prisoners were innocent, for where there is no law there can be no transgression; but according to these incomparable sages, if the penal laws and the toleration were restricted to the realm of England, as they contended, then the poor clergymen for preaching without his licence, were guilty of a heinous crime against his private unpublished instructions; and for this cause he issued an informal precept to the sheriff of New York, for their commitment to jail till further orders. They continued in confinement, through the absence of Mompesson, the chief justice, who was in New Jersey, six weeks and four days; but were then brought before him by a writ of habeas corpus. Mompesson being a man of learning in his profession, and his lordship now apprised of the illegality of his first warrant, issued another on the very day of the *teste* of the writ, in which he virtually contradicts what he had before insisted on at his conference with the prisoners. For according to this, they were imprisoned for preaching without being qualified as the toleration act required, though

they had offered themselves to the sessions during their imprisonment. They were then bailed to the next supreme court, which began a few days after. Great pains were taken to secure a grand jury for the purpose, and among those who found the indictment, to their shame be it recorded, were several Dutch and French protestants.

Mr. M'Kemie returned to New York from Virginia, in June, and was now come to his trial on the indictment found at the last court. As to Mr. Hampton, he was discharged, no evidence being offered to the grand jury against him.

Bickley, the attorney-general, managed the prosecution in the name of the queen; Reignere, Nicoll, and Jamison appeared for the defendant. The trial was held on the 6th of June, and being a cause of great expectation, a numerous audience attended. Roger Mompesson sat on the bench as chief justice, with Robert Milward and Thomas Wenham for his assistance. The indictment was in substance that Francis M'Kemie, pretending himself to be a protestant dissenting minister, contemning and endeavouring to subvert the queen's ecclesiastical supremacy, unlawfully preached without the governor's licence first obtained, in derogation of the royal authority and prerogative; that he used other rites and ceremonies than those contained in the common prayer book; and lastly, that being unqualified by law to preach, he nevertheless did preach at an illegal conventicle; and both these last charges were laid to be contrary to the form of the English statutes. For it seems that Mr. Attorney was now of opinion, that the penal laws did extend to the American plantations, though his sentiments were the very reverse at the first debate before his excellency, but Bickley was rather remarkable for a voluble tongue, than a penetrating head or much learning. To support this prosecution, he endeavoured to prove the queen's ecclesiastical supremacy in the colonies, and that it was delegated to her noble cousin the governor; and hence he was of opinion, that his lordship's instructions relating to church matters had the force of law. He, in the next place, contended for the extension of the statutes of uniformity, and upon the whole was pleased to say, that he had no doubt the jury would find a verdict for the queen. Reignere, for the defendant, insisted that preaching was no crime by the common law, that the statutes of uniformity and the act of toleration did not extend here, and that the governor's instructions were not laws. Nicoll spoke to the same purpose, and so did David Jamison; but M'Kemie concluded the whole defence in a speech, which set his capacity in a very advantageous light. The chief justice, in his charge, advised a special verdict, but the jury found no difficulty to acquit the defendant, who, through the shameful partiality of the court, was not discharged from his recognizance till they had illegally extorted all the fees of his prosecution, which together with his expenses, amounted to eighty-three pounds seven shillings and sixpence.

Lord Cornbury was now daily losing the favour of the people. The friends of Leisler held him in the utmost abhorrence from the beginning: and being all spies upon his conduct, it was impossible for his lordship to commit the smallest crime unnoticed. His persecution of the Presbyterians very early increased the number of his enemies. The Dutch too were fearful of his religious rage against them, as he disputed their right to call and settle ministers, or even schoolmasters, without his special licence. His excessive avarice, his embezzlement

of the public money, and his sordid refusal to pay his private debts, bore so heavily upon his reputation, that it was impossible for his adherents, either to support him or themselves against the general opposition. Such being the temper of the people, his lordship did not succeed according to his wishes in the new assembly, which met on the 19th of August, 1708. The members were all against him, and William Nicoll was again chosen speaker.

Among the several things recommended to their consideration, the affair of the revenue, which was to expire in May following, and the propriety of making presents to the Indians, were the chief. The house were not insensible of the importance of the Indian interest, and of the infinite arts of the French to seduce them from our alliance; but suspicious that his lordship, who heretofore had given himself little concern about that matter, was seeking a fresh opportunity to defraud the public, they desired him to give them a list of the articles of which the presents were to consist, together with an estimate of the charge, before they would provide for that donation.

With respect to the revenue his lordship was not so successful, for the assembly resolutely refused to continue it; though they consented to an act to discharge him from a contract of 250*l.* and upwards, which he had made with one Hanson for the public service. Thomas Byerly was at that time collector and receiver-general, and by pretending that the treasury was exhausted, the debts of the government were unpaid. This gave rise to many petitions to the assembly to make provision for their discharge. Colonel Schuyler, who had expended large sums on the public credit, was among the principal sufferers, and joined with several others in an application to the house, that Byerly might be compelled to account. The disputes relating to this matter took up a considerable part of the session, and were litigated with great heat. Upon the whole, an act was passed for refunding 700*l.* which had been misapplied.

The resolutions of the committee of grievances, approved by the house, shew the general objections of the people to his lordship's administration. These were made at the beginning of the session, and yet we find this haughty nobleman subdued by the opposition against him, and so dispirited through indigence, and the incessant solicitations of his creditors, that he not only omitted to justify himself, but to shew even an impotent resentment. For after all the censures of the house, he tamely thanked them for passing the bill to discharge him from a small debt, which they could not in justice have refused. The resolutions were in these words:

"Resolved, That it is the opinion of this committee, that the appointing coroners in this colony, without their being chosen by the people, is a grievance, and contrary to law.

"Resolved, That it is, and always has been the unquestionable right of every freeman in this colony, that he hath a perfect and entire property in his goods and estate.

"Resolved, That the imposing and levying of any monies upon her majesty's subjects of this colony, under any pretence or colour whatsoever, without consent in general assembly, is a grievance, and a violation of the people's property.

"Resolved, That for any officer whatsoever to extort from the people extravagant and unlimited fees, or any money whatsoever, not positively established and regulated by consent in general assembly, is unreasonable and unlawful, a great griev-

ance, and tending to the utter destruction of all property in this plantation.

"Resolved, That the erecting a court of equity without consent in general assembly is contrary to law, without precedent, and of dangerous consequence to the liberty and property of the subjects.

"Resolved, That the raising of money for the government, or other necessary charge, by any tax, impost, or burthen on goods imported, or exported; or any clog, or hindrance on traffic or commerce, is found by experience to be the expulsion of many, and the impoverishing of the rest of the planters, freeholders, and inhabitants of this colony; of most pernicious consequence, which if continued will unavoidably prove the ruin of the colony.

"Resolved, That the excessive sums of money screwed from masters of vessels trading here, under the notion of port-charges, visiting the said vessels by supernumerary officers, and taking extraordinary fees, is the great discouragement of trade, and strangers coming amongst us, beyond the precedent of any other port, and without colour of law.

"Resolved, That the compelling any man upon trial by a jury, or otherwise, to pay any fees for his prosecution, or any thing whatsoever, unless the fees of the officers whom he employs for his necessary defence, is a great grievance, and contrary to justice."

Lord Cornbury was no less obnoxious to the people of New Jersey, than to those of New York. The assembly of that province, impatient of his tyranny, drew up a complaint against him, which they sent home to the queen.

Her majesty graciously listened to the cries of her injured subjects, divested him of his power, and appointed Lord Lovelace in his stead; declaring that she would not countenance her nearest relations in oppressing her people.

As soon as this nobleman was superseded, his creditors threw him into the custody of the sheriff of New York; and he remained there till the death of his father, when, succeeding to the earldom of Clarendon, he returned to England.

The colonies never had a governor so universally detested, nor any one who so richly deserved public abhorrence. In spite of his noble descent, his behaviour was trifling, mean, and extravagant.

It was not uncommon for him to dress himself in a woman's habit, and then to patrol the fort in which he resided. Such freaks of low humour exposed him to the universal contempt of the people; but their indignation was kindled by his despotic rule, savage bigotry, insatiable avarice, and injustice, not only to the public, but even his private creditors. For he left some of the lowest tradesmen in his employment unsatisfied in their just demands.

John Lord Lovelace, baron of Hurley, was appointed to this government in the spring, 1708, but did not arrive here till the 18th of December following. Lord Cornbury's oppressive, mean administration had long made the people very desirous for a change; and therefore his successor was received with universal joy. Having dissolved the general assembly soon after his accession to the government, he convened a new one on the 5th of April, 1709, which consisted of members of the same interest with the last, who re-elected William Nicoll, the former speaker, into the chair. His lordship told them, at the beginning of the session, "that he had brought with him large supplies of soldiers and stores of war, as well as presents for the Indians," than which nothing could be more agreeable to the people. He

lamented the greatness of the provincial debts, and the decay of public credit; but still recommended their raising a revenue for the same term with that established by the act in the 11th year of the late reign. He also pressed the discharge of the debts of the government, and their examination of the public accounts, "that it may be known (said he) what this debt is, and that it may appear hereafter to all the world that it was not contracted in my time." This oblique reflection upon his predecessor, who was now ignominiously imprisoned by his creditors, was displeasing to nobody.

Though the assembly, in their answer, heartily congratulated his lordship's arrival, and thanked the queen for her care of the province, yet they sufficiently intimated their disinclination to raise the revenue, which the governor had requested. "Our earnest wishes (to use the words of the address) are, that suitable measures may be taken to encourage the few inhabitants to stay in it, and others to come. The just freedom enjoyed by our neighbours by the tender indulgence of the government, has extremely drained and exhausted us both of people and stock; whilst a different treatment, the wrong methods too long taken, and severities practised here, have averted and deterred the useful part of mankind from settling and coming hitherto." Towards the close, they assure him, "that as the beginning of his government gave them a delightful prospect of tranquillity, so they were come with minds prepared to consult the good of the country, and his satisfaction."

The principal matter which engaged the attention of the assembly, was the affair of the revenue. Lord Cornbury's conduct had rendered them utterly averse to a permanent support for the future, and yet they were unwilling to quarrel with the new governor. They, however, at last agreed, on the 5th of May, to raise 2,500*l.* to defray the charges of the government to the 1st of May ensuing, 1,600*l.* of which was voted to his excellency, and the remaining sums towards a supply of firewood and candles to the several forts in New York, Albany, and Schenectady; and for payment of small salaries to the printer, clerk of the council, and Indian interpreter.

This new project of providing, annually, for the support of government, was contrived to prevent the mischief, to which the long revenues had formerly exposed the colonists. But as it rendered the governor, and all the other servants of the crown dependent upon the assembly, a rupture between the several branches of the legislature would doubtless have ensued; but on the 9th of May, the very day in which the vote passed the house, his lordship died of a disorder contracted in crossing the ferry at his first arrival in the city of New York. His lady remained long after his death, soliciting for the sum voted to her husband; but though the queen interposed by a letter, in her behalf, nothing was allowed till several years afterwards.

From the Canada expedition, in 1709, to the arrival of Governor Burnet.

On the death of the governor, the chief command devolved upon Richard Ingoldsby, the lieutenant-governor, the same who had exercised the government several years before, upon the decease of Colonel Sloughter. His short administration is remarkable, not for his extraordinary talents, for he was a dull man, but for a second fruitless attempt against Canada. Colonel Vetch, who had been several years before at Quebec, and sounded the river of St. Law-

rence, was the first projector of this enterprise. The ministry approved of it, and Vetch arrived in Boston, and prevailed upon the New England colonies to join in the scheme. After that, he came to New York, and concerted the plan of operations with Francis Nicholson, formerly lieutenant-governor, who, at the request of Ingoldsby, the council, the assembly, Gurdon Saltonstall, the governor of Connecticut, and Charles Cockin, lieutenant-governor of Pennsylvania, accepted the chief command of the provincial forces intended to penetrate into Canada by way of lake Champlain. Impoverished as the colonists were, the assembly joined heartily in the enterprise. It was at this juncture the first act for issuing bills of credit was passed; an expedient without which they could not have contributed to the expedition, the treasury being then totally exhausted. Universal joy now brightened every man's countenance, because all expected the complete reduction of Canada before the ensuing fall. Big with the pleasing prospect of an event, which would put an end to all the ravages of an encroaching, merciless enemy, extend the British empire, and augment trade, the colonists exerted themselves to the utmost for the success of the expedition. As soon as the design was made known to the house, twenty ship and house carpenters were impressed into the service for building bateaux. Commissioners also were appointed to purchase provisions and other necessaries, and empowered to break open houses for that purpose; and to impress men, vessels, horses, and waggon, for transporting the stores. Four hundred and eighty-seven men, besides the independent companies, were raised, and detached to Albany, by the 27th of June; from whence they advanced, with the main body, to the Wood Creek. Three forts were built there, besides many block-houses and stores for the provisions, which were transported with great dispatch. The province of New York (all things considered) had the merit of having contributed more than any of her neighbours towards this expedition. Pennsylvania gave no kind of aid, and New Jersey was only at the expense of 3,000*l.* One hundred bateaux, as many birch canoes, and two of the forts, were built entirely, and the other fort, for the most part, at the charge of this government. All the provisions and stores for the army were transported at their expense; and besides their quota of volunteers, and the independent companies, they procured and maintained 600 Indians, and victualled 1,000 of their wives and children at Albany during the campaign.

Having thus put themselves to the expense of above 20,000*l.* towards this enterprise, the delay of the arrival of the fleet spread a general discontent through the country; and, early in the fall, the assembly addressed the lieutenant-governor, to recall their forces from the camp. Vetch and Nicholson soon after broke up the campaign, and retired to New Port, in Rhode Island, where there was a congress of governors. Ingoldsby, who was invited to it, did not appear, in compliance with the inclination of the assembly, who, incensed at the public disappointment, harboured great jealousies of all the first promoters of the design. As soon, therefore, as Lord Sunderland's letters, which arrived here on the 21st of October, were laid before the house, they resolved to send an address to the queen, to lay before her a true account of the manner in which the province exerted itself in the late undertaking.

Had this expedition been vigorously carried on,

it doubtless would have succeeded. The public affairs at home were conducted by a wise ministry. The allied army triumphed in repeated successes in Flanders; and the court of France was in no condition to give assistance to so distant a colony as Canada. The Indians of the five nations were engaged, through the indefatigable solicitation of Colonel Schuyler, to join heartily in the attempt; and the eastern colonies had nothing to fear from the *Ouwenagunas*, because those Indians had a little before concluded a peace with the confederates. In America every thing was ripe for the attack. At home Lord Sunderland, the secretary of state, had proceeded so far, as to dispatch orders to the queen's ships at Boston, to hold themselves in readiness, and the British troops were upon the point of their embarkation. At this juncture, the news arrived of the defeat of the Portuguese, which reducing the allies to great straits, the forces intended for the American adventure were then ordered to their assistance, and the thoughts of the ministry entirely diverted from the Canada expedition.

As there was not a man in the province who had more extended views of the importance of driving the French out of Canada than Colonel Schuyler, so neither did any person more heartily engage in the late expedition. To preserve the friendship of the five nations, without which it would be impossible to prevent our frontiers from becoming a field of blood, he studied all the arts of insinuating himself into their favour. He gave them all possible encouragement and assistance, and very much impaired his own fortune by his liberality to their chiefs. They never came to Albany, but they resorted to his house, and even dined at his table; and by this means he obtained an ascendancy over them, which was attended with very good consequences to the province; for he could always, in a great degree, obviate or eradicate the prejudices and jealousies by which the French Jesuits were incessantly labouring to debauch their fidelity.

Impressed with a strong sense of the necessity of some vigorous measures against the French, Colonel Schuyler was extremely discontented at the late disappointment; and resolved to make a voyage to England, at his private expense, the better to inculcate on the ministry the absolute necessity of reducing Canada to the crown of Great Britain. For that purpose he proposed to carry home with him five Indian chiefs. The house no sooner heard of his design, than they came to a resolution, which, in justice to his distinguished merit, ought not to be suppressed. It was this:

"Resolved, nemine contradicente, that the humble address of the lieutenant-governor, council, and general assembly of this colony to the queen, representing the present state of this plantation, be committed to his charge and care, to be presented by himself to her sacred majesty; he being a person, who not only in the last war, when he commanded the forces of this colony in chief at Canada, but also in the present, has performed faithful services to this and the neighbouring colonies; and behaved himself in the offices with which he has been intrusted, with good reputation, and the general satisfaction of the people in these parts."

The arrival of the five sachems in England made a great stir through the whole kingdom. The mob followed them wherever they went, and small cuts of them were sold among the people. The court was at that time in mourning for the death of the prince of Denmark: the sachems were therefore

dressed in black under-clothes, after the English manner; but, instead of a blanket, they had each a scarlet-in-grain cloth mantle, edged with gold, thrown over all their other garments. This dress was directed by the dressers of the play-house, and given by the queen, who was advised to make a shew of them. A more than ordinary solemnity attended the audience they had of her majesty. Sir Charles Cottrell conducted them, in two coaches, to St. James's; and the lord chamberlain introduced them into the royal presence. Their speech, on the 19th of April, 1710, was in these words:—

"Great Queen,—We have undertaken a long voyage, which none of our predecessors could be prevailed upon to undertake, to see our great queen, and relate to her those things which we thought absolutely necessary for the good of her, and us her allies, on the other side of the water.

"We doubt not but our great queen has been acquainted with our long and tedious war, in conjunction with her children, against her enemies the French; and that we have been as a strong wall for their security even to the loss of our best men. We were mightily rejoiced, when we heard our great queen had resolved to send an army to reduce Canada, and immediately, in token of friendship, we hung up the kettle, and took up the hatchet, and, with one consent, assisted Colonel Nicholson in making preparations on this side the lake; but, at length, we were told our great queen, by some important affairs, was prevented in her design, at present, which made us sorrowful, lest the French, who had hitherto dreaded us, should now think us unable to make war against them. The reduction of Canada is of great weight to our free hunting; so that if our great queen should not be mindful of us, we must, with our families, forsake our country, and seek other habitations, or stand neuter, either of which will be much against our inclinations.

"In token of the sincerity of these nations, we do, in their names, present our great queen with these belts of wampum, and in hopes of our great queen's favour, leave it to her most gracious consideration."

While Colonel Schuyler was at the British court, Captain Ingoldsby was displaced, and Gerardus Beekman exercised the powers of government, from the 10th of April, 1710, till the arrival of Brigadier Hunter, on the 14th of June following. The council then present were, Mr. Beekman, Mr. Van Dam, Colonel Benslaer, Mr. Mompesson, Mr. Barbarié, Mr. Philipse.

Hunter was a native of Scotland, and, when a boy, put apprentice to an apothecary. He left his master, and went into the army; and, being a man of wit and personal beauty, recommended himself to Lady Hay, whom he afterwards married. In the year 1707 he was appointed lieutenant-governor of Virginia, but being taken by the French in his voyage to that colony, he was carried into France, and, upon his return to England, appointed to succeed to the government of the province of New York and New Jersey.

Governor Hunter carried over with him near three thousand palatines, who the year before fled to England from the rage of persecution in Germany. Many of these people settled in the city of New York, where they built a Lutheran church. Others settled on a tract of several thousand acres, in the manor of Livingston. Their village there, called the camp, was one of the pleasantest situations on Hudson's river: opposite, on the west bank, were

many other families of them. Queen Anne's liberality to these people was not more beneficial to them than serviceable to the colony. They behaved themselves peaceably, and lived with great industry.

The late attempt to attack Canada proving abortive, exposed the colony to consequences equally calamitous, dreaded, and foreseen. While the preparations were making to invade it, the French exerted themselves in cajoling their Indian allies to assist in the repulse; and as soon as the scheme dropped, numerous parties were sent out to harass the English frontiers. These irruptions were principally made on the northern parts of New England, where the most savage cruelties were daily committed. New York had indeed hitherto escaped, being covered by the Indians of the five nations; but the danger induced Governor Hunter, soon after his arrival, to make a voyage to Albany, where he met the confederate chiefs, and renewed the old covenant. While there, he was strongly solicited by the New England governments, to engage the Indians in a war with those who were daily ravaging their borders; but he prudently declined a measure, which might have exposed his own province to a general devastation. A treaty of neutrality subsisted at that time between the confederates and the Canada French and their Indians; which, depending upon the faith of lawless savages, was at best but precarious, and yet the only security we had for the peace of the borders. A rupture between them would have involved the colony in a scene of misery, at a time of all others most unreasonable. However the people of New England might censure the governor, it was a proof of his wisdom to refuse their request. For besides a want of men and arms our forts were fallen down, and the treasury exhausted.

The new assembly met at New York on the 1st of September. Mr. Nicoll, the speaker, Mr. Livingston, Mr. De Lancey, and Colonel Morris, were the members most distinguished for their activity in the house. Mr. De Lancey was a protestant refugee, a native of Caen in Normandy; and by marrying a daughter of Mr. Courtlandt, connected with a family then, perhaps, the most opulent and extensive of any in the province. He was an eminent merchant, and by a successful trade had amassed a very considerable fortune. But of all these, Colonel Morris had the greatest influence on public affairs. He was a man of letters, and, though a little whimsical in his temper, was grave in his manners and of penetrating parts. Being excessively fond of the society of men of sense and reading, he was never wearied at a sitting, till the spirits of the whole company were dissipated. From his infancy he had lived in a manner best adapted to teach him the nature of man, and to fortify his mind for the vicissitudes of life. He very early lost both his father and mother, and fell under the patronage of his uncle, formerly an officer of very considerable rank in Cromwell's army, who, after the restoration, disguised himself under the profession of quakerism, and settled on a fine farm within a few miles of the city, called after his own name, Morrisania. Being a boy of strong passions, the general indications of a fruitful genius, he gave frequent offence to his uncle, and on one of these occasions, through fear of his resentment, strolled away into Virginia, and thence to Jamaica in the West Indies, where, to support himself, he set up for a scrivener. After several years spent in this vagabond life, he returned again to his uncle, who received the young prodigal

with joy; and, to reduce him to regularity, brought about his marriage with a daughter of Mr. Graham, a lady, with whom he lived above fifty years, in the possession of every enjoyment which good sense and polite manners in a woman could afford. The greatest part of his life, before the arrival of Mr. Hunter, was spent in New Jersey, where he signalled himself in the service both of the proprietors and the assembly. He was one of the council in that province, and a judge of the supreme court there in 1692. Upon the surrender of the government to Queen Anne, in 1702, he was named to be governor of the colony; but the appointment was changed in favour of Lord Cornbury, the queen's cousin. The assembly employed him to draw up their complaint against Lord Cornbury, and he was made the bearer of it to the queen. Though he was indolent in the management of his private affairs, yet, through the love of power, he was always busy in matters of a political nature, and no man in the colony equalled him in the knowledge of the law and the arts of intrigue. From this character the reader will easily perceive, that Governor Hunter shewed his prudence in taking Mr. Morris into his confidence, his talents and advantages rendering him either a useful friend or formidable foe. Such were the acting members of this assembly. When Brigadier Hunter spoke to them, he recommended the settling a revenue, the defence of the frontiers, and the restoration of the public credit, which Lord Cornbury had almost entirely destroyed. To stifle the remaining sparks of ancient feuds, he concluded with these words: "If any go about to disturb your peace, by reviving buried parties or piques, or creating new ones, they shall meet with no countenance or encouragement from me; and I am sure they deserve as little from you." The address of the house was perfectly agreeable to the governor. They promised to provide for the support of government, and to restore the public credit, as well as to protect the frontiers. In answer to the close of his speech, they declared their hope, "that such as excited party contentions might meet with as little credit, and as much disgrace, as they deserve." This unanimity, however, was soon interrupted. Colonel Morris, for some warm words dropped in a debate, was expelled the house; and soon after a dispute arose between the council and assembly, concerning some amendments made by the former, to a bill, "For the treasurer's paying sundry sums of money." The design of it, in mentioning the particular sums, and rendering them issuable by their own officer, was to restrain the governor from repeating the misapplications which had been so frequent in a late administration. The council, for that reason, opposed it, and adhered to their amendments; which occasioned a prorogation on the 25th of November, after the passing of several other necessary laws.

Mr. Hunter cautiously avoided entering publicly into the dispute between the two houses, till he knew the sentiments of the ministry, and then opened the spring sessions with a speech too singular not to be inserted.

"Gentlemen—I hope you are now come with a disposition to answer the ends of your meeting, that is, to provide a suitable support for her majesty's government here, in the manner she has been pleased to direct; to find out means to restore the public credit, and to provide better for your own security.

"They abuse you who tell you that you are hardly

dealt by in the augmentation of salaries. Her majesty's instructions, which I communicated to you at our last meeting, might have convinced you, that it was her tenderness towards her subjects in the plantations, who suffered under an established custom of making considerable presents to their governors by acts of assembly, that induced her to allot to each of them such a salary as she judged sufficient for their support, in their respective stations, with a strict prohibition of all such presents for the future; which instruction has met with a cheerful and grateful compliance in all the other colonies.

"If you have been in any thing distinguished, it is by an extraordinary measure of her royal bounty and care. I hope you will make suitable returns, lest some insinuations, much repeated of late years, should gain credit at last, that however your resentment has fallen upon the governor, it is the government you dislike.

"It is necessary at this time that you be told also, that giving money for the support of government, and disposing of it at your pleasure, is the same with giving none at all. Her majesty is the sole judge of the merits of her servants. This right has never yet been disputed at home, and should I consent to give it up abroad, I should render myself unworthy not only of the trust reposed in me, but of the society of my fellow subjects, by incurring her highest displeasure. If I have tired you by a long speech, I shall make amends, by putting you to the trouble of a very short answer.

"Will you support her majesty's government in the manner she has been pleased to direct, or are you resolved that burden shall lie still upon the governor, who cannot accuse himself of any thing that may have deserved this treatment at your hands?

"Will you take care of the debts of the government? or, to increase my sufferings, must I continue under the torture of the daily cries of such as have just demands upon you, and are in misery, without the power of giving them any hopes of relief?

"Will you take more effectual care of your own safety, in that of your frontiers; or are you resolved for the future to rely upon the security of an open winter, and the caprice of your savage neighbours? I shall be very sorry if this plainness offends you. I judge it necessary towards the establishing and cultivating a good understanding betwixt us. I hope it will be so construed, and wish heartily it may have that effect."

Perplexed with this remarkable speech, the assembly, after a few days, concluded that as his excellency had prorogued them in February, while he was at Burlington, in the province of New Jersey, they could not sit and act as a house; upon which, they were the same day dissolved.

The five Indian sachems, carried to England by Colonel Schuyler, having seen all the curiosities in London, and been much entertained by many persons of distinction, returned to Boston with Commodore Martin and Colonel Nicholson; the latter of whom commanded the forces designed against Port Royal and the coast of Nova Scotia. In this enterprise the New England colonies, agreeable to their wonted courage and loyalty, lent their assistance; and the reduction of the garrison, which was then called Annapolis Royal, was happily completed on the 2d of October, 1710. Animated by this and some other successes in Newfoundland, Nicholson again urged the prosecution of the scheme for the reduction of Canada; which having been strongly recommended by the Indian chiefs, as the only

effectual means to secure the northern colonies, was now again resumed.

Towards the execution of this project, 5,000 troops from England and Flanders were sent over under the command of Brigadier Hill, the brother of Mrs. Masham, the queen's new confidant, on the disgrace of the duchess of Marlborough. The fleet of transports, under the convoy of Sir Hovenden Walker, arrived after a month's passage at Boston, on the 4th of June, 1711. The provisions with which they expected to be supplied there being not provided, the troops landed. Nicholson, who was to command the land forces, came immediately to New York, where Mr. Hunter convened the assembly on the 2d of July. The re-election of the same members who had served in the last, was a sufficient proof of the general aversion to the establishment of a revenue. Robert Livingston, junior, who married the only daughter of Col. Schuyler, came in for Albany; and together with Mr. Morris, who was again chosen for the borough of West Chester, joined the governor's interest. Brigadier Hunter informed the assembly of the intended expedition, and the arrival of the fleet and forces; that the quota of this province, settled by the council of war at New London, was 600 private sentinels and their officers; besides which, he recommended their making provision for building batteaus, transporting the troops and provisions, subsisting the Indians, and for the contingent charges; nor did he forget to mention the support of government and the public debts.

The house was so well pleased with the design upon Canada, that they voted an address of thanks to the queen, and sent a committee to Nicholson, to congratulate his arrival, and make an honourable acknowledgment of his "sedulous application to her majesty for reducing Canada." In a few days time an act was passed for raising forces, and the assembly by a resolution, according to the governor's advice, restricted the price of provisions to certain particular sums. Bills of credit, for forwarding the expedition, were now also struck to the amount of 10,000*l.*, to be sunk in five years, by a tax on estates real and personal. After these supplies were granted, the governor prorogued the assembly, though nothing was done relating to the ordinary support of government.

While these preparations were making at New York, the fleet, consisting of twelve men of war, forty transports, and six store ships, with forty horses, a fine train of artillery and all manner of warlike stores, sailed for Canada from Boston on the 30th of July; and about a month afterwards Nicholson appeared at Albany, at the head of an army of 4,000 men, raised in New York, New Jersey, and Connecticut: the several regiments being commanded by Colonel Ingoldsby, Colonel Whiting, and Colonel Schuyler, the latter of whom procured 600 of the five nations to join the army.

The French in Canada were not unapprised of these designs. Vaudreuil, the governor-general, sent his orders from Montreal, to the Sieur De Beaucourt, to hasten the works he was about at Quebec, and commanded that all the regulars and militia should be held in readiness to march on the first warning. Four or five hundred Indians, of the more distant nations, arrived at the same time at Montreal, with Messieurs St. Pierre and Tonti, who, together with the Caughnauaga proselytes, took up the hatchet in favour of the French. Vaudreuil, after dispatching several Indians and two mission aries among the five nations, to detach them from

the interest of New York, went to Quebec, which Beaucourt the engineer had sufficiently fortified to sustain a long siege. All the principal posts below the city, on both sides of the river, were prepared to receive the British troops in case of their landing. On the 14th of August, Sir Hovenden Walker arrived with the fleet in the mouth of St. Lawrence river, and fearing to lose the company of the transports, the wind blowing fresh at north-west, he put into Gaspé bay, and continued there till the 20th of the same month. Two days after he sailed from thence, the fleet was in the utmost danger, for they had no soundings, were without sight of land, the wind high at east-south-east, and the sky darkened by a thick fog. In these circumstances the fleet brought to by the advice of the pilots, who were of opinion that if the ships lay with their heads to the southward, they might be driven by the stream into the midst of the channel; but instead of that, in two hours after they found themselves on the north shore among rocks and islands, and upon the point of being lost. The men of war escaped, but eight transports, containing 800 souls, officers, soldiers, and seamen, were cast away. Two or three days being spent in recovering what they could from the shore, it was determined, at a consultation of sea officers, to return to some bay or harbour, till a further resolution could be taken. On the 14th of September they arrived at Spanish river bay, where a council of war, consisting of land and sea officers, considering that they had but ten weeks provision, and judging that they could not depend upon a supply from New England, unanimously concluded to return home without making any further attempts; and they accordingly arrived at Portsmouth on the 9th of October, when the *Edgar*, a 70 gun ship, was blown up, having on board above 400 men, besides many persons who came to visit their friends.

As soon as the Marquis de Vaudreuil, by the accounts of the fishermen and two other ships, had reason to suspect that our fleet was returned, he went to Chambly, and formed a camp of 3,000 men to oppose Nicholson's army, intended to penetrate Canada at that end. But he was soon informed that our troops were returned, upon the news of the disaster which had befallen the fleet, and that the people of Albany were in the utmost consternation.

Apprehensive that the enemy would fall upon the borders, as they afterwards really did, in small parties, upon the miscarriage of the enterprise, Governor Hunter pressed the assembly, in autumn, to continue a number of men in pay the ensuing winter, and to repair the out-ports. After the house had passed several votes to this purpose his excellency, during the session, went up to Albany to withdraw the forces of the colony, and give orders for the necessary repairs.

The public debts, by this unfortunate expedition, were become greatly enhanced, and the assembly at last entered upon measures for the support of the government, and sent up to the council several bills for that purpose. The latter attempted to make amendments, which the other would not admit, and a warm controversy arose between these two branches of the legislature. The council assigned instances that amendments had formerly been allowed; and, besides this argument, drawn from precedent, insisted that they were a part of the legislature, constituted as the assembly were "by the mere grace of the crown;" adding, that the lords of trade had determined the matter in their favour. The house,

nevertheless, adhered to their resolutions, and answered in these words:

"It is true, the share the council have (if any) in the legislation, does not flow from any title they have from the nature of that board, which is only to advise; or from their being another distinct state, or rank of people in the constitution, which they are not, being all commons; but only from the mere pleasure of the prince signified in the commission. On the contrary, the inherent right the assembly have to dispose of the money of the freemen of this colony does not proceed from any commission, letters patent, or other grant from the crown; but from the free choice and election of the people, who ought not to be divested of their property (nor justly can) without their consent. Any former concessions, of other assemblies, will not prescribe to the council a privilege to make any of those amendments, and therefore they have it not. If the lords commissioners for trade and plantations did conceive no reason why the council should not have right to amend money bills, this is far from concluding there are none. The assembly understand them very well, and are sufficiently convinced of the necessity they are in, not to admit of any encroachment so much to their prejudice."

Both houses adhered obstinately to their respective opinions: in consequence of which, the public debts remained unpaid, though his excellency could not omit passing a bill for paying to himself 3,750 ounces of plate.

Upon the return of the fleet, Dudley, Saltonstall, and Cranston, the governors of the eastern colonies, formed a design of engaging the five nations in a rupture with the French, and wrote on that head to Mr. Hunter; who, suspicious that his assembly would not approve of any project that might increase the public debts, laid their letter before the house; and, according to his expectations, they declared against the scheme.

About this time Colonel Hunter, by the advice of his council, began to exercise the office of chancellor, having, on the 4th of October, appointed Messrs. Van Dam and Philipse, masters, Mr. Whiteman, register, Mr. Harrison, examiner, and Messrs. Sharpas and Broughton, clerks. A proclamation was then issued, to signify the sitting of the court on Thursday in every week. This gave rise to these two resolutions of the house.

"Resolved, that the erecting a court of chancery, without consent in general assembly, is contrary to law, without precedent, and of dangerous consequence to the liberty and property of the subjects.

"That the establishing fees, without consent in general assembly, is contrary to law." The council made these votes the subject of part of a long representation, which they shortly after transmitted to the lords of trade, who, in a letter to the governor in answer to it, approved of his erecting a court of equity, and blamed the assembly, adding, "That her majesty has an undoubted right of appointing such, and so many courts of judicature in the plantations, as she shall think necessary for the distribution of justice."

At the next meeting, in May, 1712, Colonel Hunter strongly recommended the public debts to the consideration of the assembly, informing them, that the lords of trade had signified their opinion, with respect to the amending money bills, in favour of the council. The house neglected the matters laid before them, and the governor broke up the sessions, by a short prorogation of three days. After

which they soon passed an act for paying his excellency 8,025 ounces of plate. Public affairs never wore a more melancholy aspect than at this juncture.

Among the five nations, many emissaries from the French were daily seducing them from the British interest, and the late ill success gave such a powerful influence to their solicitations, that the Indians, even at Catt's Kill, sent a belt of wampum to those in Dutchess county to prepare for a war. The Senneecas and Shawanas were also greatly disaffected, and it was generally apprehended, that they would fall upon the inhabitants along Hudson's river. An invasion was strongly suspected by sea on the city of New York, where they had been alarmed, in April, by an insurrection of the negroes; who, in execution of a plot to set fire to the town, had burnt down a house in the night, and killed several people who came to extinguish the fire, for which nineteen of them were afterwards executed. But distressed as the colony then was, the assembly were inflexibly averse to the establishment of a revenue, which had formerly been wickedly misapplied and exhausted. At the ensuing session, in the fall, Col. Hunter proposed a scheme to the assembly, which was, in substance, that the receiver-general should give security, residing in the colony, for the due execution of his office; and every quarter account, to the governor and council, for the sums he might receive. That the creditors of the government should, every three months, deliver in their demands to the governor and council; when, if that quarter's revenue equalled the amount of such debts, the governor, by the advice of council, should draw for it; but if the revenue for that quarter should fall short of the governor's demands, then the warrants were to be drawn for so much only as remained, and the creditors should afterwards receive new drafts for their balances in the next quarter. That no warrant should be issued, until the quarterly account of the revenue was given in; but that then they should be paid in course, and an action of debt be given against the receiver-general in case of refusal. That he should account also to the assembly when required, and permit all persons to have recourse to his books. The house turned a deaf ear to this plausible project, and, displeased with a letter from the lords of trade favouring the council's claim to amend money bills, they agreed upon an address to the queen, protesting their willingness to support her government, complaining of misapplications in the treasury, intimating their suspicions that they were misrepresented, and praying an instruction to the governor to give his consent to a law, for supporting an agent to represent them at the court of Great Britain. Provoked by this conduct, and to put an end to the disputes subsisting between the two houses, his excellency dissolved the assembly.

Before the meeting of the next assembly the peace of Utrecht was concluded, on the 31st of March, 1713,—a peace, in the judgment of many, dishonourable to Great Britain, and injurious to her allies. We shall only merely refer to it with relation to Indian affairs. Lord Bellamont, after the peace at Ryswick, contended with the governor of Canada, that the five nations ought to be considered as subjects of the British crown, and the point was disputed even after the death of Count Frontenac. It does not appear that any decision of that matter was made between the two crowns, till the treaty of Utrecht, the 15th article of which is in these words:

"The subjects of France inhabiting Canada, and others, shall hereafter give no hindrance or molest-

ation to the five nations, or cantons of Indians, subject to the dominion of Great Britain, nor to the other nations of America who are friends to the same. In like manner, the subjects of Great Britain shall behave themselves peaceably towards the Americans who are subjects or friends to France; and on both sides they shall enjoy full liberty of going and coming on account of trade. Also the natives of these countries shall, with the same liberty, resort, as they please, to the British and French colonies, for promoting trade on one side and the other, without any molestation or hindrance, either on the part of the British subjects, or of the French. But it is to be exactly and distinctly settled by commissaries, who are, and who ought to be accounted, the subjects of Britain or of France."

In consequence of this treaty, the British crown became entitled, at least for any claim that could justly be interposed by the French, to the sovereignty over the country of the five nations.

Brigadier Hunter was disappointed in his expectations upon the late dissolution; for though the elections were very hot, and several new members came in, yet the majority were in the interest of the late assembly, and on the 27th of May, 1713, chose Mr. Nicoll into the chair. The governor spoke to them with great plainness, informing them that it would be in vain to endeavour to lodge the money allotted for the support of government in any other than the hands of the queen's officers. "Nevertheless (says he) if you are so resolved, you may put the country to the expense of a treasurer, for the custody of money raised for extraordinary uses." He added, that he was resolved to pass no law, till provision was made for the government. The members were therefore reduced to the dilemma of passing a bill for that purpose, or breaking up immediately. They chose the former, and the governor gave his assent to that, and an excise bill on strong liquors, producing to the treasury about 1,000*l.* per annum. After a short recess, several other laws were enacted in the autumn. But the debts of the government still remained unnoticed, till the summer of the year 1714. A long session was then almost entirely devoted to that single affair. Incredible were the numbers of the public creditors. New demands were every day made; amounting to near 28,000*l.* To pay this prodigious sum, recourse was had to the circulation of bills of credit to that value. These were lodged in the hands of the province treasurer, and issued by him only, according to the directions of the act.

The news of the queen's death arriving in the ensuing autumn, a dissolution ensued; and a new house met in May, 1715, which continued only to the 21st of July. For the governor being now determined to subdue those whom he could not allure, again dissolved the assembly. He succeeded in his design; for though Mr. Nicoll was re-elected into the chair on the 9th of June, 1716, yet we plainly perceive, by the harmony introduced between the several branches of the legislature, that the majority of the house were now in the interest of the governor.

An incontestible evidence of their good understanding appeared at the session in autumn, 1717 when the governor informed them of a memoria, which had been sent home, reflecting upon his administration. The house immediately voted an address to him, which was conceived in terms of the utmost respect, testifying their abhorrence of the memorial, as a false and malicious libel. It was

supposed to be written by Mulford, a representative for Suffolk county, who always opposed the measures that were taken to preserve the friendship of the five nations, and foolishly projected a scheme to cut them off. It was printed in England, and delivered to the members at the door of the house of commons, but never had the author's intended effect.

It was at this meeting the council, on the 31st of October, sent a message by Mr. Alexander, then deputy secretary to the house, desiring them "to appoint proper persons, for running the division line between this colony and the province of New Jersey, his excellency being assured the legislature of the province of New Jersey will bear half the expense thereof." The assembly had a bill before them at that time, which afterwards passed into a law, for the payment of the remaining debts of the government, amounting to many thousand pounds; in which, after a recital of the general reasons for ascertaining the limits between New York and New Jersey on the one side, and Connecticut on the other, a clause was added to defray the expense of those services. Seven hundred and fifty ounces of plate were enacted "to be issued by warrant, under the hand and seal of the governor of this province for the time being, by and with the advice and consent of his majesty's council, in such parts and portions as shall be requisite for that service, when the survey, ascertaining, and running the said line, limit, and boundary, shall be begun and carried on by the mutual consent and agreement of his excellency and council of this province, and the proprietors of the soil of the said province of New Jersey." According to this law, the line "agreed on by the surveyors and commissioners of each colony was to be conclusive." Another sum was also provided by the same clause, for running the line between New York and Connecticut; and in the year 1719, an act was passed for the settlement of that limit.

Whether it was because Mr. Nicoll was disgusted with the governor's prevailing interest in the house, or owing to his infirm state of health, that he desired, by a letter to the general assembly, on the 18th of May, 1718, to be discharged from the speaker's place, is uncertain. His request was readily granted, and Robert Livingston, Esq., chosen in his stead. The concord between the governor and this assembly was now wound up to its highest pitch, as is evidenced by his last speech to the house on the 24th of June, 1719, and their address in answer to it.

"Gentlemen, I have now sent for you, that you may be witness to my assent to the acts passed by the general assembly in this session. I hope that what remains unfinished may be perfected by to-morrow, when I intend to put a close to this session.

"I take this opportunity also to acquaint you, that my late uncertain state of health, the care of my little family, and my private affairs, on the other side, have at last determined me to make use of that license of absence, which has been some time ago so graciously granted me; but with a firm resolution to return to you again, if it is his majesty's pleasure that I should do so; but if that proves otherwise, I assure you that whilst I live I shall be watchful and industrious to promote the interest and welfare of this country, of which I think I am under the strongest obligations for the future to account myself a countryman.

"I look with pleasure on the present quiet and flourishing state of the people here, whilst I reflect on that in which I found them at my arrival. As

the very name of party or faction seems to be forgotten, may it for ever lie buried in oblivion, and no strife ever happen amongst you, but that laudable emulation, who shall approve himself the most zealous servant and most dutiful subject of the best of princes, and most useful member of a well established and flourishing community, of which you, gentlemen, have given a happy example, which I hope will be followed by future assemblies. I mention it to your honour, and without ingratitude and breach of duty I could do no less."

Colonel Morris and the new speaker were the authors of the answer to this speech, though it was signed by all the members.

"Sir, when we reflect upon your past conduct, your just, mild, and tender administration, it heightens the concern we have for your departure, and makes our grief such as words cannot truly express. You have governed well and wisely, like a prudent magistrate—like an affectionate parent; and wherever you go, and whatever station the divine providence shall please to assign you, our sincere desires and prayers for the happiness of you and yours, shall always attend you.

"We have seen many governors, and may see more; and as none of those who had the honour to serve in your station, were ever so justly fixed in the affections of the governed, so those to come will acquire no mean reputation, when it can be said of them, their conduct has been like yours.

"We thankfully accept the honour you do us, in calling yourself our countryman; give us leave then to desire, that you will not forget this as your country, and if you can, make haste to return to it.

"But if the service of our sovereign will not admit of what we do earnestly desire, and his commands deny us that happiness; permit us to address you as our friend, and give us your assistance, when we are oppressed with an administration the reverse of yours."

Colonel Hunter departing the province, the chief command devolved, the 31st of July, 1719, on Peter Schuyler, Esq., then the eldest member of the board of council. As he had no interview with the assembly during his short administration, in which he behaved with great moderation and integrity; there is very little observable in his time, except a treaty at Albany with the Indians, for confirming the ancient league; and the transactions respecting the partition line between New York and New Jersey; concerning the latter of which the following is a summary.

The two provinces were originally included in the grant of King Charles to the Duke of York. New Jersey was afterwards conveyed by the duke to Lord Berkley and Sir George Carteret. This again, by a deed of partition, was divided into East and West Jersey, the former being released to Sir George Carteret, and the latter to the assigns of Lord Berkley. The line of division extended from Little Egg Harbour to the North Partition Point on Delaware river, and thus both those tracts became concerned in the limits of the province of New York. The original rights of Lord Berkley and Sir George Carteret were vested in two different sets, consisting each of a great number of persons, known by the general name of the proprietors of East and West Jersey, who, though they surrendered the powers of government to Queen Anne, in the year 1702, still retained their property in the soil. These were the persons interested against the claim of New York. It is agreed on all sides, that the deed to

New Jersey was to be first satisfied out of that great tract granted to the duke, and that the remainder was the right of New York. The proprietors insisted upon extending their northern limits to a line drawn from the latitude of $41^{\circ} 40'$ on Delaware, to the latitude of 41° on Hudson's river; and alleged that before the year 1671, the latitude of 41° was reputed to be fourteen miles to the northward of Tappan Creek, part of those lands having been settled under New Jersey till 1684. They farther contended, that in 1684 or 1685, Dongan and Lawrie (the former governor of New York, and the latter of New Jersey) with their respective councils agreed, that the latitude on Hudson's river was at the mouth of Tappan Creek, and that a line from thence to the latitude of $41^{\circ} 46'$ on Delaware should be the boundary line. In 1686, Robinson, Wells, and Keith, surveyors of the three several provinces, took two observations, and found the latitude of 41° to be $1'$ and $25''$ to the northward of the Yonker's mills, which is four miles and forty-five chains to the southward of the mouth of Tappan Creek. But against these observations the proprietors offered sundry objections. It was not pretended by any of the litigants, that a line according to the station settled by Dongan and Lawrie was actually run; so that the limits of these contending provinces must long have existed in the uncertain conjectures of the inhabitants of both; and yet the inconveniences of this unsettled state, through the infancy of the country, were very inconsiderable. In the year 1701, an act passed in New York relating to elections, which annexed Wagachemeck, and great and little Minisink, certain settlements near Delaware, to Ulster county. The intent of this law was to quiet disputes before subsisting between the inhabitants of those places, whose votes were required both in Orange and Ulster. The natural conclusion from hence is, that the legislature of New York then deemed those plantations not included within the New Jersey grant.

Such was the state of this affair till the year 1717, when provision was made by New York for running the line. The same being done in New Jersey the succeeding year, commissions for that purpose under the great seals of the respective colonies, were issued in May, 1719. The commissioners, by indenture dated the 26th of July, fixed the North Station Point on the northernmost branch of Delaware, called the Fish Kill; and from thence a random line was run to Hudson's river, terminating about five miles to the northward of the mouth of Tappan Creek. In August, the surveyors of East Jersey met for fixing the station on Hudson's river. All the commissioners not attending through sickness, nothing further was done. What had already been transacted, however, gave a general alarm to many persons interested in several patents under New York, who before imagined their rights extended to the southward of the random line. The New York surveyor afterwards declined proceeding in the work, complaining of faults in the instrument which had been used in fixing the North Station on Delaware. The proprietors, on the other hand, thought they answered his objections, and the matter rested without much contention till the year 1740. Frequent quarrels multiplying after that period, relating to the rights of soil and jurisdiction southward of the line in 1719, a probationary act was passed in New Jersey, in February, 1748, for running the line ex-parte, if the province of New York refused to join in the work. The New York assembly soon after

directed their agent to oppose the king's confirmation of that act, and it was accordingly dropped, agreeably to the advice of the lords of trade, whose report of the 18th of July, 1753, on a matter of so much importance, it is thought right here to insert.

"To the king's most excellent majesty.

"May it please your majesty,—We have lately had under our consideration, an act passed in your majesty's province of New Jersey in 1747-8, entitled An act for running and ascertaining the line of partition and division betwixt this province of New Jersey, and the province of New York.

"And having been attended by Mr. Paris, solicitor in behalf of the proprietors of the eastern division of New Jersey, with Mr. Hume Campbell and Mr. Henley his counsel in support of the said act; and by Mr. Charles, agent for the province of New York, with Mr. Forrester and Mr. Pratt his counsel against the said act, and heard what each party had to offer thereupon; we beg leave humbly to represent to your majesty, that the considerations which arise upon this act are of two sorts, viz., such as relate to the principles upon which it is founded, and such as relate to the transactions and circumstances which accompany it.

"As to the first, it is an act of the province of New Jersey interested in the determination of the limits, and in the consequential advantages to arise from it.

"The province of New Jersey, in its distinct and separate capacity, can neither make nor establish boundaries: it can as little prescribe regulations for deciding differences between itself and other parties concerned in interest.

"The established limits of its jurisdiction and territory are such as the grants under which it claims have assigned. If those grants are doubtful, and differences arise upon the constructions, or upon the matters of them, we humbly apprehend that there are but two methods of deciding them; either by the concurrence of all parties concerned in interest, or by the regular and legal forms of judicial proceedings; and it appears to us, that the method of proceeding must be derived from the immediate authority of the crown itself, signified by a commission from your majesty under the great seal; the commission of subordinate officers and of derivative powers being neither competent nor adequate to such purposes; to judge otherwise would be, as we humbly conceive, to set up ex-parte determinations and incompetent jurisdictions in the place of justice and legal authority.

"If the act of New Jersey cannot conclude other parties, it cannot be effectual to the ends proposed; and that it would not be effectual to form an absolute decision in this case, the legislature of that province seems sensible, whilst it endeavours to leave to your majesty's determination the decision of one point relative to this matter, and of considerable importance to it; which power your majesty cannot derive from them, without their having the power to establish the thing itself, without the assistance of your majesty.

"As we are of opinion, that the present act, without the concurrence of other parties concerned in interest, is unwarrantable and ineffectual; we shal in the next place consider what transactions and proceedings have passed, towards obtaining such concurrence.

"The parties interested, are your majesty and the two provinces of New York and New Jersey. Your majesty is interested with respect to your sovereign ty,

seigneurie, and property; and the said provinces with respect to their government and jurisdiction.

"With regard to the transactions on the part of New York, we beg leave to observe, that whatever agreements have been made formerly between the two provinces for settling their boundaries; whatever acts of assembly have passed, and whatever commissions have been issued by the respective governors and governments; the proceedings under them have never been perfected, the work remains unfinished, and the disputes between the two provinces subsist with as much contradiction as ever; but there is a circumstance that appears to us to have still more weight, namely, that those transactions were never properly warranted on the part of the crown: the crown never participated in them, and therefore cannot be bound with respect to its interests by proceedings so authorised.

"The interest which your majesty has in the determination of this boundary, may be considered in three lights: either as interests of sovereignty, respecting mere government; of seigneurie, which respect escheats, and quit-rents; or of property, as relative to the soil itself; which last interest takes place in such cases, where either your majesty has never made any grants of the soil, or where such grants have, by escheats, reverted to your majesty.

"With regard to the first of these interests, viz. that of sovereignty, it has been alleged to us in support of the act, that it is not materially affected by the question, as both provinces are under your majesty's immediate direction and government; but they stand in a very different light with respect to your majesty's interest in the quit-rents and escheats; in both which articles the situation of the two provinces appears to us to make a very material alteration; for although the province of New Jersey is not under regulations of propriety or charter with respect to its government, yet it is a proprietary province with respect to the grant and tenure of its territory; and consequently, as New York is not in that predicament, the determination of the boundary in prejudice to that province, will affect your majesty's interest with respect to the tenure of such lands as are concerned in this question; it being evident, that whatever districts are supposed to be included in the limits of New Jersey, will immediately pass to the proprietors of that province, and be held of them, by which means your majesty would be deprived of your escheats, and the quit-rents would pass into other hands.

"To obviate this objection, it has been alleged, that the crown has already made absolute grants of the whole territory that can possibly come in question under the denomination of this boundary, and reserved only trifling and inconsiderable quit-rents on those grants. But this argument does not seem to us to be conclusive, since it admits an interest in your majesty, the greatness or smallness of which is merely accidental; and therefore does not affect the essence of the question: and we beg leave to observe, that in the case of exorbitant grants with inconsiderable quit-rents; and where consequently it may reasonably be supposed, that the crown has been deceived in such grants by its officers; your majesty's contingent right of property in virtue of your seigneurie, seems rather to be enlarged than diminished.

"This being the case, it appears to us, that Governor Hunter ought not to have issued his commission for running the line above-mentioned, without having previously received the royal direction and

instruction for that purpose; and that a commission issued without such authority can be considered, with respect to the interests of the crown, in no other light than as a mere nullity: and even with respect to New York, we observe, that the said commission is questionable, as it does not follow the directions of the above-mentioned act, passed in 1717, which declares, that the commission to be issued, shall be granted under the joint authority of the governor and council of that province.

"But it has been further urged, that the crown has since confirmed these transactions, either by previous declarations or by subsequent acquiescence, and consequently participated in them, so far as to conclude itself: we shall therefore, in the next place, beg leave to consider the circumstances urged for this purpose.

"It has been alleged, that the crown, by giving consent to the aforesaid act, passed in New York in 1717, for paying and discharging several debts due from that colony, &c., concluded and bound itself, with respect to the subsequent proceedings had under the commission issued by Governor Hunter; but the view and purport of that act appears to us so entire, and so distinctly formed for the purpose of raising money and establishing funds; so various and so distinct from any consideration of the disputes subsisting in the two provinces, with respect to the boundaries; that we cannot conceive a single clause in so long and so intricate an act, can be a sufficient foundation to warrant the proceedings of Governor Hunter subsequent to it, without a special authority from the crown for that purpose; and there is the more reason to be of this opinion, as the crown, by giving its assent to that act, can be construed to have assented only to the levying money for a future purpose; which purpose could not be effected by any commission but from itself; and therefore can never be supposed to have, thereby, approved a commission from another authority, which was at that time already issued, and carrying into execution, previous to such assent.

"We further beg leave humbly to represent to your majesty, that the line of partition and division between your majesty's province of New York and colony of Connecticut, having been run and ascertained, pursuant to the directions of an act passed at New York for that purpose, in the year 1719, and confirmed by his late majesty in 1723; the transactions between the said province and colony, upon that occasion, have been alleged to be similar to, and urged as, a precedent, and even as an approbation, of the matter now in question: but we are humbly of opinion, that the two cases are materially, and essentially, different. The act passed in New York, in 1719, for running and ascertaining the lines of partition and division between that colony and the colony of Connecticut, recites, that in the year 1683, the governor and council of New York, and the governor and commissioners of Connecticut, did, in council, conclude an agreement concerning the boundaries of the two provinces; that, in consequence of this agreement, commissioners and surveyors were appointed on the part of each government, who did actually agree, determine, and ascertain, the lines of partition; marked out a certain part of them, and fixed the point from whence the remaining part should be run: that the several things agreed on and done by the said commissioners, were ratified by the respective governors; entered on record in each colony, in March, 1700; approved and confirmed by order of King William

the Third, in his privy council; and by his said majesty's letter to his governor of New York. From this recital it appears to us, that those transactions were not only carried on with the participation, but confirmed by the express act and authority of the crown; and that confirmation made the foundation of the act passed, by New York, for settling the boundaries between the two provinces; of all which authority and foundation the act, we now lay before your majesty, appears to us to be entirely destitute.

"Upon the whole, as it appears to us, that the act in question cannot be effectual to the ends proposed; that your majesty's interest may be materially affected by it, and that the proceedings on which it is founded were not warranted in the first instance by the proper authority, but carried on without the participation of the crown: we cannot think it advisable to lay this act before your majesty, as fit to receive your royal approbation.

"Which is most humbly submitted,

"Dunk Halifax,

"J. Grenville,

"James Oswald,

"Andrew Stone."

Whitehall,
July 18, 1753.

From the year 1720 to the commencement of the administration of Colonel Cosby.

William Burnet, Esq. took upon him the government of this province, on the 17th of September, 1720. The council named in his instructions were, Colonel Schuyler, Colonel Depeyster, Captain Walter, Colonel Beekman, Mr. Van Dam, Colonel Heathcote, Mr. Barbarié, Mr. Philippe, Mr. Byerly, Mr. Clarke, Dr. Johnston, Mr. Harrison.

Mr. Burnet, as has been already observed, in the account of his government of Massachusetts, was the son of the famous Bishop Burnet. His fortune was very inconsiderable, for he suffered much in the South Sea scheme. While in England, he had the office of comptroller of the customs at London, which he resigned to Brigadier Hunter, as the latter, in his favour, did the government of this and the colony of New Jersey. Mr. Burnet's acquaintance with that gentleman gave him an opportunity to obtain good intelligence both of persons and matters in the colony. The brigadier recommended all his old friends to the favour of his successor, and he made few changes amongst them. Colonel Schuyler and Mr. Philippe were, indeed, removed from the council board by his representations, for their opposing, in council, the continuance of the assembly, after his arrival. Mr. Morris, the chief justice, was his principal confidant. Dr. Colden and Mr. Alexander, two Scotch gentlemen, had the next place in his esteem. They were both men of learning, good morals, and solid parts. The former was well acquainted with the affairs of the province, and particularly those which concerned the French in Canada and the Indian allies. The latter was bred to the law, and though no speaker, at the head of his profession for sagacity and penetration; and in application to business no man could surpass him. Nor was he unacquainted with the affairs of the public, having served in the secretary's office, the best school in the province for instruction in matters of government; because the secretary enjoyed a plurality of offices, conversant with all the business of the colony. Both those gentlemen were, by Mr. Burnet, soon raised to the council-board, as were also Mr. Morris, jun., Mr. Van Horn, whose daughter he married, and Mr. Kennedy, who suc-

ceeded Byerly, both at the council-board and in the office of receiver-general.

Of all the governors, none had such extensive and just views of our Indian affairs, and the dangerous neighbourhood of the French, as Governor Burnet, in which Mr. Livingston was his principal assistant. His attention to these matters appeared at the very commencement of his administration; for in his first speech to the assembly, the autumn after his arrival, he laboured to implant the same sentiments in the breasts of the members; endeavouring to alarm their fears, by the daily advances of the French, their possessing the main passes, seducing the Indian allies, and increasing their new settlements in Louisiana.

Chief justice Morris, whose influence was very great in the house, drew the address in answer to the governor's speech, which contained the following passage, manifesting the confidence they reposed in him: "We believe that the son of that worthy prelate, so eminently instrumental under our glorious monarch, William the Third, in delivering us from arbitrary power, and its concomitants, popery, superstition, and slavery; has been educated in, and possesses, those principles that so justly recommended his father to the council and confidence of protestant princes; and succeeds our former governor, not only in power, but inclination, to do us good."

From an assembly, impressed with such favourable sentiments, his excellency had the highest reason to expect a submissive compliance with every thing recommended to their notice. The public business proceeded without suspicion or jealousy, and nothing intervened to disturb the tranquillity of the political state. Among the most remarkable acts passed this session, we may reckon that, for a five years' support; another for laying a duty of two per cent. prime cost on the importation of European goods, which was soon after repealed by the king; and a third, for prohibiting the sale of Indian goods to the French. The last of these was a favourite act of the governor's, and though a law very advantageous to the province, became the source of an unreasonable opposition against him, which continued through his whole administration. From the conclusion of the peace of Utrecht, a great trade was carried on between Albany and Canada, for goods saleable among the Indians. The chiefs of the confederates wisely foresaw its ill consequences, and complained of it to the commissioners of Indian affairs, who wrote to Mr. Hunter, acquainting him of their dissatisfaction. The letter was laid before the house, but no effectual step taken to prevent the mischief, till the passing of this act, which subjected the traders to a forfeiture of the effects sold, and the penalty of 100*l*. Mr. Burnet's scheme was to draw the Indian trade into the colony's power; to obstruct the communication of the French with the Indian allies, which gave them frequent opportunities of seducing them from their fidelity; and to regain the Caghnugas, who became interested in their disaffection, by being the carriers between Albany and Montreal. Among those who were more immediately prejudiced by this new regulation, the importers of those goods from Europe were the chief; and hence the spring of their opposition to the governor. Frequent reference being made to "commissioners of Indian affairs," it is necessary to describe the nature of their office. As the governors resided at New York, it became necessary that some persons should be commissioned, at Albany, to re-

ceive intelligence from the Indians, and treat with them upon emergencies, which gave rise to the office of "commissioners of Indian affairs," who in general transacted all such matters as might be done by the governor. They received no salaries, but considerable sums were deposited in their hands for occasional presents. There are regular minutes of their transactions from the year 1675. These were in separate quires, till 1751, when they were bound up in four large volumes, in folio. And in them all the Indian treaties are entered. The books were kept by a secretary, commissioned in England. The commandant at Oswego was generally a commissioner. The office would probably have been more advantageous if the commissioners had not been traders, than which nothing is more ignoble in the judgment of the Indians.

All possible arts were used, both here and in England, to preserve the good temper of the assembly. Brigadier Hunter gave the ministry such favourable accounts of the members, that Colonel Schuyler, during his presidentship, had orders from Mr. Secretary Craggs, neither to dissolve them himself, nor permit them to be dissolved; and at the spring session, in the year 1721, Mr. Burnet informed them, that his continuance of them was highly approved at home. Horace Walpole, the auditor-general, who had appointed Mr. Clarke for his deputy, thought this a favourable conjuncture for procuring five per cent. out of the treasury. But the house were averse to his application, and on the 2d of June, Abraham Depeyster, jun., was appointed treasurer by the speaker's warrant, with the consent of the governor, in the room of his father, who was infirm; upon which he entered into a recognizance of 5,000*l.* to the king, before a judge of the supreme court, for the faithful execution of his trust, which was lodged in the secretary's office. The house, at the same time, in an address, declared their willingness that the treasurer should account; but utterly refused to admit of any draughts upon the treasury for the auditor-general, who was constrained to depend entirely upon the revenue, out of which he received about 200*l.* per annum.

Mr. Burnet being well acquainted with the geography of the country, wisely concluded, that it was to the last degree necessary to get the command of the great lake Ontario, as well for the benefit of the trade, and the security of the friendship of the five nations, as to frustrate the French designs, of confining the English colonies to narrow limits along the sea coast, by a chain of forts on the great passes from Canada to Louisiana. Towards the subversion of this scheme, he began the erection of a trading house at Oswego, in the country of the Senneecas, in 1722; and recommended a provision for the residence of trusty persons among them, and the Onondagas, which last possessed the centre of the five cantons. This year was remarkable for a congress of several governors and commissioners, on the renewal of the ancient friendship with the Indians at Albany. Mr. Burnet prevailed upon them to send a message to threaten the Eastern Indians with a war, unless they concluded a peace with the English, who were very much harassed by their frequent irruptions. On the 20th of May, in the year following, the confederates were augmented by their reception of above eighty Nicariagas, besides women and children, as they had been formerly, by the addition of the Tuscaroras. The country of the Nicariagas was on the north side of Missilimakinack, but the Tuscaroras possessed a tract of land near

the sources of James's river, in Virginia, from whence the encroachments of the English induced them to remove, and settle near the south-east end of the Oneida lake.

The strict union subsisting between the several branches of the legislature, gave a handle to Mr. Burnet's enemies to excite a clamour against him. Jealousies were industriously sown in the breasts of the people. The continuance of an assembly, after the accession of a new governor, was represented as an anti-constitutional project; and though the affairs of the public were conducted with wisdom and spirit, many were so much imposed upon, that a rupture between the governor and the assembly was thought to be absolutely necessary for the weal and safety of the community. But this was not the only stratagem of those who were dissatisfied at the prohibition of the French trade. The London merchants were induced to petition the king for an order to his governor, prohibiting the revival of the act made against it, or the passing any new law of that tendency. The petition was referred to the board of trade, and backed before their lordships, with suggestions of the most notorious falsehoods. The lords of trade prudently advised, that no such directions should be sent to Mr. Burnet till he had an opportunity of answering the objections against the act. They were accordingly sent over to him, and he laid them before his council. Dr. Colden and Mr. Alexander exerted themselves in a memorable report in answer to them, which drew upon them the resentment of several merchants who had first excited the London petition, and laid the foundation for a variance between their families, which manifested itself on many occasions. As this report illustrates the state of the colony at this period, it is introduced.

"May it please your excellency,

"In obedience to your excellency's commands, in council, the 29th of October, referring to us a petition of several merchants in London, presented to the king's most excellent majesty, against renewing an act passed in this province, entitled, 'An act for encouragement of the Indian trade, and rendering it more effectual to the inhabitants of this province, and for prohibiting the selling of Indian goods to the French.' As likewise the several allegations of the said merchants before the right honourable the lords of trade and plantations, we beg leave to make the following remarks.

"In order to make our observations the more distinct and clear, we shall gather together the several assertions of the said merchants, both in their petition, and delivered verbally before the lords of trade, as to the situation of this province, with respect to the French and Indian nations; and observe on them, in the first place, their being the foundation on which all their other allegations are grounded. Afterwards we shall lay before your excellency what we think necessary to observe on the other parts of the said petition, in the order they are in the petition, or in the report of the lords of trade.

"In their geographical accounts they say, 'Besides the nations of Indians that are in the English interest, there are very many nations of Indians, who are at present in the interest of the French who lie between New York and the nations of Indians in the English interest. The French and their Indians would not permit the English Indians to pass over by their forts. The said act restrains them (the five nations) from a free commerce with the inhabitants of New York.'

"The five Indian nations are settled upon the banks of the river St. Lawrence, directly opposite to Quebec, two or three hundred leagues distant from the nearest British settlements in New York.

"They (the five nations of Indians) were two or three hundred leagues distant from Albany; and that they could not come to trade with the English, but by going down the river St. Lawrence, and from thence through a lake which brought them within eighteen leagues of Albany."

"These things the merchants have thought it safe for them, and consistent with their duty to his sacred majesty, to say in his majesty's presence, and to repeat them afterwards before the right honourable the lords of trade, though nothing can be more directly contrary to the truth. For there are no nations of Indians between New York and the nations of Indians in the English interest, who are now six in number, by the addition of the Tuscaroras. The Mohawks (called Annies by the French), one of the five nations, live on the south side of a branch of Hudson's river, (not on the north side as they are placed in the French maps) and but forty miles directly west from Albany, and within the English settlements; some of the English farms, upon the same river, being thirty miles further west. The Oneidas (the next of the five nations) lie likewise west from Albany, near the head of the Mohawks river, about 100 miles from Albany. The Onondagas lie about 130 miles west from Albany; and the Tuscaroras live partly with the Onondagas. The Cayugas are about 160 miles from Albany; and the Senneecas (the furthest of all these nations) are not above 240 miles from Albany, as may appear from Mr. D'Isle's map of Louisiana, who lays down the five nations under the name of Iroquois; and goods are daily carried from this province, to the Senneecas, as well as to those nations that lie nearer, by water all the way, except three miles (or in the dry season five miles), where the traders carry over land between the Mohawks river and the Wood Creek, which runs into the Oneidas lake, without going near either St. Lawrence river, or any of the lakes upon which the French pass, which are entirely out of their way.

"The nearest French forts or settlements to Albany, are Chambly and Montreal, both of them lying about north and by east from Albany, and are near 200 miles distant from it. Quebec lies about 380 miles north-east from Albany. So far is it from being true, that the five nations are situated upon the banks of the river St. Lawrence, opposite to Quebec, that Albany lies almost directly between Quebec and the five nations. And to say that these Indians cannot come to trade at Albany, but by going down the river St. Lawrence, and then into a lake eighteen leagues from Albany (we suppose they mean lake Champlain) passing by the French forts, is to the same purpose as if they should say, that one cannot go from London to Bristol, but by way of Edinburgh.

"Before we go on to observe other particulars, we beg leave further to remark, that it is so far from being true, that the Indians in the French interest lie between New York and our five nations of Indians; that some of our nations of Indians lie between the French and the Indians, from whence the French bring the far greatest quantity of their furs; for the Senneecas (whom the French call Sonontouons) are situated between lake Erie and Cadaracqui lake, (called by the French Ontario) near the great fall of Niagara, by which all the Indians that live round

lake Erie, round the lake of the Hurons, round the lake of the Illinois, or Michigan, and round the great upper lake, generally pass in their way to Canada. All the Indians situated upon the branches of the Mississippi, must likewise pass by the same place, if they go to Canada. And all of them likewise, in their way to Canada, pass by our trading-place upon the Cadaracqui lake, at the mouth of the Onondaga river. The nearest and safest way of carrying goods upon the Cadaracqui lake, towards Canada, being along the south side of that lake, (near where our Indians are settled, and our trade of late is fixed) and not by the north side and Cadaracqui, or Frontenac fort, where the French are settled.

"Now that we have represented to your excellency, that not one word of the geography of these merchants is true, upon which all their reasoning is founded; it might seem needless to trouble your excellency with any further remarks, were it not to show with what earnestness they are promoting the French interest, to the prejudice of all his majesty's colonies in North America, and that they are not ashamed of asserting any thing for that end, even in the royal presence.

"First they say, 'that by the act passed in this province, entitled, An act for the encouragement of the Indian trade, &c., all trade whatsoever is prohibited in the strictest manner, and under the severest penalties, between the inhabitants of New York government, and the French in Canada.'

"This is not true; for only carrying goods to the French, which are proper for the Indian trade, is prohibited. The trade, as to other things, is left in the same state it was before that act was made, as it will appear to any person that shall read it; and there are, yearly, large quantities of other goods, openly carried to Canada, without any hindrance from the government of New York. Whatever may be said of the severity and penalties in that act, they are found insufficient to deter some from carrying goods clandestinely to the French; and the legislature of this province are convinced, that no penalties can be too severe to prevent a trade, which puts the safety of all his majesty's subjects of North America in the greatest danger.

"Their next assertion is, 'All the Indian goods have by this act been raised 25% to 30% per cent.' This is the only allegation in the whole petition that there is any ground for. Nevertheless, though the common channel of trade cannot be altered without some detriment to it in the beginning; we are assured from the custom-house books, that there has been every year, since the passing of this act, more furs exported from New York, than in the year immediately before the passing of this act. It is not probable that the greatest difference between the exportation of any year before this act, and any year since, could so much alter the price of beaver, as it is found to be this last year. Beaver is carried to Britain from other parts besides New York, and it is certain that the price of beaver is not so much altered here by the quantity in our market, as by the demand for it in Britain. But as we cannot be so well informed here, what occasions beaver to be in greater demand in Britain, we must leave that to be enquired after in England. However, we are fully satisfied that it will be found to be for very different reasons from what the merchants allege.

"The merchants go on and say, 'Whereas, on the other hand, this branch of the New York trade,

'by the discouragements brought upon it by this act, is almost wholly engrossed by the French, who have already by this act been encouraged to send proper European goods to Canada, to carry on this trade, so that should this act be continued, the New York trade, which is very considerable, must be wholly lost to us, and centre in the French. Though New York should not furnish them, the French would find another way to be supplied therewith, either from some other of his majesty's plantations, or it might be directly from Europe. Many of the goods, which the Indians want, being as easy to be had directly from France or Holland, as from Great Britain.'

"This is easily answered, by informing your excellency, that the principal of the goods proper for the Indian market, are only of the manufactures of Great Britain, or of the British plantations, viz., strouds, or stroud-waters, and other woollens, and rum. The French must be obliged to buy all their woollens (the strouds especially) in England, and thence carry them to France, in order to their transportation to Canada.

"The voyage to Quebec, through the bay of St. Lawrence, is well known to be the most dangerous of any in the world, and only practicable in the summer months. The French have no commodities in Canada, by reason of the cold and barrenness of the soil, proper for the West India markets; and therefore have no rum but by vessels from France, that touch at their islands in the West Indies. New York has, by reason of its situation, both as to the sea and the Indians, every way the advantage of Canada. The New York vessels make always two voyages in a year from England, one in summer, and another in winter, and several voyages in a year to the West Indies. It is manifest, therefore, that it is not in the power of the French to import any goods near so cheap to Canada, as they are imported to New York.

"But to put this out of all controversy, we need only observe to your excellency, that strouds (without which no considerable trade can be carried on with the Indians) are sold at Albany for 10*l.* a piece; they were sold at Montreal, before this act took place, at 13*l.* 2*s.* 6*d.*, and now they are sold there for 25*l.* and upwards; which is an evident proof, that the French have not in these four years time (during the continuance of this act), found out any other way to supply themselves with strouds; and likewise that they cannot trade without them, seeing they buy them at so extravagant a price.

"It likewise appears, that none of the neighbouring colonies have been able to supply the French with these goods, and those that know the geography of the country, know it is impracticable to do it at any tolerable rate, because they must carry their goods ten times further by land than we need to do.

"We are likewise assured, that the merchants of Montreal lately told Mr. Vandreuil, their governor, that if the trade from Albany be not by some means or other encouraged, they must abandon that settlement. We have reason therefore to suspect, that these merchants (at least some of them) have been practised upon by the French agents in London; for no doubt, the French will leave no method untried to defeat the present designs of this government, seeing they are more afraid of the consequences of this trade between New York and the Indians, than of all the warlike expeditions that ever were attempted against Canada.

"But to return to the petitioners. 'They con-

'ceive nothing can tend more to the withdrawing the affections of the five nations of Indians from the English interest, than the continuance of the said act, which in its effects restrains them from a free commerce with the inhabitants of New York, and may too probably estrange them from the English interest; whereas, by a freedom of commerce, and an encouraged intercourse of trade with the French and their Indians, the English interest might, in time, be greatly improved and strengthened.'

"It seems to us a strange argument to say, that an act, the whole purport of which is to encourage our own people to go among the Indians, and to draw the far Indians through our Indian country to Albany (and which has truly produced these effects) would, on the contrary, restrain them from a free commerce with the inhabitants of New York, and may too probably estrange them from the English interest; and therefore that it would be much wiser in us to make use of the French, to promote the English interest; and for which end, we ought to encourage a free intercourse between them and our Indians. The reverse of this is exactly true, in the opinion of our five nations; who, in all their public treaties with this government, have represented against this trade, as the building the French forts with English strouds; that the encouraging a freedom of commerce with our Indians, and the Indians round them, who must pass through their country to Albany, would certainly increase both the English interest and theirs, among all the nations to the westward of them; and that the carrying the Indian market to Montreal in Canada, draws all the far Indians thither.

"The last thing we have to take notice, is what the merchants asserted before the lords of trade, viz. 'That there has not been half the quantity of European goods exported since the passing of this act, that used to be.' We are well assured, that this is no better grounded than the above facts they assert with the same positiveness. For it is well known, almost to every person in New York, that there has not been a less, but rather a greater, quantity of European goods imported into this place, since the passing of this act, than was at any time before it, in the same space of time. As this appears by the manifests in the custom house here, the same may likewise be easily proved by the custom house books in London.

"As all the arguments of the merchants run upon the ill effects this act has had upon the trade, and the minds of the Indians, every one of which we have shewn to be asserted without the least foundation to support them; there nothing now remains, but to shew the good effects this act has produced, which are so notorious in this province, that we know not one person that now opens his mouth against the act.

"Before this act passed, none of the people of this province travelled into the Indian countries to trade. We have now above forty young men, who have been several times as far as the lakes trading, and thereby become well acquainted not only with the trade of the Indians, but likewise with their manners and languages; and those have returned with such large quantities of furs, that great numbers are resolved to follow their example; so that we have good reason to hope, that in a little time the English will draw the whole Indian trade of the inland countries to Albany, and into the country of the five nations. This government has built a pub-

lie trading house upon Cataracqui lake, at Irondequat, in the Senneecas land, and another is to be built, next spring, at the mouth of the Onondagas river. All the far Indians pass by these places, in their way to Canada; and they are not above half so far from the English settlements as they are from the French.

"So far it is from being true what the merchants say, 'That the French forts interrupt all communication between the Indians and the English,' that if these places be well supported, as they easily can be from our settlements, in case of a rupture with the French it will be in the power of this province to intercept the greatest part of the trade between Canada and the Indians round the lakes and the branches of the Mississippi. Since this act passed, many nations have come to Albany to trade, in peace and friendship, whose names had not so much as been heard of among us. In the beginning of May, 1723, a nation of Indians came to Albany, singing and dancing, with their calumets before them, as they always do when they come to any place where they have not been before. We do not find that the commissioners of Indian affairs, were able to inform themselves what nation this was.

"Towards the end of the same month, eighty men, besides the women and children, came to Albany in the same manner. These had one of our five nations with them for an interpreter, by whom they informed the commissioners, that they were of a great nation, called Nehkereages, consisting of six castles and tribes; and that they lived near a place, called by the French, Missimakinah, between the upper lake and the lake of the Hurons. These Indians not only desired a free commerce, but likewise to enter into a strict league of friendship with us and our six nations, that they might be accounted the seventh nation in the league; and being received accordingly, they left their calumet, as a pledge of their fidelity. In June another nation arrived, but from what part of the continent we have not learned.

"In July the Twightwies arrived, and brought an Indian interpreter of our nations with them, who said, that they were called by the French, Miamies, and that they lived upon one of the branches of the river Mississippi. At the same time some of the Tahsagrondie Indians, who live between lake Erie and the lake Hurons, near a French settlement, did come and renew their league with the English, nor durst the French hinder them. In July this year, another nation came, whose situation and name we know not; and in August and September several parties of the same Indians that had been here last year: but the greatest numbers of these far Indians have been met this year in the Indian country by our traders, every one of them endeavouring to get before another, in order to reap the profits of so advantageous a trade, which has all this summer long kept about forty traders constantly employed, in going between our trading places, in our Indian country, and Albany.

"All these nations of Indians, who came to Albany, said, that the French had told them many strange stories of the English, and did what they could to hinder their coming to Albany, but that they had resolved to break through by force. The difference on this score between the Tahsagrondie Indians and the French (who have a fort and settlement there, called by them *Le Droit*) rose to that height this summer, that Mr. Tonti, who commanded there, thought it proper to retire, and return to Canada with many of his men.

"We are, for these reasons, well assured, that this year there will be more beaver exported for Great Britain than ever was from this province in one year; and that if the custom-house books at London be looked into, it will be found, that there will be a far greater quantity of goods for the Indians (strouds especially) sent over next spring, than ever there was at any one time to this province. For the merchants here tell us, that they have at this time ordered more of these goods than ever was done at any one time before.

"These matters of fact prove, beyond contradiction, that this act has been of the greatest service to New York, in making us acquainted with many nations of Indians, formerly entirely unknown, and strangers to us; withdrawing them from their dependence upon the French, and uniting them to us and our Indians, by means of trade and mutual offices of friendship.

"Of what great consequence this may be to the British interest in general, as to trade, is apparent to any body. It is no less apparent likewise, that it is of the greatest consequence to the safety of all the British colonies in North America. We feel, too sensibly, the ill effects of the French interest in the present war betwixt New England, and only one nation of Indians supported by the French. Of what dismal consequences then might it be, if the French should be able to influence, in the same manner, so many and such numerous nations, as lie to the westward of this province, Pennsylvania and Maryland? On the other hand, if all these nations (who assert their own freedom, and declare themselves friends to those that supply them best with what they want) be brought to have a dependence upon the English (as we have good reason to hope in a short time they will) the French of Canada, in case of a war, must be at the mercy of the English.

"To these advantages must be added, that many of our young men having been induced by this act to travel among the Indians, they learn their manners, their languages, and the situation of all their countries, and become inured to all manner of fatigues and hardships; and a great many more being resolved to follow their example, these young men, in case of war with the Indians, will be of ten times the service, that the same number of the common militia can be of. The effects of this act have likewise so much quieted the minds of the people, with respect to the security of the frontiers, that our settlements are now extended above thirty miles further west towards the Indian countries, than they were before it passed.

"The only thing that now remains to answer, is an objection which we suppose may be made. What can induce the merchants of London to petition against an act, which will be really so much for their interest in the end? The reason is, in all probability, because they only consider their present gain; and that they are not at all concerned for the safety of this country, in encouraging the most necessary undertaking, if they apprehended their profit for two or three years may be lessened by it. This inclination of the merchants has been so notorious, that few nations, at war with their neighbours, have been able to restrain them from supplying their enemies with ammunition and arms. The Count D'Es-trade, in his letters in 1638, says, that when the Dutch were besieging Antwerp, one Beiland, who had loaded four fly-boats with arms and powder for Antwerp, being taken up by the prince of Orange's order, and examined at Amsterdam, said boldly,

that the burghers of Amsterdam had a right to trade every where: that he could name a hundred that were factors for the merchants at Antwerp, and that he was one. 'That trade cannot be interrupted, and that for his part he was very free to own, that if to get any thing by trade it was necessary to pass through hell, he would venture to burn his sails.' When this principle, so common to merchants, is considered, and that some in this place have got estates by trading many years to Canada, it is not to be wondered, that they have acted as factors for Canada in this affair, and that they have transmitted such accounts to their correspondents in London, as are consistent with the trust reposed in them by the merchants of Canada.

"In the last place, we are humbly of opinion, that it may be proper to print the petition of the merchants of London, and their allegations before the lords of trade, together with the answers your committee has made hitherto, in vindication of the legislature of this province, of which we have the honour to be a part, if your excellency shall approve of our answers; that what we have said may be exposed to the examination of every one in this place, where the truth of these matters of fact is best known, and that the correspondents of these merchants may have the most public notice to reply, if they shall think it proper, or to disown, in a public manner, that they are the authors of such groundless informations. All which is unanimously and humbly submitted by "Your excellency's

"Most obedient humble servants,
"R. Walter, Rip Van Dam, John Barbarie, Fr. Harrison, Cadwallader Colden, James Alexander, Abraham Van Horne."

Governor Burnet transmitted this report to the board of trade, and it had the intended effect.—About the latter end of the year 1724, an unfortunate dispute commenced in the French church, of which, because it had no small influence on the public affairs of the government, we shall give a short account.

The persecutions in France which ensued upon the revocation of the edict of Nantz, drove the protestant subjects of Louis XIV. into the territories of other princes. Many of them fled even into this province: the most opulent settled in the city of New York—others went into the country and planted New Rochelle—and a few seated themselves at the New Palz in Ulster county. Those who resided in New York soon erected a church, upon the principles and model of that in Geneva; and by their growth and foreign accessions formed a congregation, for numbers and riches, superior to all but the Dutch. They had two ministers. Rou, who was a man of learning, but arrogant, luxurious, and passionate. Moulinaars, his colleague, was distinguished for his mild spirit, dull parts, and regular life. Rou despised his fellow-labourer, and for a long time commanded the whole congregation, by the superiority of his talents in the pulpit. The other, impatient of repeated affronts and open contempt, raised a party in his favour, and this year succeeded in the election of a set of elders disposed to humble the delinquent. Rou, being suspicious of the design, refused to acknowledge them duly elected. Incensed at this conduct, they entered an act in their minutes, dismissing him from the pastoral charge of the church, and procured a ratification of the act under the hands of the majority of the people. Governor Burnet had, long before this time, admitted Rou into his familiarity on the score of his learning, and that consideration, encouraged a petition to

him from Rou's adherents, complaining against the elders. The matter was then referred to a committee of the council, who advised that the congregation should be abolished, to bring their differences to an amicable conclusion. Some overtures, to that end, were attempted, and the elders offered to submit the controversy to the Dutch ministers. But Rou, who knew that the French church without a synod was unorganized, and could not restrain him, chose rather to bring his bill in chancery before the governor.

Mr. Alexander was his counsel, and Mr. Smith, a young lawyer, of the first reputation as a speaker, appeared for the elders. He pleaded to the jurisdiction of the court, insisting, that the matter was entirely ecclesiastical; and, in the prosecution of his argument, entered largely into an examination of the government of the protestant churches in France. According to which, he shewed that the consistory were the proper judges of the point in dispute, in the first instance; and that from thence an appeal lay to a colloque, next to a provincial, and last of all to a national synod. Mr. Burnet nevertheless over-ruled the plea, and the defendants, being fearful of a decree that might expose their own estates to the payment of Rou's salary, thought it advisable to drop their debates, reinstate the minister, and leave the church.

All those who opposed Rou were displeased with the governor; among these Mr. De Lancey was the most considerable for his wealth and popularity. He was very rigid in his religious profession, one of the first builders, and by far the most generous benefactor, of the French church, and therefore left it with the utmost reluctance. Mr. Burnet, before this time, had considered him as his enemy, because he had opposed the prohibition of the French trade; and this led him into a step, which, as it was a personal indignity, Mr. De Lancey could never recollect without resentment. This gentleman was returned for the city of New York, in the room of a deceased member, at the meeting of the assembly in September, 1725. When he offered himself for the oaths, Mr. Burnet asked him how he became a subject of the crown? he answered, that he was denized in England, and his excellency dismissed him, taking time to consider the matter. Mr. De Lancey then laid before the house an act of a notary public, certifying that he was named in a patent of denization, granted in the reign of James the Second; a patent of the same kind, under the great seal of the province, in 1686; and two certificates, one of his having taken the oath of allegiance, according to an act passed in the colonies in 1683, and another of his serving in several former assemblies. The governor, in the meantime, consulted the chief justice, and transmitted his opinion to the house, who resolved in favour of Mr. De Lancey. Several other new representatives came in, at this session, upon the decease of the old members; and Adolph Philipse, who had been, as we have seen some time before, dismissed from the council-board, was elected into the speaker's chair, in the absence of Mr. Livingston. The majority, however, continued in the interest of the governor; and consented to the revival of the several acts, which had been passed for prohibiting the French trade; which, in spite of all the restraints laid upon it, was clandestinely carried on by the people of Albany. Oswego, nevertheless, thrived: fifty-seven canoes went there this summer, and returned with 738 packs of beaver and deer-skins.

Nothing could more naturally excite the jealousy

of the French, than the erection of a new trading-house at the mouth of the Onondaga river. Fearful of losing a profitable trade, which they had almost entirely engrossed, and the command of the lake Ontario, they launched two vessels in it in 1726, and transported materials for building a large store-house, and repairing the fort at Niagara. The scheme was not only to secure to themselves the entrance into the west end of the lake, as they already had the east, by the fraudulent erection of fort Frontenac many years before; but also to carry their trade more westerly, and thus render Oswego useless, by shortening the travels of the western Indians near 200 miles. Baron de Longueuil, who had the chief command in Canada, on the death of the Marquis de Vaudreuil in October, 1725, was so intent upon this project, that he went, in person, to the Onondaga canton, for leave to raise the store-house at Niagara: and as those Indians were most of all exposed to the intrigues of the Jesuits, who constantly resided amongst them; he prevailed upon them by fraud, and false representations, to consent to it, for their protection against the English. But as soon as this matter was made known to the other nations, they declared the permission granted by the Onondagas to be absolutely void; and sent deputies to Niagara, with a message, signifying that the country in which they were at work belonged solely to the Senneecas, and required them immediately to desist. The French, notwithstanding, were regardless of the embassy, and pushed on their enterprise with all possible dispatch, while Joncaire exerted all his address among the Indians, to prevent the demolition of the works. Canada was very much indebted to the intrigues of this man. He had been adopted by the Senneecas, and was well esteemed by the Onondagas. He spoke the Indian language, as Charlevoix informs us, with a native elquence, and had lived amongst them, after their manner, from the beginning of Queen Anne's reign. All these advantages he improved for the interest of his country; he facilitated the missionaries in their progress through the cantons, and more than any man contributed to render their dependence upon the English weak and precarious. Convinced of this, Colonel Schuyler urged the Indians, at his treaty with them, in 1719, to drive Joncaire out of their country, but his endeavours were fruitless.

The Jesuit, Charlevoix, does honour to Mr. Burnet, in declaring that he left no stone unturned, to defeat the French designs at Niagara. Nor is it much to be wondered at. For besides supplanting his favourite trade at Oswego, it tended to the defection of the five nations; and, in case of a rupture, exposed the frontiers of our southern colonies to the ravages of the French and their allies. Mr. Burnet, upon whom these considerations made the deepest impression, laid the matter before the house, remonstrated against the proceedings to Longueuil in Canada, wrote to the ministry in England, who complained of them to the French court, and met the confederates at Albany, endeavouring to convince them of the danger they themselves would be in, from an aspiring, ambitious, neighbour. He spoke first about the affair privately to the Sachesms, and afterwards, in the public conference, informed them of all the encroachments which the French had made upon their fathers, and the ill usage they had met with, according to La Potherie's account, published with the privilege of the French king, at Paris, in 1722. He then reminded them of the kind treatment they had received from the English,

who constantly fed and clothed them, and never attempted any act of hostility to their prejudice. This speech was extremely well drawn, the thoughts being conceived in strong figures, particularly expressive and agreeable to the Indians. The governor required an explicit declaration of their sentiments concerning the French transactions at Niagara, and their answer was truly categorical. "We speak now in the name of all the six nations, and come to you howling. This is the reason why we howl, that the governor of Canada encroaches on our land, and builds thereon." After which they entreated him to write to the king for succour. Mr. Burnet embraced this favourable opportunity to procure from them a deed, surrendering their country to his majesty, to be protected for their use, and confirming their grant in 1701, concerning which there was only an entry in the books of the secretary for Indian affairs. Besides the territories at the west end of lake Erie, and on the north side of that, and the lake Ontario, which were ceded in 1701; the Indians now granted, for the same purpose, all their habitations from Oswego to Cayahoga river, which disembogues into lake Erie, and the country extending sixty miles from the southernmost banks of those lakes. Though the first surrender, through negligence, was not made by the execution of a formal deed under seal; yet as it was transacted with all the solemnity of a treaty, and as the second surrender confirms the first, no intermediate possession by the French could prejudice the British title derived by the cession 1701.

It happened very unfortunately, that his excellency's hands were then more weakened than ever, by the growing disaffection in the house. The intrigues of his adversaries, and the frequent deaths of the members, had introduced such a change in the assembly, that it was with difficulty he procured a three years support. The clamours of the people ran so high without doors for a new election, that he was obliged to dissolve the house, and soon after another dissolution ensued on the death of the king. The French, in the meantime, completed their works at Niagara, and Mr. Burnet, who was unable to do any thing else, erected a fort, in 1727, for the protection of the post and trade at Oswego. This necessary undertaking was pregnant with the most important consequences, not only to this but to all the colonies; and though the governor's seasonable activity deserved the highest testimonials of gratitude, he was obliged to build the fort at his private expense; and a balance of 56*l*. principal, though frequently demanded, remained long after due to his estate.

Beauharnois, the governor of Canada, who superseded Longueuil, was so incensed at the building of the fort, that he sent a written summons, in July, to the officer posted there, to abandon it; and though his predecessor had done the same a little before at Niagara, in the county of the Senneecas, the acknowledged subjects of the British crown, yet, with a singular effrontery, he dispatched De la Chasseigne, a man of parts, and governor of Trois Rivières, to New York, with the strongest complaints to Mr. Burnet upon that head. His excellency sent him a polite, but resolute answer, on the 8th of August, in which he refuted the arguments urged by the French governor-general; and remonstrated against the proceedings of the last year at Niagara.

The new assembly met in September, 1727, and consisted of members all ill affected to the governor. The long continuance of the last, the clamours which

were excited by several late important decrees in chancery, the affair of the French church, and especially the prohibiting the Canada trade, were the causes to which the loss of his interest is to be ascribed. Mr. Philipse, the speaker, was piqued at a decree in chancery against himself, which very much affected his estate; and the members, who were very much influenced by him, came, on the 25th of November, into the following resolutions. Colonel Hicks, from the committee of grievances, reported,—“That as well by the complaints of several people, as by the general cry of his majesty’s subjects inhabiting this colony, they find that the court of chancery, as lately assumed to be set up here, renders the liberties and properties of the said subjects extremely precarious; and that by the violent measures taken in and allowed by it, some have been ruined—others obliged to abandon the colony—and many restrained in it, either by imprisonment or by excessive bail exacted from them not to depart, even when no manner of suits are depending against them: and therefore are of opinion, that the extraordinary proceedings of that court, and the exorbitant fees and charges, countenanced to be exacted by the officers and practitioners thereof, are the greatest grievance and oppression this colony hath ever felt: and that for removing the fatal consequences thereof, they had come to several resolutions, which being read, were approved by the house, and are as follow:

“Resolved, that the erecting or exercising in this colony, a court of equity or chancery (however it may be termed) without consent in general assembly, is unwarrantable, and contrary to the laws of England, and a manifest oppression and grievance to the subjects, and of pernicious consequence to their liberties and properties.

“Resolved, that this house will at their next meeting prepare, and pass, an act to declare and adjudge all orders, ordinances, devices, and proceedings of the court, so assumed to be erected and exercised as abovementioned, to be illegal, null, and void, as by law and right they ought to be.

“Resolved, that this house, at the same time, will take into consideration, whether it be necessary to establish a court of equity or chancery in this colony; in whom the jurisdiction thereof ought to be vested, and how far the powers of it shall be prescribed and limited.”

Mr. Burnet no sooner heard of these votes, than he called the members before him and dissolved the assembly. They occasioned, however, an ordinance in the spring following, as well to remedy sundry abuses in the practice in chancery, as to reduce the fees of that court, which, on account of the popular clamours, were so much diminished, that ever after it was abandoned by all gentlemen of eminence in the profession.

We are now come to the close of Mr. Burnet’s administration, when he was appointed to the chief command of Massachusetts. Though there had never been a governor to whom the colony was so much indebted as to him; yet the influence of a faction, in the judgment of some, rendered his removal necessary for the public tranquillity. Insensible of his merit, many considered it as a most fortunate event; and till the ambitious designs of the French king, with respect to America, awakened attention to the general welfare, Mr. Burnet’s administration was as little esteemed as that of the meanest of his predecessors.

He was very fond of New York, and left it with

reluctance. His marriage connected him with a numerous family, and, besides an universal acquaintance, there were some gentlemen with whom he contracted a strict intimacy and friendship.

The excessive love of money, a disease common to all his predecessors, and to some who succeeded him, was a vice from which he was entirely free. He sold no offices, nor attempted to raise a fortune by indirect means, for he lived generously, and carried scarce any thing away with him but his books. These and the conversation of men of letters, were to him inexhaustible sources of delight. His astronomical observations have been useful; but by his comment on the Apocalypse, he exposed himself to some harsh criticisms.

John Montgomerie, Esq., received the great seal of this province from Mr. Burnet, on the 15th of April, 1728, having a commission to supersede him here and in New Jersey. The council board consisted of Mr. Walters, Mr. Van Dam, Mr. Barbarie, Mr. Clarke, Mr. Harrison, Dr. Colden, Mr. Alexander, Mr. Morris, jun., Mr. Van Horne, Mr. Provost, Mr. Livingston, Mr. Kennedy.

The governor was a Scotch gentleman, and bred a soldier; but in the latter part of his life he had little concern with arms, having served as groom of the bed-chamber to George II. when prince of Wales. This station, and a seat in parliament, paved the way to his preferment in America. In his talents for government he was much inferior to his predecessor, for he had neither strength nor acuteness of parts, and was but little acquainted with any kind of literature.

All parties being weary of contention a calm ensued, and the governor’s good humour helped to extinguish the discontent: having no particular scheme to pursue, and confining himself to the exercise of the common acts of government, the public affairs flowed on in a very calm manner.

The two causes of dissension with the late administration were carefully avoided by the present governor, for he dissolved the assembly called by his predecessor, before they had ever been convened; and as to the chancery he himself countenanced the opposition to it, by declining to sit, till enjoined to exercise the office of chancellor by special orders from England.

He then obeyed the command, but not without discovering his reluctance; and modestly confessing to the practisers, that he thought himself unqualified for the station. Indeed the court of chancery was evidently his aversion, and he never gave a single decree in it, nor more than three orders; and these, both as to matter and form, were first settled by the counsel concerned.

Mr. Philipse was chosen speaker of the assembly which met on the 23d of July, and continued sitting in perfect harmony till autumn. After his excellency had procured a five years support, and several other laws of less considerable moment, he went up to Albany, and on the 1st of October, held a treaty with the the six nations for a renewal of the ancient covenant. He gave them great presents, and engaged them in the defence of Oswego. Nothing could be more seasonable than this interview; for the French, who viewed that important garrison and the increasing trade there with the most restless jealousy, prepared, early in the spring following, to demolish the works. Governor Burnet gave the first intelligence of this design, in a letter to Colonel Montgomerie, dated at Boston the 31st of March, 1729. The garrison was thereupon immediately re-

inforced by a detachment from the independent companies; which together with the declared resolution of the Indians to protect the fort, induced the French to desist from the intended invasion.

Thus far the Indian affairs appeared to be under a tolerable direction; but these fair prospects were soon obscured by the king's repealing, on the 11th of December, 1729, all the acts which Mr. Burnet, with so much labour and opposition, procured for the prohibition of an execrable trade between Albany and Montreal. To whose intrigues this event is to be ascribed, cannot be certainly determined. But that it was pregnant with the worst consequences, was soon sufficiently evinced. Nothing could more naturally tend to undermine the trade at Oswego, to advance the French commerce at Niagara, to alienate the Indians from their fidelity to Great Britain, and particularly to rivet the defection of the Caghuuagas. For these residing on the south side of St. Lawrence, nearly opposite to Montreal, were employed by the French as their carriers, and thus became interested against the colonists by motives of the most prevailing nature. One would imagine that, after all the attention bestowed on this affair in the late administration, the objections against this trading intercourse with Canada must have been obvious to the meanest capacity; and yet from the time Mr. Burnet removed to Boston, it was rather encouraged than restrained.

The year 1731 was distinguished only by the complete settlement of the disputed boundary between this province and the colony of Connecticut. An event, considering the colonizing spirit and extensive claims of the people of New England, of no small importance, and concerning which it is proper to give a succinct account.

The partition line agreed upon, in 1664, being considered as fraudulent, or erroneous, a second agreement, suspended only for the king's and the duke's approbation, was concluded on the 23d of November, 1683, between Colonel Dongan and his counsel, and Robert Trent, Esq. then governor of Connecticut, and several other commissioners appointed by that colony. The line of partition, then agreed to be established, was to begin at the mouth of Byram brook, "Where it falleth into the sound, at a point called Lyon's Point, to go as the said river runneth, to the place where the common road, or wading-place, over the said river is; and from the said road or wading-place, to go north-north-west into the country, as far as will be eight English miles from the aforesaid Lyon's Point; and that a line of twelve miles being measured from the said Lyon's Point, according to the line or general course of the sound eastward: where the said twelve miles endeth, another line shall be run from the sound, eight miles into the country north-north-west, and also, that a fourth line be run (that is to say) from the northernmost end of the eight miles line, being the third-mentioned line, which fourth line with the first-mentioned line, shall be the bounds where they shall fall to run; and that from the easternmost end of the fourth-mentioned line (which is to be twelve miles in length) a line parallel to Hudson's river, in every place twenty miles distant from Hudson's river, shall be the bounds there, between the said territories or province of New York, and the said colony of Connecticut, so far as Connecticut colony doth extend northwards; that is, to the south line of the Massachusetts's colony: only it is provided, that in case the line from Byram brook's mouth, north-north-west 8 miles, and the line that is

then to run twelve miles to the end of the third fore-mentioned line of eight miles, do diminish or take away land, within twenty miles of Hudson's river, that then so much as is in land diminished of twenty miles of Hudson's river thereby, shall be added out of Connecticut bounds unto the line afore-mentioned, parallel to Hudson's river and twenty miles distant from it; the addition to be made the whole length of the said parallel line, and in such breadth, as will make up, quantity for quantity, what shall be diminished as aforesaid."

Pursuant to this agreement some of the lines were actually run out, and a report made of the survey, which, on the 24th of February, 1684, was confirmed by the governor of each colony at Milford in Connecticut. Here the matter rested, till a dispute arose concerning the right of jurisdiction over the towns of Rye and Bedford, which occasioned a solicitation at home; and on the 28th of March, 1700, King William was pleased to confirm the agreement of 1683.

Nineteen years afterwards, a probationary act was passed, empowering the governor to appoint commissioners, as well to run the line parallel to Hudson's river, as to re-survey the other lines and distinguish the boundary. The Connecticut agent opposed the king's confirmation of this act, but it was approved on the 23d of January, 1723. Two years after, the commissioners and surveyors of both colonies met at Greenwich, and entered first into an agreement, relating to the method of performing the work.

The survey was immediately after executed in part, the report being dated on the 12th of May, 1725; but the complete settlement was not made till the 14th of May, 1731, when indentures, certifying the execution of the agreement in 1725, were mutually signed by the commissioners and surveyors of both colonies. Upon the establishment of this partition, a tract of land lying on the Connecticut side, consisting of above 60,000 acres, from its figure called the Oblong, was ceded to New York, as an equivalent for lands near the Sound surrendered to Connecticut.

The very day after the surrender made by that colony, a patent passed in London to Sir Joseph Eyles and others, intended to convey the whole Oblong. A grant posterior to the other was also regularly made here to Hauley and company, of the greatest part of the same tract, which the British patentees brought a bill in chancery to repeal. But the defendants filed an answer, containing so many objections against the English patent, that the suit remained unprosecuted, and the American proprietors have ever since held the possession. Mr. Harrison, of the council, solicited this controversy for Sir Joseph Eyles and his partners, which contributed in a great degree to the troubles so remarkable in a succeeding administration.

Governor Montgomerie died on the 1st of July, 1731, and being a man of a kind and humane disposition, his death was not a little lamented. The chief command then devolved upon Rip Van Dam, Esq., he being the oldest counsellor, and an eminent merchant of a fair estate, though distinguished more for the integrity of his heart, than his capacity to hold the reins of government. He took the oaths before Mr. Alexander, Mr. Van Horne, Mr. Kennedy, Mr. De Lancey, and Mr. Courtlandt.

This administration is unfortunately signalled by the memorable encroachment at Crown Point. The French, in Canada, were always jealous of the in-

creasing strength of the English colonies; and this jealousy led them to concert a regular system of conduct for their defence. To confine the English to scant limits along the sea-coast was the grand object they had long in view; and seizing the important passes from Canada to Louisiana, seducing the Indian allies, engrossing the trade, and fortifying the routes into their country, were all proper expedients towards the execution of their plan. By erecting this new fort, they secured the absolute command of lake Champlain, through which the colonists must pass, if ever a descent were to be made upon Canada, either to conquer the country, or harass its settlements. The garrison was, at first, situated on the east side of the lake, near the south end; but was afterwards built upon a commodious point on the opposite side. Of all their infractions of the treaty of Utrecht, none was more palpable than this. The country belonged to the six nations, and the very spot upon which this fort was erected was included within a patent, to Delliis the Dutch minister of Albany, granted under the great seal of this province in 1696. Through this lake the French parties made their incursions upon Schenectady, the Mohawks' castles, and Deerfield; and the erection of this fort was apparently adapted to facilitate the inroads of the enemy upon the frontiers of the colonies of New York, Massachusetts, and New Hampshire. For it served not only as an asylum to fly to, after the perpetration of their inhumanities, but for a magazine of provisions and ammunition; and though it was not much above 120 miles from the very city of Albany, yet by the conveyance through Sorel river and the lake, it could be reinforced from Montreal in three or four days.

The Massachusetts government foresaw the dangerous consequences of the French fort at Crown Point, and Governor Belcher gave the first information of it, in a letter from Boston to Mr. Van Dam. He informed him of the vote of the general court, to bear their proportion of the charge of an embassy to Canada, to forbid the works, and pressed him to engage the opposition of the six nations. Van Dam laid the letter before his council, on the 4th of February, 1732; who, with singular calmness, advised him to write to the commissioners of Indian affairs, at Albany, ordering them to enquire whether the land belonged to the confederates or the river Indians. Whether the governor ever wrote to the commissioners, we have not been able to discover; nor whether any complaint of the encroachment was sent home, according to the second advice of council on the 11th of February; who, besides the first step, were now pleased to recommend his transmitting Governor Belcher's letter and the Boston vote to the several south-western colonies.

A very good scheme, in some measure, to repair this supineness, was afterwards projected, by settling the lands near lake George with protestant Highlanders from Scotland. Captain Laughlin Campbel, encouraged by a proclamation to that purpose, came over in 1737, and ample promises were made to him. He went upon the land, viewed, and approved it; and was entreated to settle there, even by the Indians, who were taken with his Highland dress. Mr. Clarke, the lieutenant-governor, promised him, in a printed advertisement, the grant of 30,000 acres of land, free from all but the charges of the survey and the king's quit-rent. Confiding on the faith of the government, Captain Campbel went home to Isla, sold his estate, and, shortly after, transported, at his own expense, eighty-three pro-

testant families, consisting of 423 adults, besides a great number of children. Private faith and public honour loudly demanded the fair execution of a project, so expensive to the undertaker and beneficial to the colony. But it unfortunately dropped, through the sordid views of some persons in power, who aimed at a share in the intended grant; to which Campbel, who was a man of spirit, would not consent.

Captain Campbel afterwards made an attempt to redress himself, by an application to the colonial assembly, and then to the board of trade in England. The first proved abortive, and such were the difficulties attending the last, that he left his colonists to themselves; and, with the poor remains of his broken fortune, purchased a small farm in this province. No man could have been better qualified for such an undertaking. He had a high sense of honour, excellent judgment, and was of a military disposition. Upon the news of the rebellion in Scotland, he went home; fought under the duke, returned to his family, and soon after died; leaving a widow and several children, who long felt the consequences of his disappointments.

Mr. Van Dam finished his administration on the 1st of August, 1732; when William Colsby, Esq. arrived, with a commission to govern this and the province of New Jersey.

Having been the advocate, in parliament, of the American colonies, he was at first popular, but soon lost the affection and confidence of the people. By his instigation, one Zenger, the printer of a newspaper, was prosecuted for publishing an article, declared to be derogatory to the dignity of his majesty's government. He was zealously defended by able counsel, and an independent jury gave a verdict of acquittal. The people applauded their conduct, and the magistrates of the city of New York presented to Andrew Hamilton, one of his defenders, the freedom of the city, in a gold box, and their thanks for "his learned and generous defence of the rights of mankind, and the liberty of the press."

Governor Colsby died in 1736, and was succeeded by George Clark, at that time senior counsellor, but soon after appointed lieutenant-governor. Again was revived the contest which had ended, twenty years before, in the victory gained by Governor Hunter over the house of representatives. The colony being in debt, the house voted to raise the sum of 6,000*l.*; but, in order to prevent its misapplication, declared, that it should be applied to the payment of certain specified debts. Offended by this vote, Clark resorted to the expedient which had usually been adopted to punish or intimidate; he immediately dissolved the assembly.

At the next election great exertions were made by the opposing parties. The popular party was triumphant. At their second session the house voted an address to the lieutenant-governor, which is worthy of particular notice. In bold and explicit language they state some of the vital principles of free government, refer to recent misapplications of money, and proceed:

"We therefore beg leave to be plain with your honour, and hope you will not take it amiss when we tell you, that you are not to expect that we will either raise sums unfit to be raised, or put what we shall raise into the power of a governor to misapply, if we can prevent it; nor shall we make up any other deficiencies than what we conceive fit and just to be paid; nor continue what support or revenue we shall raise, for any longer time than one year; nor

do we think it convenient to do even that, until such laws are passed as we conceive necessary for the safety of the inhabitants of this colony, who have reposed a trust in us for that only purpose, and which we are sure you will think it reasonable we should act agreeably to; and by the grace of God we shall endeavour not to deceive them."

With a body of men, so resolute in asserting their rights, the lieutenant-governor wisely forbore to contend. He thanked them for their address, and promised his cordial co-operation in all measures calculated to promote the prosperity of the colony. He gave his assent to a law, providing for the more frequent election of representatives; which law, however, two years afterwards, was abrogated by the king.

But between a house of representatives and a chief magistrate, deriving their authority from different sources, harmony could not long subsist. Mr. Clark, in his speech at the opening of the next session, declared that unless the revenue was granted for as long a time as it had been granted by former assemblies, his duty to his majesty forbade him from assenting to any act for continuing the excise, or for paying the colonial bills of credit. The house unanimously resolved, that it would not pass any bill for the grant of money, unless assurance should be given that the excise should be continued, and the bills of credit redeemed.

The lieutenant-governor immediately ordered the members to attend him. He told them that "their proceedings were presumptuous, daring, and unprecedented; that he could not look upon them without astonishment, nor with honour suffer the house to sit any longer;" and he accordingly dissolved it. Little more than a year had elapsed, since the members were chosen; but in that time they had, by their firm and spirited conduct in support of the rights of the people, merited the gratitude of their constituents.

About this time, a supposed "negro plot" occasioned great commotion and alarm in the city of New York. The frequent occurrence of fires, most of which were evidently caused by design, first excited the jealousy and suspicion of the citizens. Terrified by danger which lurked unseen in the midst of them, they listened with eager credulity to the declaration of some abandoned females, that the negroes had combined to burn the city, and make one of their number governor. Many were arrested and committed to prison. Other witnesses, not more respectable than the first, came forward; other negroes were accused, and even several white men were designated as concerned in the plot.

When the time of trial arrived, so strong was the prejudice against the miserable negroes, that every lawyer in the city volunteered against them. Ignorant and unassisted, nearly all who were tried were condemned. Fourteen were sentenced to be burned, eighteen to be hung, seventy-one to be transported, and all these sentences were executed. Of the whites two were convicted and suffered death.

All apprehension of danger having subsided, many began to doubt whether any plot had in fact been

concerted. None of the witnesses were persons of credit; their stories were extravagant and often contradictory; and the project was such as none but fools or madmen would form. The two white men were respectable; one had received a liberal education, but he was a catholic, and the prejudice against catholics was too violent to permit the free exercise of reason. Some of the accused were doubtless guilty of setting fire to the city; but the proof of the alleged plot was not sufficiently clear to justify the numerous and cruel punishments that were inflicted.

In April, 1740, the assembly again met. It had now risen to importance in the colony. The adherence of the representatives to their determination not to grant the revenue for more than one year, made annual meetings of the assembly necessary. This attachment to liberty was mistaken for the desire of independence. Lieutenant-governor Clark, in a speech delivered in 1741, alludes to "a jealousy which for some years had obtained in England, that the plantations were not without thoughts of throwing off their dependence on the crown."

In 1743, George Clinton was sent over as governor of the colony. Like most of his predecessors he was welcomed with joy; and one of his earliest measures confirmed the favourable accounts which had preceded him, of his talents and liberality. To show his willingness to repose confidence in the people, he assented to a bill limiting the duration of the present and all succeeding assemblies. The house manifested its gratitude by adopting the measures he recommended for the defence of the province against the French, who were then at war with England.

In 1745, the savages in alliance with France made frequent invasions of the English territories. The inhabitants were compelled to desert Hosick; Saratoga was destroyed; the western settlements of New England were often attacked and plundered. Encouraged by success, the enemy became more daring, and small parties ventured within the suburbs of Albany, and there laid in wait for prisoners. It is even said that one Indian, called Tomonwilemon, often entered the city and succeeded in taking captives.

Distressed by these incursions, the assembly, in 1746, determined to unite with the other colonies and the mother country in an expedition against Canada. They appropriated money to purchase provisions for the army, and offered liberal bounties to recruits. But the fleet from England did not arrive at the appointed time; the other colonies were dilatory in their preparations, and before they were completed, the season for military operations had passed away. A sufficient account of which has been already given in the histories of the other colonies.

Early in the next year a treaty was concluded, and the inhabitants were for a short period relieved from the burdens and distresses of war. And nothing of very great importance took place from this period, to the commencement of the revolutionary war, of which a general history will be given.

NEW JERSEY.

First settlers—Acquirement by the English—Lord Berkeley and Sir George Carteret, proprietors—Purchase of Elizabeth Town, and settlement of Newark, Middletown, and Shrewsbury—Philip Carteret, governor—Purchases from the Indians—Capt. Berry, deputy governor—Currency—Sir George Carteret's additional instructions.

As the first settlement of this part of the United States, and the contests with the foreign settlers have already been sufficiently enlarged upon in the history of the state of New York, we shall at first merely recapitulate such events as are necessary to give a connected view of its early colonization.

The first settlement of New Jersey was made by the Danes, about the year 1624, at a place at the mouth of the Hudson, about three miles west of New York, called Bergen, from a city of that name in Norway. Soon afterwards several Dutch families seated themselves in the vicinity of New York. In 1625, a company was formed in Sweden, under the patronage of King Gustavus Adolphus, for the purpose of planting a colony in America. The next year, a number of Swedes and Finns emigrated, and purchased of the natives the land on both sides of the river Delaware, but made their first settlement on its western bank near Christina creek.

About the year 1640, the English began a plantation at Elsingburgh, on its eastern bank. The Swedes, in concert with the Dutch, who then possessed New York, drove them out of the country. The former built a fort on the spot whence the English had been driven; and gaining thus the command of the river, claimed and exercised authority over all vessels that entered it, even those of the Dutch, their late associates.

They continued in possession of the country, on both sides of the Delaware, until 1655, when Peter Stuyvesant, governor of the New Netherlands, having obtained assistance from Holland, conquered all their posts, and transported most of the Swedes to Europe. The Dutch were now in possession of the territory comprising, at this time, the states of New Jersey, New York, and Delaware.

This extensive territory, however, soon changed masters. King Charles II, having granted it to the Duke of York, sent an armament in 1664 to wrest it from the Dutch, which, after reducing New York, proceeded to the settlements on the Delaware, which immediately submitted. In the same year the duke conveyed that portion of his grant, lying between Hudson and Delaware rivers, to Lord Berkeley and Sir George Carteret; as already narrated in the history of New York. This tract was called New Jersey, in compliment to Sir George, who had been governor of the island of Jersey, and had held it for King Charles in his contest with the parliament. The two proprietors formed a consti-

tution for the colony, securing equal privileges and liberty of conscience to all, and it consequently became popular and rapidly increased.

In 1664, John Bailey, Daniel Denton, and Luke Watson, of Jamaica, on Long Island, purchased of certain Indian chiefs, inhabitants of Staten Island, a tract of land, on part of which the town of Elizabeth now stands, and for which (on their petition) Richard Nicolls, governor under the duke, granted a patent to John Baker, of New York, John Ogden, of Northampton, John Bailey, and Luke Watson, and their associates, dated at fort James in New York, the 2d of December. This was before Lord Berkeley's and Sir George Carteret's title was known; and by this means, this part of the province had some few very early settlements, and whether even Middletown and Shrewsbury had not Dutch and English inhabitants before, cannot now be ascertained. About this time there was a great influx of industrious and reputable farmers, the English inhabitants from the west end of Long Island almost generally removing to settle here, most of whom fixed about Middletown, from whence by degrees they extended their settlements to Freehold and its neighbourhood. To Shrewsbury there came many families from New England; and there were soon four towns in the province, viz., Elizabeth, Newark, Middletown, and Shrewsbury; and these with the adjacent country were in a few years plentifully inhabited, by the accession of many Scotch, by settlers from England, and those of the Dutch who had remained, and also by some emigrants from the neighbouring colonies.

Lord Berkeley and Sir George Carteret appointed Philip Carteret governor of New Jersey, and gave him power, with the advice of the major part of the council, to grant lands to all such as by the concessions were entitled thereto; and though there is no provision in the concessions for bargaining with the Indians, Governor Carteret on his arrival thought it prudent to purchase their rights, which was to be done for sums very inconsiderable, in comparison with the damage a neglect might have occasioned. Though the Indians about the English settlements were not at this time considerable as to numbers, they were strong in their alliances, and besides of themselves could easily annoy the out-plantations; and there having been before several considerable skirmishes between the Dutch and them, in which some blood had been spilt, they were not considered to be friendly; the governor therefore ordered that the settlers were either to purchase of the Indians themselves, or if the lands were before purchased, they were to pay their proportions. The event justified his caution; for as the Indians parted with the lands to their own satisfaction, they became, instead of jealous enemies, serviceable neighbours, and though frequent reports

of their coming to kill the white people sometimes disturbed their repose, no instance occurs of their hurting the English.

Governor Carteret did not arrive until the latter end of the summer of 1665, during which time the province was under Nicolls's jurisdiction. On the arrival of the former, he summoned a council, granted lands, and administered the government according to the plan of the two chief proprietors; and took up his residence at Elizabeth Town, to which it is said he gave the name after Elizabeth, wife of Sir George Carteret. With him came about thirty people, some of them servants, who brought goods proper for the planting a new country; and the governor soon afterwards sent persons into New England and other places, to publish the proprietors' terms, or concessions as they were called, and to invite people to settle there, upon which many soon came from thence; some settled at Elizabeth Town, others at Woodbridge, Piscatawa, and Newark. The ship that brought the governor, having remained about six months, returned to England, and the year after made another voyage. Sundry other vessels were from time to time sent by the proprietors with people and goods, to encourage the planting and peopling their lands. Thus the province of East New Jersey increased in settlement, and continued to grow till the invasion in 1673, when the Dutch having got possession of the country, some stop was put to the English government; but the treaty afterwards between Charles II. and the states-general at London, 1673-4, settled all general difficulties of that kind by the sixth article, which states, "That whatever country, island, town, haven, castle, or fortress, hath been, or shall be taken by either party from the other since the beginning of the late unhappy war, whether in Europe or elsewhere, and before the expiration of the times above limited for hostility, shall be restored to the former owner in the same condition it shall be in at the time of publishing this peace."

Though the inhabitants were at variance among themselves, there was a constant resort of settlers between the years 1665 and 1673, which increased even faster afterwards. The Elizabeth Town purchasers and others, setting up a right differing in some respects from that of the proprietors, and other incidents of an inconsiderable nature occurring, nourished by a more vindictive spirit on all sides than was necessary or prudent, occasioned much disturbance. Carteret sailed for England in the summer of 1672, and left Capt. John Berry as his deputy. He returned in 1674, and found the inhabitants more disposed to union among themselves; and bringing with him the king's proclamation, and a fresh commission and instructions from Sir George Carteret, he summoned the people, and had them all published, which had a good effect towards restoring his authority, and the public peace. He remained governor till his death in 1682. In his time the general assemblies and supreme courts sat at Elizabeth Town, and the councils generally: there the secretary's office, and most other public offices were held; and there also most of the officers of the government resided.

Eight white wampum, or four black, passed at this time as a stiver; twentystivers made what they called a guilder, which was about sixpence currency. The white wampum was worked out of the inside of the great conques into the form of a bead, and perforated, to string on leather. The black or purple was worked

out of the inside of the mussell or clam-shell; they were sometimes wove as broad as the hand, and about two feet long; these the Indians call belts, and commonly gave and received at treaties, as seals of their friendship. For lesser matters a single string is given. Every bead is of a known value, and a belt of a less number is made to equal one of a greater, by so many as is wanting fastened to the belt by a string.

Wampum was the chief currency of the country: great quantities had been formerly brought in, but the Indians had carried so much away, it was now grown scarce; and this was thought to be owing to its low value. To increase it, the governor and council at York issued a proclamation in 1673, that instead of eight white and four black, six white and three black wampums should pass in equal value as a stiver or penny; and three times so much the value in silver. This proclamation was published at Albany, Eusopus, Delaware, Long Island, and parts adjacent.

Mention has already been made that Sir George Carteret, by his instructions to Governor Carteret, confirmed the original concessions, with additions and explanations. These bore date the 13th of July, 1674: and, among other things, they directed that the governor and council should allow eighty acres per head, to settlers above ten miles from the sea, the Delaware, or other river navigable with boats; and to those that settled nearer, sixty acres: that the land should be purchased from the Indians, as occasion required, by the governor and council, in the name of the proprietors, who were to be repaid by the settlers with charges: that all strays of beasts at land, and wrecks at sea, should belong to the proprietor; and that all persons discovering any such thing, should have satisfaction for their pains and care, as the governor and council might think fit.

Major Andross appointed governor at New York—Takes possession at Delaware—Arrival of the first English settlers to West Jersey, under the Duke of York's title—Lord Berkeley assigns his moiety of New Jersey to Byllinge, and he in trust to others—Their letter and first commission—New Jersey divided into the provinces, East and West Jersey; and the declaration of the West Jersey proprietors.

About the month of October, 1674, Major Edmund Andross arrived as governor, under the Duke of York; he soon after authorized Captain Cantwell and William Tomm to take possession of the fort and stores at New Castle, for the king's use, pursuant to the late treaty of peace, and to take such other measures for their settlement and repose at New Castle, the Hoarkills, and other parts of Delaware, as they thought best; requiring them to behave towards the neighbouring colonies in an amicable manner.

The half part of the province of New Jersey, belonging to Lord Berkeley, was about this time (1675) sold to John Fenwick, in trust for Edward Byllinge and his assigns. Fenwick in 1675 arrived from London after a good passage, and landed at a pleasant spot situate near Delaware, by him called Salem, probably from the peaceable aspect it then bore. He brought with him two daughters and many servants, two of which, Samuel Hedge and John Adams, afterwards married his daughters; the other passengers were, Edward Champness, Edward Wade, Samuel Wade, John Smith and his wife, Samuel Nichols, Richard Guy, Richard Noble,

Richard Hancock, John Pledger, Hipolite Lufever, and John Matlock; these, and others with them, were masters of families, and most of them quakers. This was the first English ship that came with emigrants to West Jersey, and none followed for nearly two years, owing probably to a difference between Fenwick and Byllinge.

But this difference being settled to the satisfaction of both parties, by the good offices of William Penn, Byllinge agreed to present his interest in the province of New Jersey to his creditors, as all that he had left towards their satisfaction, and desired Penn to join Gawen Lawrie and Nicholas Lucas (two of his creditors) in becoming his trustees. Penn, at first unwilling, was by the importunity of some of the creditors prevailed on; and with the others accepting the charge, they became trustees for one moiety or half part of the province, which though then undivided, they soon sold a considerable number of shares of their propriety to different purchasers, who thereupon became proprietors (according to their different shares) in common with them; and it being necessary that some scheme should be laid down, as well for the better distribution of rights to land, as to promote the settlement, and ascertain a form of government; terms were drawn, mutually agreed on, and signed by most part of the subscribers. It was next the business of the proprietors who held immediately under Lord Berkeley to procure a division of the province, which after some time was effected; and then as an expedient for the present well-ordering matters, they wrote the following letter, which is inserted, as containing at once an explanation of their conduct, and as illustrative of the manners of the period.

"London, 26th of the 6th month, 1676.

"Richard Hartshorne,—We have made use of thy name in a commission and instructions, which we have sent by James Wasse, who is gone in Samuel Groome's ship for Maryland, a copy of which is here inclosed; and also a copy of a letter we have sent to John Fenwick, to be read to him in presence of as many of the people that went with him as may be; and because we both expect, and also entreat, and desire thy assistance in the same, we will a little shew things to thee, that thou mayest inform not only thyself, but friends there; which in short is as follows.

"1st. We have divided with George Carteret, and have sealed deeds of partition, each to the other; and we have all that side on Delaware river from one end to the other; the line of partition is from the east side of little Egg Harbour, straight north, through the country, to the utmost branch of Delaware river, with all powers, privileges, and immunities whatsoever; ours is called New West Jersey, his is called New East Jersey.

"2d. We have made concessions by ourselves, being such as friends here and there (we question not) will approve of, having sent a copy of them by James Wasse; there we lay a foundation for after ages to understand their liberty as men and christians, that they may not be brought into bondage, but by their own consent; for we put the power in the people, that is to say, they to meet and choose one honest man for each propriety, who hath subscribed to the concessions; all these men to meet as an assembly there, to make and repeal laws, to choose a governor, or a commissioner, and twelve assistants, to execute the laws during their pleasure; so every man is capable to choose or be chosen. No man to be arrested, condemned, imprisoned, or molested in

his estate or liberty, but by twelve men of the neighbourhood. No man to lie in prison for debt, but that his estate satisfy as far as it will go, and be set at liberty to work. No person to be called in question or molested for his conscience, or for worshipping according to his conscience; with many more things mentioned in the said concessions.

"3. We have sent over by James Wasse, a commission under our hands and seals, wherein we empower thyself, James Wasse and Richard Guy, or any two of you, to act and do according to the instructions, of which here is a copy; having also sent some goods, to buy and purchase some land of the natives.

"4. We intend in the spring to send over some more commissioners, with the friends and people that cometh there, because James Wasse is to return in Samuel Groom's ship for England; for Richard Guy, we judge him to be an honest man, yet we are afraid that John Fenwick will hurt him, and get him to condescend to things that may not be for the good of the whole; so we hope thou wilt balance him to what is just and fair, that John Fenwick betray him not, that things may go on easy without hurt or jar, which is the desire of all friends; and we hope West Jersey will be soon planted, it being in the minds of many friends to prepare for their going against the spring.

"5. Having thus far given thee a sketch of things, we come now to desire thy assistance, and the assistance of other friends in your parts; and we hope it will be at length an advantage to you there, both upon truth's account, and other ways; and in regard many families more may come over in the spring to Delaware side, to settle and plant, and will be assigned by us to take possession of their particular lots; we do intreat and desire, that thou, knowing the country, and how to deal with the natives, we say, that thee and some other friends would go over to Delaware side as soon as this comes to your hands, or as soon as you can conveniently; and James Wasse is to come to a place called New Castle, on the other side of Delaware river, to stay for thee, and any that will go with him; and you all to advise together and find out a fit place to take up for a town, and agree with the natives for a tract of land, and then let it be surveyed and divided into one hundred parts, for that is the method we have agreed to take, and we cannot alter it; and if you set men to work to clear some of the ground, we would be at the charges; and we do intend to satisfy thee for any charge thou art at, and for thy pains. This we would not have neglected; for we know, and you that are there know, that if the land be not taken up before the spring, that many people come over there, the natives will insist on high demands, and so we shall suffer by buying at dear rates, and our friends that cometh over be at great trouble and charges until a place be bought and divided, for we do not like the tract of land John Fenwick hath bought, so as to make it our first settlement; but we would have thee and friends there, to provide and take up a place on some creek or river, that may lie nearer you, and such a place as you may like; for may be it may come in your minds to come over to our side, when you see the hand of the Lord with us, and so we can say no more, but leave the thing with you, believing that friends there will have a regard to friends settling, that it may be done in that way and method, that may be for the good of the whole; rest thy friends, Gawen Laurie, William Penn,

Nicholas Lucas, E. Byllinge, John Edridge, Edmond Warner.

"London, the 18th of 6th month called August, 1676.

"We whose names are hereunder subscribed, do give full power, commission, and authority, unto James Wasse, Richard Hartshorne, and Richard Guy, or any two of them, to act and do for us according to the following instructions; and we do engage to ratify and confirm whatsoever they shall do in prosecution of the same.

"1. We desire you to get a meeting with John Fenwick, and the people that went with him, (but we would not have you tell your business,) until you get them together; then shew and read the deed of partition with George Carteret; also the transactions between William Penn, Nicholas Lucas, Gawen Lawrie, John Edridge, and Edmond Warner, and then read our letter to John Fenwick and the rest, and shew John Fenwick he hath no power to sell any land there, without the consent of John Edridge and Edmond Warner.

"2. Know of John Fenwick, if he will be willing peaceably to let the land he hath taken up of the natives be divided into one hundred parts, according to our and his agreement in England, casting lots for the same, we being willing that those who being settled and have cultivated ground now with him, shall enjoy the same, without being turned out, although they fall into our lots: Always provided, that we be reimbursed the like value and quantity in goodness out of John Fenwick's lots: And we are also content to pay our ninetieth parts of what is paid to the natives for the same, and for what James Wasse hath purchased of John Fenwick, and he setting out the same unto him, not being in a place to be allotted for a town upon a river, but at a distance, and the said John Fenwick allowing us the like value in goodness in some other of his lots; we are willing he shall possess the same from any claiming by or under us; and for the town lots we are willing he enjoy the same as freely as any purchaser buying of us.

"3. Take informations from some that know the soundings of the river and creeks, and that are acquainted in the country; and when James Wasse is in Maryland, he may enquire for one Augustin, who as we hear did sound most part of Delaware river and the creeks. He is an able surveyor; see to agree with him to go with you up the river as far as over against New Castle, or further if you can, so far as a vessel of a hundred ton can go, for we intend to have a way cut across the country to Sandy-Hook, so the further up the way the shorter; and there, upon some creek or bay in some healthy ground, find out a place fit to make a settlement for a town; and then go to the Indians and agree with them for a tract of land about the said place, of twenty or thirty miles long, more or less, as you see meet, and as broad as you see meet. If it be to the middle, we care not; only enquire if George Carteret hath not purchased some there already, that so you may not buy it over again.

"4. Then lay out four or five thousand acres for a town; and if Augustin will undertake to do it reasonably, let him do it, for he is the fittest man; and if he think he cannot survey so much, being in the winter time, then let him lay out the less for a town at present, if it be but two thousand acres, and let him divide it in a hundred parts; and when it is done, let John Fenwick, if he please, be there; however, let him have notice: but, however, let some

of you be there to see the lots cast fairly by one person that is not concerned. The lots are from number one to a hundred, and put the same numbers of the lots on the partition trees for distinction.

"5. If John Fenwick, and those concerned with him, be willing to join with you in those things as above, which is just and fair, then he or any of them may go along with you in your business; and let them pay their proportion of what is paid to the natives, with other charges: And so he and they may dispose of their lots with consent of John Edridge and Edmond Warner; which lots are, 20, 21, 26, 27, 36, 47, 50, 57, 63, 72.

"6. If John Fenwick and his people refuse to let the land they have taken up of the natives be divided, and refuse to join with you, you may let the country know in what capacity John Fenwick stands, that he hath no power over the persons or estates of any man or woman more than any other person.

"7. What land you take of the natives, let it be taken, viz. ninety parts for the use of William Penn, Gawen Lawrie, and Nicholas Lucas, and ten parts for John Edridge and Edmond Warner.

"8. After you have taken the land as above, and divided for a town or settlement, and cast lots for the same as above; then if any have a mind to buy one or more proprieties, sell them at two hundred pound specie, they taking their lots as theirs do; paying to you in hand the value of fifty pounds in part of a propriety, and the rest on sealing their conveyance in London, and so they may presently settle. When any of the lots fall to us, that is to say, he that buyeth a propriety may settle on any one lot of ninety parts; which said persons that buy and what lots fall to them, there they may settle, and acquaint us what numbers they are; and if any will take land to them and their heirs for ever, for every acre taken up in a place laid out for a town, according to the concessions, they are not to have above what shall fall by lot to a propriety in a town.

"9. What charges James Wasse is at, by taking up the land of the natives, we do oblige to pay the same unto him again, with what profits is usual there upon English goods; and he may pitch upon two lots, one in each town, if they be taken up before he comes away to his own proper use, for his trouble and pains. And we do also engage to allow and pay what charges any of our commissioners shall disburse in executing these our instructions, to them or their assigns.

"10. Let us be advised by the first ship that cometh for England, of all proceedings hereupon, and write to the friends at Sandy Hook, letting them know how things are, and that we have divided with George Carteret, and that our division is all along on Delaware river; and that we have made concessions by ourselves, which we hope will satisfy friends there. If John Fenwick, or any of the people with him, desire a copy of the deed of partition, let them have it.

"11. We desire that our original deed may be kept in your own custody, that it may be ready to shew unto the rest of the commissioners, which we intend to send over in the spring, with full power for settling things, and to lay out land and dispose upon it, and for the settling some method of government according to the concessions.

"12. If you cannot get Augustin to go with you, or that he be unreasonable in his demands: then send a man to Thomas Bushroods, at Essex lodge, in York river, for William Elliot, who writes to

Gawin Lawrie this year, and offered himself to be surveyor, and tell him you had orders from said Lawrie to send for him, and take him with you. He will be willing to be there all winter, and will survey and do other things. He had a good occupation in Virginia, but was not able to keep it; he is a fair conditioned sober man; let him stay there all winter, and order him something to live upon.

"13. If the said Elliot go with you, give him directions what to do. If you cannot stay till a place for a town be surveyed, yet we think you may stay until you have not only pitched upon a place for a town, but also upon a place for a second town and settlement, and have marked out the place round about there, and let William Elliot divide both, which no doubt but he may do before the spring, that we send over more commissioners and people; and if John Fenwick be willing to go on jointly with you there, his surveyor may go along and help ours, and the charges shall be brought in for both proportionably on all. Mind this, and speak to Richard Guy, or Richard Hartshorne, and leave orders with them to let William Elliot have provisions for himself till spring, and we shall order them satisfaction for the same; and if there be no house near the place you take up for the surveyors to lodge in, then let there be a cottage built for them on the place, and we will allow the charges.

"14. And whereas there is tackling there already, for fitting of a sloop as we judge, in the custody of Richard Guy; we also give you power if you see meet, and that it be of necessary use and advantage for the whole concern, you may order these ship-carpenters to build a sloop suitable for these materials, and appoint them some provision for their food, and for the rest of their wages they shall either have it in a part of the sloop, or be otherwise satisfied in the spring of the year; the said sloop to be ordered and disposed upon by you until more commissioners come over with further instructions.

"15. For the goods we have sent over with James Wasse are to be disposed upon for purchasing land from the natives or otherwise as need is, giving us account thereof.

"Nicholas Lucas, Edmond Warner, William Penn, Gawin Lawrie, E. Byllinge."

The instrument for dividing the province being agreed on by Sir George Carteret on the one part, and the said E. Byllinge, William Penn, Gawen Lawrie, and Nicholas Lucas on the other, they together signed a quintipartite deed, dated the 1st day of July, 1676.

The line of division being thus far settled, each took their own measures for further peopling and improving their different shares. Sir George Carteret had greatly the advantage respecting improvements, his part being (as we have seen) already considerably peopled. The western proprietors soon published a description of their moiety, on which many removed thither; but lest any should not sufficiently weigh the importance of this undertaking, and for other reasons, the three principal proprietors published the following precautionary epistle.

"Dear friends and brethren,—In the pure love and precious fellowship of our Lord Jesus Christ, we very dearly salute you: Forasmuch as there was a paper printed several months since, entitled, 'The description of New West Jersey,' in the which our names were mentioned as trustees for one undivided moiety of the said province: And because it is alleged that some, partly on this account, and others

apprehending, that the paper by the manner of its expression came from the body of friends, as a religious society of people, and not from particulars, have through these mistakes weakly concluded that the said description in matter and form might be writ, printed and recommended on purpose to prompt and allure people to dissettle and transplant themselves, as it is also by some alleged: And because that we are informed, that several have, on that account, taken encouragement and resolution to transplant themselves and families to the said province; and lest any of them (as is feared by some) should go out of a curious and unsettled mind, and others to shun the testimony of the blessed cross of Jesus, of which several weighty friends have a godly jealousy upon their spirits, lest an unwarrantable forwardness should act or hurry any beside or beyond the wisdom and counsel of the Lord, or the freedom of his light and spirit in their own hearts, and not upon good and weighty grounds,—it truly laid hard upon us, to let friends know how the matter stands, which we shall endeavour to do with all clearness and fidelity.

"1. That there is such a province as New Jersey, is certain.

"2. That it is reputed of those who have lived and have travelled in that country, to be wholesome of air and fruitful of soil, and capable of sea-trade, is also certain; and it is not right in any to despise or dispraise it, or dissuade those that find freedom from the Lord, and necessity put them on going.

"3. That the Duke of York sold it to those called Lord Berkeley, baron of Stratton, and Sir George Carteret, equally to be divided between them, is also certain.

"4. One moiety or half part of the said province being the right of the said Lord Berkeley, was sold by him to John Fenwick, in trust for Edward Byllinge, and his assigns.

"5. Forasmuch as E. B. (after William Penn had ended the difference between the said Edward Byllinge and John Fenwick) was willing to present his interest in the said province to his creditors, as all that he had left him towards their satisfaction, he desired William Penn (though every way unconcerned) and Gawen Lawrie, and Nicholas Lucas, two of his creditors, to be trustees for performance of the same; and because several of his creditors, particularly and very importunately pressed William Penn to accept of the trust for their sakes and security,—we did all of us comply with those and the like requests, and accepted of the trust.

"6. Upon this we became trustees for one moiety of the said province, yet undivided; and after no little labour, trouble, and cost, a division was obtained between the said Sir George Carteret and us, as trustees. The country is situated and bounded as is expressed in the printed description.

"7. This now divided moiety is to be cast into one hundred parts, lots, or proprietries; ten of which, upon the agreement made betwixt E. Byllinge and J. Fenwick, were settled and conveyed unto J. Fenwick, his executors and assigns, with a considerable sum of money, by way of satisfaction for what he became concerned in the purchase from the said Lord Berkeley, and by him afterwards conveyed to John Edridge and Edmond Warner, their heirs and assigns.

"8. The ninety parts remaining are exposed to sale, on the behalf of the creditors of the said E. B. And forasmuch as several friends are concerned as creditors, as well as others, and the disposal of so

great a part of this country being in our hands; we did in real tenderness and regard to friends, and especially to the poor and necessitous, make friends the first offer, that if any of them, though particularly those that being low in the world, and under trials about a comfortable livelihood for themselves and families, should be desirous of dealing for any part or parcel thereof, that they might have the refusal.

"9. This was the real and honest intent of our hearts, and not to prompt or allure any out of their places, either by the credit our names might have with our people throughout the nation, or by representing the thing otherwise than it is in itself.

"As for the printed paper sometime since set forth by the creditors, as a description of that province, we say as to two passages in it, they are not so clearly and safely worded as ought to have been, particularly in seeming to limit the winter season to so short a time; when on further information, we hear it is sometime longer and sometime shorter than therein expressed; and the last clause relating to liberty of conscience, we would not have any to think, that it is promised or intended to maintain the liberty of the exercise of religion by force and arms, though we shall never consent to any the least violence on conscience; yet it was never designed to encourage any to expect by force of arms to have liberty of conscience fenced against invaders thereof.

"10. And be it known unto you all, in the name and fear of Almighty God—his glory and honour, power and wisdom, truth and kingdom, is dearer to us than all visible things; and as our eye has been single, and our heart sincere to the living God, in this as in other things, so we desire all whom it may concern, that all groundless jealousies may be judged down and watched against, and that all extremes may be avoided on all hands by the power of the Lord: that nothing which hurts or grieves the holy life of truth in any that goes or stays, may be adhered to; nor any provocations given to break precious unity.

"This am I, William Penn, moved of the Lord, to write unto you, lest any bring a temptation upon themselves or others; and in offending the Lord slay their own peace: "Blessed are they that can see and behold him their leader, their orderer, their conductor and preserver, in staying or going: Whose is the earth and the fullness thereof, and the cattle upon a thousand hills." And as we formerly writ, we cannot but repeat our request unto you, that in whomsoever a desire is to be concerned in this intended plantation, such would weigh the thing before the Lord, and not readily or rashly conclude on any such remove; and that they do not offer violence to the tender love of their near kindred and relations; "but soberly and conscientiously endeavour to obtain their good wills, the unity of friends where they live; that whether they go or stay, it may be of good favour before the Lord (and good people) from whom only can all heavenly and earthly blessings come." This we thought good to write for the preventing of all misunderstandings, and to declare the real truth of the matter; and so we commend you all to the Lord, who is the watchman of his Israel. We are your friends and brethren, Wm. Penn, Gawen Lawrie, Nicholas Lucas."

Arrival of more settlers to West Jersey—their difficulties—their purchases from the Indians—they lay out a town—some of their first sentiments of the country, and an account of the Duke of York's two

last grants, being for the provinces East and West New Jersey, separately.

Among other purchasers of the West Jersey lands, were two companies, one made up of some friends (quakers) in Yorkshire; the other of some friends in London: who each contracted for considerable shares, for which they had patents. Thomas Hutchinson, Thomas Pierson, Joseph Helmsly, George Hutchinson, and Mahlon Stacy, all of the county of York, England, were principal creditors to E. Byllinge, to whom several of the other creditors made assignments of their debts, which together amounted to the sum of 2,450*l.* sterling, and who took in satisfaction of the said sum seven full equal and undivided ninetieth parts of ninety equal and undivided hundred parts of West Jersey; and the same was conveyed to them, and their heirs, by William Penn, Gawen Lawrie, Nicholas Lucas, and Edward Byllinge, by deed bearing date "the 1st of the month called March, 1676." And by another conveyance of the same date, from and to the same persons, in satisfaction for other debts to the amount of 1,050*l.* sterling, three other full equal and undivided ninetieth parts of the aforesaid ninety equal undivided hundred parts of West Jersey were also conveyed. In 1677, commissioners were sent by the proprietors, with power to buy the lands of the natives, to inspect the rights of such as claimed property, and to order the lands laid out; and in general to administer the government, pursuant to the terms. These commissioners were Thomas Olive, Daniel Wills, John Kinsey, John Penford, Joseph Helmsley, Robert Stacy, Benjamin Scott, Richard Guy, and Thomas Foulke. They came in the Kent, Gregory Marlow, master, being the second ship from London, to the western parts. After a tedious passage they arrived at New-Castle, the 16th of June, old style. King Charles II, being in his barge on the Thames, came along-side, seeing a great many passengers, and when informed whither they were bound, asked if they were all quakers, and gave them his blessing. They landed their passengers, 230 in number, about Rackoon creek, where the Swedes had some scattered habitations, but they were too numerous to be all provided for in houses; some were obliged to lay their beds and furniture in cow stalls, and apartments of that sort; among other inconveniences to which this exposed them, the snakes were now plenty enough to be frequently seen upon the hovels under which they sheltered. Most of the passengers in this ship were of those called quakers, some of good estates in England. The commissioners had before left them, and were by this time arrived at a place called Chygoes Island (afterwards Burlington) their business being to treat with the Indians about the land there and to regulate the settlements, having not only the proprietors but Governor Andross's commission for that purpose; for in their passage hither, they had first dropped anchor at Sandy Hook, while the commissioners went to New York to acquaint him with their design; for though they had concluded the powers they had from the proprietors were sufficient to their purpose, they thought it a proper respect to the Duke of York's commission, to wait on his governor upon the occasion; he treated them civilly, but asked them if they had any thing from the duke's master? They replied, nothing particular; that he had conveyed that part of his country to Lord Berkeley, and he to Byllinge, &c., in which the government was as much conveyed, as the soil

The governor replied, "All that will not clear me; if I should surrender without the duke's order, it is as much as my head is worth; but if you had but a line or two from the duke, I should be as ready to surrender it to you, as you would be to ask it." Upon which the commissioners, instead of excusing their imprudence in not bringing such an order, began to insist upon their right, and strenuously to assert their independency: but Andross putting his hand on his sword, told them that he should defend the government from them till he received orders from the duke, his master, to surrender it; he however softened, and told them he would do what was in his power to make them easy, till they could send home to get redress; and in order thereto, would commission the same persons mentioned in the commission they produced. This they accepted, and undertook to act as magistrates under him, till further orders came from England, and proceed in relation to their land affairs, according to the methods prescribed by the proprietors.

When arrived at their government, they applied to the Swedes for interpreters between them and the Indians. Israel Helmes, Peter Rambo, and Lacy Cock, were recommended. By their help they made a purchase from Timber Creek to Rankokas Creek, another from Oldman's Creek to Timber Creek. After this they got Henric Jacobson Falconbre, to be their interpreter, and purchased from Rankokas Creek to Assunpink. But when they had agreed upon this last purchase, they had not Indian goods sufficient to pay the consideration, yet gave them what they had, to get the deed signed; they were however obliged to agree with the Indians not to settle till the remainder was paid. The deed for the lands between Rankokas Creek and Timber Creek bears date the 10th of September, 1677; that for the lands from Oldman's creek to Timber creek the 27th of September, 1677, and that from Rankokas creek to Assunpink the 10th of October, 1677. By the consideration paid for the lands between Oldman's and Timber creek, a judgment may be formed of the rest. It consisted of 30 matchcoats, 20 guns, 30 kettles and one great one, 30 pair of hose, 20 fathom of duffels, 30 petticoats, 30 narrow hose, 30 bars of lead, 15 small barrels of powder, 70 knives, 30 Indian axes, 70 combs, 60 pair of tobacco tongs, 60 scissars, 60 tinshaw looking-glasses, 120 awl-blades, 120 fishhooks, 2 grasps of red paint, 120 needles, 60 tobacco boxes, 120 pipes, 200 bells, 100 Jews-harps, 6 anchors of rum. In the year 1703, another purchase was made by the council of proprietors of West-Jersey, of land lying above the falls of Delaware; another also about that time of lands at the head of Rankokas river, and several purchases afterwards included the whole of the lands worth taking up in West-Jersey, except a few plantations reserved to the Indians; one of these in particular ought to be noted in this place, to the honour of John Wills, sometime one of the council, by whose advice the Indian sachem, called king Charles, laid an English right on a large plantation, at Weepink, containing a valuable tract of land, in the county of Burlington, which is so contrived as to remain unalienable from his posterity, who now enjoy the benefit of it.

Having travelled through the country and viewed the land, the Yorkshire commissioners, Joseph Helmsley, William Emley and Robert Stacy, on behalf of the first purchasers, chose from the falls of Delaware down, which was hence called the first tenth; the London commissioners, John Penford, Thomas Olive, Daniel Wills and Benjamin Scott,

on behalf of the ten London proprietors, chosen at Arwamus, (in and about where the town of Gloucester now is) this was called the second tenth; to begin a settlement there, Olive sent up servants to cut hay for cattle he had bought: when the Yorkshire commissioners found the others were like to settle at such a distance, they told them if they would agree to fix by them, they would join in settling a town in pursuance of the charter brought with them from England, and that they should have the largest share, in consideration that they (the Yorkshire commissioners) had the best land in the woods. Being few, and the Indians numerous, they agreed to it. The commissioners employed Noble, a surveyor, who came in the first ship, to divide the spot. After the main street was ascertained, he divided the land on each side into lots; the easternmost among the Yorkshire proprietors, the other among the Londoners; to begin a settlement, ten lots of nine acres each, bounding on the west, were laid out, which being done, some emigrants from Wickaco, chiefly those concerned in the Yorkshire tenth, arrived the latter end of October. The London commissioners also employed Noble, to divide the part of the island yet unsurveyed, between the ten London proprietors, in the manner beforementioned. The town thus by mutual consent laid out, was named at first New Beverley, then Bridlington, which was ultimately changed to Burlington. Some of the masters of families that came in the ship last mentioned, and settled in that neighbourhood, were Thomas Olive, Daniel Wills, William Peachey, William Clayton, John Crips, Thomas Eves, Thomas Harding, Thomas Nositer, Thomas Fairnsforth, Morgan Drewet, William Pennton, Henry Jennings, William Hibes, Samuel Lovett, John Woolston, William Woodmaney, Christopher Saunders, and Robert Powell; John Wilkinson and William Perkins, were likewise with their families passengers, but dying on the voyage, the latter were exposed to additional hardships, which were however moderated by the care of their fellow emigrants. Perkins was early in life convinced of the principles of those called Quakers, and lived well in Leicestershire; but seeing an account of the country written by Richard Hartshorne, and forming views of advantage to his family, though in his 52d year, he, with his wife, four children and some servants, embarked in this ship; among the latter was one Marshall, a carpenter, particularly serviceable in fitting up habitations for the new comers; but it being late in the autumn when they arrived, the winter was much spent before the work was begun; in the interim they lived in wigwags, built after the manner of the Indians. Indian corn and venison, supplied by the Indians, was their chief food. These people were not then much corrupted with strong liquors, but generally very friendly and helpful to the English; notwithstanding it was thought endeavours had been used to make them otherwise, by insinuations that the English sold them the small pox in their matchcoats. This distemper was among them, and a company getting together to consult about it, one of their chiefs said, "In my grandfather's time the small-pox came: In my father's time the small-pox came; and now in my time the small-pox is come." Then stretching his hands towards the skies, said, "it came from thence." To this the rest assented.

The next ship which arrived was the *Willing Mind*, which brought about sixty or seventy passengers. Some settled at Salem, others at Burlington; among the former were James Nevill, Henry

Salter and George Deacon, with their families. In this year also arrived the Fly boat Martha, of Burlington, Yorkshire, with 114 passengers, who designed to settle the Yorkshire tenth.

In one of these ships, or about this time, arrived John Kinsey, then a young man; his father one of the commissioners aforementioned, dying on his arrival, the care of his family fell to him; he was afterwards a man of distinguished services in several public stations; and his son after him, of the same name, was a chief justice of Pennsylvania. Many that came servants, succeeded better than some that brought estates; the first inured to industry, and the ways of the country, became wealthy, while the others were obliged to spend what they had in the difficulties of first improvements; and others living too much on their original stock, for want of sufficient care to improve their estates, have, in many instances, dwindled to indigency and want.

The following letters from some of these early emigrants and founders of this state, is inserted as a document interesting to those who like to contemplate the first shoots of a vigorous and thriving empire.

"From Burlington, in Delaware river, the 26th of the 8th Month, 1677.

"Dear Friend,—Through the mercy of God, we are safely arrived at New Jersey; my wife and all mine are very well, and we have our healths rather better here than we had in England; indeed the country is so good, that I do not see how it can reasonably be found fault with: as far as I perceive, all the things we heard of it in England, are very true; and I wish that many people (that are in straits) in England, were here. Here is good land enough lies void, would serve many thousands of families; and we think if they cannot live here, they can hardly live in any place in the world; but we do not desire to persuade any to come, but such as are well satisfied in their own minds. A town lot is laid out for us in Burlington, which is a convenient place for trade; it is about 115 miles up the river Delaware; the country and air seems to be very agreeable to our bodies, and we have very good stomachs to our victuals. Here is plenty of provision in the country; plenty of fish and fowl, and good venison very plentiful, and much better than ours in England; for it eats not so dry, but is full of gravy, like fat young beef. You that come after us need not fear the trouble that we have had, for now here is land ready divided against you come. The Indians are very loving to us, except here and there one, when they have gotten strong lipuors in their heads, which they now greatly love. But for the country, in short, I like it very well; and I do believe, that this river of Delaware is as good a river as most in the world: it exceeds the river of Thames by many degrees.

"Here is a town laid out for twenty proprietries, and a straight line drawn from the river side up the land, which is to be the main street, and a market place about the middle. The Yorkshire ten proprietors are to build on one side, and the London ten the other side; and they have ordered one street to be made along the river side, which is not divided with the rest, but in small lots by itself; and every one that hath any part in a propriety, is to have his share in it. The town lots for every propriety will be about ten or eleven acres, which is only for a house, orchard and gardens; and the corn and pasture ground is to be laid out in great quantities.

"I am thy loving friend,—John Crips."

Thomas Hooten to his wife, dated 29th 8th Month, 1677.

"My Dear,—I am this present at the town called Burlington, where our land is; it is ordered to be a town for the ten Yorkshire and ten London proprietors. I like the place well; our lot is the second next the water side: It is like to be a healthful place, and very pleasant to live in. I came hither yesterday, being the 28th of October, with some friends that were going to New York. I am to be at Thomas Olive's house, till I can provide better for myself: I intend to build a house, and get some corn into the ground; and I know not how to write concerning thy coming, or not coming hither; the place I like very well, and believe that we may live here very well: but if it be not made free, I mean as to the customs and government, then it will not be so well, and may hinder many that have desires to come. But if those two things be cleared, thou may take thy opportunity of coming this summer.

"Thomas Hooten.

The customs here referred to were those imposed at New Castle, Delaware, upon all comers; the government was yet administered by virtue of governor Andross's commission; both which were unexpected and disagreeable; but these objections were soon removed.

William Clarke to the proprietors.

"New Jersey, 20th 2nd Month, 1678.

"Dear Friends,—I doubt not but it will be great satisfaction to you, to hear of mine and the rest of friends' passage to, and safe arrival in New Jersey: we took ship the 16th of November, and made the land of New Jersey in thirty-four days. Now friends, as to this country, there has been so much said by several persons in commendation thereof, both as to the increase of all sorts of grain and fruits; as also of the plenty of fish, fowl, deer, swine, &c. that I shall not need to add any thing to it; but in short, this I have to say, that I do not know any one thing to fall short of what was reported of this province, but that more might truly have been said of its pleasant situation, wholesome air, and general and great increase of all things planted, and especially of Indian corn, which is a very good and serviceable grain many ways; the English wheat and barley primely good; but rie and pease much better than any I ever saw in England or Ireland. I doubt not but you have had an account of all other matters before this (by those who came to Jersey before me) comes to your hands; and I have no other end in this, than keeping you from the rash censures of people that know it not; as also for the good and prosperity of this good country, &c.

"Directed for William Penn, Gawen Lawrie, or Edward Byllinge. "William Clark."

John Crips to his brother and sister.

"Burlington, in New-Jersey, upon the river Delaware, the 19th of 4th Month, called June, 1678.

"Dear and loving brother and sister,—I have received both your letters, wherein I understand your faith concerning this country is much shaken, through several false reports given thereof; which may be proved false under the hands of several good friends; I hope as worthy to be believed as that reporter; and such as have had more experience of this place than he had, or could have, in so short a time; besides he came among us shortly after our coming hither, when things were not settled in that order amongst us, as now they are; neither indeed did he find such entertainment from some, as he expected; which I suppose makes him speak the worst he can devise of this place: but I

question not but this report will in a short time be wiped away, some of which in my knowledge is grossly untrue, as well as contradictions to his own words; for I remember when I travelled with him through part of New-Jersey, he confessed that much of this land was as good or better than the land in Rhode-Island: and it is really my judgment, that those people that cannot be contented with such a country, and such land as this is, they are not worthy to come here: and this I can truly tell you, if I were now in England with you (and which I should be very glad to see) yet if all I had in the world would but bring me hither, I would freely leave you and my native country, and come to New-Jersey again; which I have said many a time heretofore, but now write it under my hand, and it's really the truth, whether you will believe it or not; and farther, I can truly tell you, that I desire not, nor dare to write the least untruth, to draw you, nor any others to this place; but I am resolved, if I never see your faces more, to leave you to your own freedom. But I hope you are not insensible of my love and desires for you; though I am, I say, constrained to forbear persuading you, or any one else against their own freedoms; yet I think it my duty to let you, and all men know the truth of things as near as I can. Your letter saith, 'it's reported the water is not so good as in England.' I do not remember that ever I tasted better water in any part of England, than the springs of this place do yield; of which is made very good beer and ale; and here is also wine and cyder. And whereas your letter to me saith, 'several have come back from this country to England.' Two or three I suppose; there are lazy idle persons that have done so; but on the other hand, here are several persons, men of estates, that have been here, and have gone back to England, and sold their estates and returned with their whole families hither again; which methinks should take many of these scruples out of the way, if nothing else were said or done in praise of this country; but I suppose there are many in England, that desire to hear ill of this place, because they would keep their friends there with them; and they think we never write enough of the bad properties of the country, and vermin in it. Now this I may say, in short, that here are bears, wolves, foxes, rattle-snakes, and several other creatures, (I do believe because I see the Indians have such skins to sell) but I have travelled several hundreds of miles, to and fro, and I never to my knowledge saw one of those creatures, except two rattle-snakes, and I killed them both; I suppose the fear of those creatures in England, is far worse to some there, than the hurt of them is here; and as for the muskettofly, we are not troubled with them in this place; our land for the most part lying high and healthy, and they, for the most part, are in a low boggy ground. Thomas Budd and his family are arrived; the ship lyeth before this town, that brought them; I wish you have not cause to repent that you came not along with them; they had a very good passage, and so had the London ship; they are both in the river at this time. I understand by Thomas Budd, that he did satisfy you as near as he could of the truth of things here; and you had as much reason to believe him, as that other person, and more too; for Thomas had far more experience of this place, than he could have in the short time he was among us; so of these things I shall forbear to write any further at present.

John Crips."

"To the truth of the contents of these things, we subscribe our names; Daniel Wills, Thomas Olive, Thomas Harding, Thomas Budd, William Peachy."

In the latter end of 1678, the *Shield* arrived from Hull with more emigrants, and dropped anchor before Burlington, being the first ship that came so far up the Delaware, against Coaquanock (the Indian name of the place where Philadelphia now stands). Being a bold shore, she went so near in turning, that part of the tackling struck the trees; some on board then remarked it was a fine spot for a town. A fresh gale brought her to Burlington; she moored to a tree, and the next morning the people came ashore on the ice, so hard had the river frozen. And a second ship, full of emigrants, also arrived from London.

It has already been stated in the account of New York, that Charles II., on the re-delivery of their provinces by the Dutch, after their short conquest in 1673, to prevent any possibility of legal cavilling that might arise upon a plea of the property being thus alienated from the purchasers, granted new letters patent bearing date the 29th day of June, 1674, to the Duke of York, for the several provinces, which by the former letters patent had been granted to him; of which New Jersey was a part. And in 1678, upon the application of the assigns of Lord Berkeley, the duke made them a new grant of West New Jersey; and in like manner by an instrument bearing date the 10th of October, granted the eastern moiety of New Jersey to the grandson of Sir George Carteret.

Letters from some of the settlers of West Jersey—and arguments against the customs imposed at the Hoar Kill by the governor of New York.

The following abstract of Mahlon Stacy's letter to his brother Revell, and some others, dated "the 26th of the 4th month, 1680," will give the reader the best idea of the state of the colony.

"But now a word or two of those strange reports you have of us and our country; I affirm they are not true, and fear they were spoke from a spirit of envy. It is a country that produceth all things for the support and sustenance of man in a plentiful manner; if it were not so, I should be ashamed of what I have before written; but I can stand, having truth on my side, against and before the face of all gainsayers and evil spies: I have travelled through most of the places that are settled, and some that are not, and in every place I find the country very apt to answer the expectation of the diligent: I have seen orchards laden with fruit to admiration, their very limbs torn to pieces with the weight, and most delicious to the taste, and lovely to behold; I have seen an apple tree from a pippin kernel, yield a barrel of curious cider; and peaches in such plenty, that some people took their carts a peach gathering; I could not but smile at the conceit of it. They are a very delicate fruit, and hang almost like our onions that are tied on ropes. I have seen and known this summer, forty bushels of bold wheat of one bushel sown; and many more such instances I could bring, which would be too tedious here to mention. We have from the time called May until Michaelmas, great store of very good wild fruits, as strawberries, cranberries, and hurtleberries, which are like our bilberries in England, but far sweeter, they are very wholesome fruits. The cranberries much like cherries for colour and bigness, which may be kept till fruit come in again; an excellent

sauce is made of them for venison, turkeys, and other great fowl, and they are better to make tarts than either gooseberries or cherries; we have them brought to our houses by the Indians in great plenty. My brother Robert had as many cherries this year as would have loaded several carts. It is my judgment by what I have observed, that fruit trees in this country destroy themselves by the very weight of their fruit; as for venison and fowls, we have great plenty. We have brought home to our houses by the Indians, seven or eight fat bucks of a day, and sometimes put by as many; having no occasion for them, and fish in their season very plenteous. My cousin Revell and I, with some of my men, went last third month into the river to catch herrings, for at that time they came in great shoals into the shallows; we had neither rod nor net, but after the Indian fashion made a round pinfold, about two yards over and a foot high, but left a gap for the fish to go in at, and made a bush to lay in the gap to keep the fish in; and when that was done, we took two long birches and tied their tops together, and went about a stone's cast above our said pinfold, then hawling these birchen boughs down the stream, where we drove thousands before us, but so many got into our trap as it would hold, and then we began to hawl them on shore as fast as three or four of us could, by two or three at a time, and after this manner, in half an hour, we could have filled a three bushel sack of as good and large herrings as ever I saw; and as to beef and pork, here is great plenty of it, and cheap; and also good sheep. The common grass of this country feeds beef very fat; I have killed two this year, and therefore I have reason to know it; besides I have seen this fall, in Burlington, killed, eight or nine fat oxen and cows on a market day, and all very fat. And though I speak of herrings only, lest any should think we have little other sorts, we have great plenty of most sorts of fish that ever I saw in England; besides several other sorts that are not known there, as rocks, catfish, shads, sheeps-heads, sturgeons: and fowls plenty, as ducks, geese, turkeys, pheasants, partridges, and many other sorts that I cannot remember, and would be too tedious to mention. Indeed the country, take it as a wilderness, is a brave country, though no place will please all. But some will be ready to say, he writes of conveniences but not of inconveniences. In answer to those, I honestly declare there is some barren land, as (I suppose) there is in most places of the world, and more wood than some would have upon their lands; neither will the country produce corn without labour, nor cattle be got without something to buy them, nor bread with idleness; else it would be a brave country indeed; and I question not, but all then would give it a good word; for my part I like it so well, I never had the least thought of returning to England, except on the account of trade.

"Mahlon Stacy."

In a letter to William Cook, of Sheffield, and others, Stacy wrote thus:

"This is a most brave place, whatever envy or evil spies may speak of it; I could wish you all here. Burlington will be a place of trade quickly; for here is way for trade; I, with eight more, last winter bought a good ketch of fifty tons, freighted her out at our own charge, and sent her to Barbadoes, and so to sail to Saltertugas, to take in part of her lading in salt, and the rest in Barbadoes goods as she came back; which said voyage she hath ac-

complished very well, and now rides before Burlington discharging her lading, and so to go to the West Indies again; and we intend to freight her out with our own corn. We have wanted nothing since we came hither, but the company of our good friends and acquaintance; all our people are very well, and in a hopeful way to live much better than ever they did, and not only so, but to provide well for their posterity. They improve their lands and have good crops; and if our friends and countrymen come, they will find better reception than we had by far at first, before the country was settled as now it is. I know not one among the people that desires to be in England again; I mean since settled. I wonder at our Yorkshire people, that they had rather live in servitude, and work hard all the year, and not to be three-pence the better at the year's end, than stir out of the chimney-corner and transport themselves to a place where, with the like pains, in two or three years they might know better things.

"I never repented my coming hither, nor yet remembered thy arguments and out-cry against New Jersey with regret. I live as well to my content, and in as great plenty as ever I did, and in a far more likely way to get an estate. Though I hear some have thought I was too large in my former, I affirm it to be true; having seen more with mine own eyes in this time since, than ever yet I wrote of."

"Mahlon Stacy."

From the Falls of Delaware, in West New Jersey, the 26th of the 4th month, 1680.

The inhabitants of West Jersey, had hitherto either pounded their corn, or ground it with hand mills; but about this time Olive had built his water mill on his plantation, nigh Rankokas creek; and in this year Stacy finished his mill at Trenton. These two were the only mills that ground for the country several of the first years after their arrival.

Though the passengers who had already come to West Jersey, were well satisfied with the country, things in general answering beyond their expectation, yet they were under one great inconvenience. We have seen that the governor of New York had very early imposed ten per cent. on all goods imported at the Hoar Kill; and on exports something of the kind still subsisted: 5/2. per cent being demanded of the settlers at their arrival or afterwards, at the officer's pleasure; and that not according to the prime cost of the goods, but upon the amount in the invoice, as shipped in England. This was evidently an arbitrary act, neither West Jersey nor the Hoar Kill were legally under their jurisdiction; the settlers from the first complained of the hardship, but bore it with tolerable patience till about 1680, when they had it redressed by the interposition of their friends in England, who applying to the Duke of York, he referred the matter to counsel, where it rested for a considerable time; but at last by the diligence of W. Penn. George Hutchinson, and others, was reported in their favour. Sir John Werden, on the Duke's behalf, wrote to have it discontinued. The arguments used against this duty or impost, may be seen by the following document.

"To those of the duke's commissioners, whom he has ordered to hear, and make report to him concerning the customs demanded in New West Jersey, in America, by his governor of New York.

"1. The king has granted to the Duke of York a tract of land in America, consisting of several

Indian countries, with such powers and authorities as are requisite to make laws, and to govern and preserve the territory when planted: but with this restriction twice expressed, and several times referred to, viz., 'So always as the said statutes, ordinances, and proceedings be not contrary, but as near as may be, agreeable to the laws, statutes, and government of this our realm of England.' In another place, thus, 'And further, it may be lawful for our dearest brother, his heirs and assigns, by these presents, to make, ordain, and establish all manner of orders, laws, directions, instruments, and forms of government, and magistrates fit and necessary for the territory aforesaid:' but still with this limitation, 'so always as the same be not contrary to the laws and statutes of this our realm of England, but as near as may be agreeable thereto.'

"2. The Duke of York, by virtue of this grant from the king to him, for a competent sum of money (paid by the Lord John Berkeley and Sir George Carteret), granted and sold to them a tract of land, called now by the name of New Cæsarea, or New Jersey; and that in as ample manner as it was granted by the king to the duke.

"Thus then we come to buy that moiety which belonging to Lord Berkeley, for a valuable consideration, and in the conveyance he made us, powers of government are expressly granted; for that only could have induced us to buy it; and the reason is plain; because to all prudent men the government of any place is more inviting than the soil; for what is good land without good laws—the better the worse. And if we could not assure people of an easy, and free, and safe government, both with respect to their spiritual and worldly property; that is, an uninterrupted liberty of conscience, an inviolable possession of their civil rights and freedoms, by a just and wise government; a mere wilderness would be no encouragement, for it were a madness to leave a free, good, and improved country, to plant in a wilderness, and there adventure many thousands of pounds, to give an absolute title to another person to tax us at will and pleasure. This single consideration, we hope, will excuse our desire of the government; not asserted for the sake of power but safety; and that not only for ourselves, but others, that the plantation might be encouraged.

"3. The Lord Berkeley and Sir George Carteret, considering how much freedom invites, that they might encourage people to transport themselves into those parts, made and divulged certain concessions, containing a model of government: Upon these several went, and are there planted; the country was thus possessed, and the said government uninterruptedly administered by the said Lord Berkeley and Sir George Carteret, or their deputy, for several years; during which time no custom was demanded.

"4. We dealt with the said Lord Berkeley, upon the sight of these concessions, and the presumption that neither he nor Sir George Carteret, would attempt to act anything they had not power to do; much less, that they or either of them, would pretend to sell a power they never had; since that would not only be a cheat to the people that dealt with them for it, but an high affront to the duke.

"5. The moiety of New Cæsarea, or New Jersey, thus bought of the said Lord Berkeley, we dispose of part of our interest to several hundreds of people, honest and industrious; these transport themselves, and with them such household stuff and tools, as are requisite for planters to have. They

land at Delaware bay, the bounds of the country we bought; the passage God and nature made to it; at their arrival they are saluted with a demand of custom, of five per cent. and that not as the goods may be there worth, but according to the invoice as they cost before shipped in England; nor did they take them as they came, but at pick and choose, with some severe language to boot. This is our grievance; and for this we made our application to have speedy redress, not as a burden only, with respect to the quantum or the way of levying it, or any circumstances made hard by the irregularity of the officers, but as a wrong; for we complain of a wrong done us; and ask yet with modesty, *quo jure*? Tell us the title by what right or law are we thus used; that may a little mitigate our pain? Your answer hitherto hath been this: 'That it was a conquered country; and that the king, being the conqueror, he has power to make laws, raise money, &c. and that this power *jure regale*, the king hath vested in the duke, and by that right and sovereignty, the duke demands that custom we complain of.' But suppose the king were an absolute conqueror in the case depending, doth his power extend equally over his own English people, as over the conquered? Are not they some of the letters that make up the word conqueror? Did Alexander conquer alone, or Cæsar beat by himself? No. Shall their armies of countrymen and natives lie at the same mercy as the vanquished, and be exposed to the same will and power with their captive enemies? The Norman duke, more a conqueror of England, by his subjection to our laws, and pretence to a title by them, than of heraldry by his arms, used not the companions of his victory so ill: Natural right and humane prudence, oppose such doctrine all the world over; for what is it but to say, that people free by law under their prince at home, are at his mercy in the plantations abroad; and why? because he is a conqueror there, but still at the hazard of the lives of his own people, and at the cost and charge of the public: We could say more, but choose to let it drop. But our case is better yet; for the king's grant to the Duke of York, is plainly restrictive to the laws and government of England, and that more than once, as is before expressed. Now the constitution and government of England, as we humbly conceive, are so far from countenancing any such authority, as it is made a fundamental in our constitution and government, that the King of England cannot justly take his subjects' goods without their consent. This needs no more to be proved, than a principle; 'tis *jus indigene*, an home-born right, declared to be law by diverse statutes; as in the great charter, ch. 29, and 34 Edward III., ch. 2; again, 25 Edward, ch. 7. Upon this were many of the parliament's complaints grounded; but particularly that of the same king's reign, at is delivered by Matthew Westminster, in these words:" [The manuscript copy whence this is taken, is here defaced: It contains a number of authorities from Bracton, Fortesque, the petition of right, &c.] "To give up this (the power of making laws) is to change the government, to sell, or rather resign ourselves to the will of another; and that for nothing: For under favour we buy nothing of the duke, if not the right of an undisturbed colonizing, and that as Englishmen with no diminution, but expectation of some increase of those freedoms and privileges enjoyed in our own country; for the soil is none of his, 'tis the natives', by the *jus gen-*

trum, by the law of nations ; and it would be an ill argument to convert to christianity, to expel instead of purchasing them out of those countries : If then the country be theirs, it is not the duke's ; he cannot sell it ; then what have we bought ? We are yet unanswered in this point, and desire you to do it with all due regard to the great honour and justice of the duke. If it be not the right of colonizing there, which way have we our bargain, that pay an arbitrary custom, neither known to the laws of England, nor the settled constitution of New York, and those other plantations ? To conclude this point, we humbly say, that we have not lost any part of our liberty, by leaving our country ; for we leave not our king, nor our government, by quitting our soil ; but we transplant to a place given by the same king, with express limitation to erect no polity contrary to the same established government, but as near as may be to it ; and this variation is allowed but for the sake of emergencies ; and that latitude bounded with these words, for the good of the adventurer and planter ; which that exaction of custom can never be, in that it not only varies to the discouragement and prejudice of the planter, but contradicts his native laws, rights and liberties, and lays a foundation for another sort of government than that which was only known to his fathers ; unto the just defence of which he is engaged by nature and municipal laws : So far the point of law.

" We shall now insist upon the equity of our case : First, This very tax of five per cent. is a thing not to be found in the duke's conveyances, but an after-business ; a very surprize to the planter, and such an one, as could they have foreseen, they would have sooner taken up in any other plantation in America. In the next place,

" 2. New Jersey never paid custom before last peace, and that peace re-invests every proprietor by articles. Now we bought it when free, since which time this imposition is born ; must we be subjected to the payment of one tax, of greater value than the country ? This in plain English, is under another name, paying for the same thing twice over ; nay, had the soil been purchased of the Indians, by those of whom we bought it, and given us ; it had been dearly accepted, upon this condition, and with this incumbrance ; but it was bought by us, and that for a valuable consideration here ; and is now purchased again of the natives there too ; this makes our case extreme hard, and we pray relief.

" 3. Custom in all governments in the world, is laid upon trade, but this upon planting is unprecedented. Had we brought commodities to these parts to sell, made profit out of them, and returned to the advantage of traders ; there had been some colour or pretence for this exaction ; but to require and force a custom from persons for coming to their property, their own *terra firma*, their habitations ; in short, for coming home, is without a parallel ; this is paying custom not for trading, but landing ; not for merchandizing, but planting ; in very deed for hazarding ; for there we go ; carry over our families and estates ; adventure both for the improvement of a wilderness, and are not only told we must pay hereafter out of our gains and improvements, but must pay out of our poor stock and principal, (put into goods) five pounds in the hundred ; and not as they are there worth, but as they here cost ; and this for coming to plant : So that the plain English of the tragedy is this, we twice buy this moiety of New Jersey, first of Lord

Berkeley, and next of the natives ; and what for ? the better to mortgage ourselves and posterity to the duke's governors, and give them a title to our persons and estates, that never had any before. But pray consider, can there be a house without a bottom ; or a plantation before a people ? is not, can there be a custom before a trade ? Thus much for the equitable part of our plea ; the next and last, is the prudential. We do offer several things in point of prudence, why the duke should desist from the exaction : First, there can be no benefit to a prince in America, there can be no trade, without a people ; there will be no people where there is no encouragement ; nor can there be any encouragement where people have not greater privileges by going than staying ; for if their condition be not meliorated, they will never forego the comfort of their kindred they must leave behind them, nor forsake their native country, run the hazard of the seas, nor lastly, expose themselves to the wants and difficulties of a wilderness ; but on the contrary, if they have less privileges there than at home, 'tis every way to worst themselves to go ; for they do not only pay custom here for going, but there for arriving ; which is not done in any other plantation, even when our men go to merchandize and not to plant, which is our case. Besides there is no end of this power ; for since we are by this precedent, assessed without any law, and thereby excluded our English right of common assent to taxes ; what security have we of anything we possess ? we can call nothing our own, but are tenants at will, not only for the soil but for all our personal estates ; we endure penury and the sweat of our brows, to improve them at our own hazard only. This is to transplant, not from good to better, but from good to bad ; this sort of conduct has destroyed government, but never raised one to any true greatness ; nor ever will in the duke's territories, whilst so many countries equally good in soil and air, surrounded with greater freedom and security. Whereas if the duke please to make all planters easy and safe in their liberty and property, such a just and free government will draw in other places, encourage persons to transplant into his country, and his disbursements will soon be at an end ; his revenues, with satisfaction to the people, presently visibly augmented. Next this encouragement will bring shipping and seamen, which not only takes off abundance of idle people, but our native growth and manufacture, and the export of them ; and the import of the produce of these plantations, will in a little time overflow, and advance the revenue of the crown. Virginia and Barbadoes are proofs undeniable in the case.

" Lastly, the duke's circumstances, and the people's jealousies considered, we humbly submit it, if there can be in their opinion, a greater evidence of a design to introduce an unlimited government, than both to exact such an un-terminated tax from English planters, and to continue it after so many repeated complaints ; and on the contrary, if there can be any thing so happy to the duke's present affairs, as the opportunity he hath to free that country with his own hand, and to make us all owners of our liberty to his favour and justice ; so will Englishmen here know what to hope for, by the justice and kindness he shews to Englishmen there ; and all men to see the just model of his government in New York, to be the scheme and draught in little, of his administration in Old England at large, if the crown should ever devolve upon

his head. The conclusion is this, that for all these reasons in law, equity and prudence, alleged; you would please to second our request to the duke, that like himself, he would void this taxation, and put the country in such an English and free condition, that he may be as well loved and honoured, as feared by all the inhabitants of his territory; that being great in their affections, he may be great by their industry; which will yield him that wealth, that parent of power, that he may be as great a prince by property as by title."

That this custom was now taken off, will, among other things, appear by the following letter from Samuel Jennings, directed to William Penn, Edward Byllinge, or Gawen Lawrie.

"Dear Friends,—This may give you an account of mine and my families safe arrival in New Jersey, with all the rest that came with us. I might say something concerning our passage at sea, but I wave it for want of time, and in fine may observe all was well; for which I bless God; and the Lord keep us all sensible of it, with the rest of his mercies for ever.

"Dear friends, about six weeks since, we arrived in Delaware river, where I expected to have met with a combat, in the denial of customs. In our passage at sea, I had communicated to all that had any considerable cargo on board, the opinion of council, concerning the illegal demand thereof, with what else I thought might be for their information; which thus far prevailed, that most if not all concerned, seemed resolved to deny the paying of custom here; having paid all the king's duties in England. In good time we came to anchor in Delaware, where one Peter Alrick (who used to collect the customs) came aboard, and brought a handsome present to our commander, and sent for me into the round-house, where they both were, and Peter told me he had nothing to say to us relating to customs; he had no commission for it, nor did he know of any body that had; so we had all our goods safely landed after this unexpected easy manner.

"In pursuance of the trust committed to me after my arrival, I acquainted those nominated in the commission with me of it; but in a short time after I received your letters, giving an account of a new grant obtained, wherein the customs are taken off, a free port confirmed, and the government settled on Edward Byllinge; which I doubt not will be very acceptable to every honest man; but as yet I have not had time to let the people in general know it; and now seeing the ports are made legally free, and the government settled, I would not have any thing to remain as a discouragement to planters. Here are several good and convenient settlements already, and here is land enough and good enough for many more."

Samuel Jennings.

New Jersey, the 17th of October, 1680.

The first form of government in West Jersey, under the proprietors.—The first laws they made.—The regulation relative to the partitioning of land.

The western part of New Jersey was now become populous, by the accession of many settlers. Jennings, who arrived in the latter end of 1680, received a commission from Byllinge, (whom the proprietors in England, as mentioned before, had chosen governor) to be his deputy. He called an assembly, and with them agreed upon certain fundamental principles for the government of the province as follows.

"Province of West New Jersey, in America, the 25th of the 9th Month called November, 1681.

"Forasmuch as it hath pleased God to bring us into this province of West New Jersey, and settle us here in safety, that we may be a people, to the praise and honour of his name, who hath so dealt with us, and for the good and welfare of our posterity to come. We, the governor and proprietors, freeholders and inhabitants of West New Jersey, by mutual consent and agreement, for the prevention of innovations and oppression, either upon us or our posterity, and for the preservation of the peace and tranquillity of the same; and that all may be encouraged to go on cheerfully in their several places, we do make and constitute these our agreements, to be as fundamentals to us, and our posterity, to be held inviolable; and that no person or persons whatsoever shall or may make void or disannul the same, upon any pretence whatsoever.

"1. That there shall be a general free assembly for the province aforesaid, yearly and every year, at a day certain, chosen by the free people of the said province, whereon all the representatives for the said province shall be summoned to appear, to consider of the affairs of the said province, and to make and ordain such acts and laws as shall be requisite and necessary for the good government and prosperity of the free people of the said province; and (if necessity shall require) the governor for the time being, with the consent of his council, may and shall issue out writs to convene the assembly sooner, to consider and answer the necessities of the people of the said province.

"2. That the governor of the province aforesaid, his heirs or successors, for the time being, shall not suspend or defer the signing, sealing and confirming of such acts and laws as the general assembly (from time to time to be elected by the free people of the province aforesaid) shall make or enact for the securing of the liberties and properties of the said free people of the province aforesaid.

"3. That it shall not be lawful for the governor of the said province, his heirs or successors, for the time being, and council, or any of them, at any time or times hereafter, to make or raise war upon any account or pretence whatsoever, or to raise any military forces within the province aforesaid, without the consent and act of the general free assembly, for the time being.

"4. That it shall not be lawful for the governor of the said province, his heirs or successors, for the time being, and council, or any of them, at any time or times hereafter, to make or enact any law or laws for the said province, without the consent, act and concurrence of the general assembly. And if the governor for the time being, his heirs or successors, and council, or any of them, shall attempt to make or enact any such law or laws, of him or themselves, without the consent, act and concurrence of the general assembly; that from thenceforth, he, they, or so many of them, as shall be guilty thereof, shall upon legal conviction, be deemed and taken for enemies to the free people of the said province; and such act so attempted to be made, to be of no force.

"5. That the general free assembly, from time to time, to be chosen as aforesaid, as the representatives of the people, shall not be prorogued or dissolved, before the expiration of one whole year, to commence from the day of their election, without their own free consent.

"6. That it shall not be lawful for the governor of the said province, his heirs or successors, for the time being, and council, or any of them, to levy or raise any sum or sums of money, or any other tax

whatsoever; without the act, consent and concurrence of the general Assembly.

"7. That all officers of state or trust, relating to the said Province, shall be nominated and elected by the general free assembly for the time being, or by their appointment; which officer and officers, shall be accountable to the general free assembly, or to such as the said assembly shall appoint.

"8. That the governor of the province aforesaid, his heirs or successors, for the time being, or any of them, shall not send ambassadors, or make treaties, or enter into alliances, upon the public account of the said province, without the consent of the said general free assembly.

"9. That no general free assembly hereafter to be chosen by the free people of the province aforesaid, shall give to the governor of the said province for the time being, his heirs or successors, any tax or custom for longer time than for one whole year.

"10. That liberty of conscience, in matters of faith and worship towards God, shall be granted to all people within the province aforesaid, who shall live peaceably and quietly therein; and that none of the free people of the said province, shall be rendered incapable of office in respect of their faith and worship.

"Upon the governor's acceptance and performance of the proposals herein before expressed, we the general free assembly, proprietors and freeholders of the province of West New Jersey aforesaid, do accept and receive Samuel Jenings, as deputy governor. In testimony whereof I have hereunto put my hand and seal, the day and year above written."

"Samuel Jenings, deputy governor.
Subscribed also "Thomas Olive, speaker."

This assembly was held from the 21st till the 28th of November, and passed six and thirty laws (beside the above) many of which were repealed in a few years afterwards. The principal were to the following effect. • That it should be the business of the governor and commissioners to see that all courts executed their offices, and to punish such officers as should violate the laws. That lands legally taken up and held, planted and possessed seven years, should not be subject to alteration. That all offices of trust should subscribe to do equal right and justice. That no person should be condemned or hurt, without a trial of twelve men; and that in criminal cases, the party arraigned to except against thirty-five, or more upon valid reasons. That in every court, three justices or commissioners at least, to sit and assist the jury in cases of law, and pronounce the judgments to the jury. That false witnesses be fined, and disabled from being after admitted in evidence, or into any public office in the province. That persons prosecuting for private wrong (murder, treason and theft excepted) should remit the penalty or punishment either before or after condemnation. That juries should be summoned by the sheriff, and none be compelled to fee an attorney to plead his cause. That all wills should be first proved and registered, and then duly performed. That upon persons dying intestate, and leaving a wife and child, or children, the governor and commissioners for the time being, should take security, that the estate should be duly administered, and the administrator to secure two-thirds for the child or children, the other to the widow; where there was no children, one moiety or half the estate, was to go to the next of kin, the other half to the widow; always provided, such estate exceeded one hundred pounds; otherwise the widow to have the whole; and in cases of leaving children, and no provision, the charge of bringing them up to

be paid out of the public stock. That felons should make restitution fourfold, or as twelve of the neighbourhood should determine; and such as hurt or abuse the person of any, to be punished according to the nature of the offence. That whosoever presumed, directly or indirectly, to sell any strong liquors to any Indian or Indians, should forfeit for every such offence, the sum of three pounds. That ten men from Burlington, and ten from Salem, should be appointed to lay out and clear a road from Burlington to Salem, at the public expence. That two hundred pounds should be equally levied and appropriated for the charges of government, upon the several tenths, twenty pounds each; every man to be assessed according to his estate; and all handicrafts, merchants and others, at the discretion of the assessors. Persons thinking themselves aggrieved, had the liberty of appealing to the commissioners of the tenth they belonged to. The following regulations relative to the possession of lands were also enacted.

"The methods of the commissioners for settling and regulation of lands.

"We whose names are hereunder written, commissioners nominated, elected, and chosen by the general free assembly, proprietors and freeholders of the province of West New Jersey, the 23d day of November last past, for the settling and regulating of lands, and other concerns within the said province; do, by and with the approbation and consent of the governor of the said province, and council, in pursuance of the said trust in us reposed, hereby fully agree upon these rules and methods hereinafter following (that is to say):

"1. That the surveyor shall measure the front of the river Delaware, beginning at Assumpink creek, and from thence down to Cape May, that the point of the compass may be found for the running the partition lines between each tenth.

"2. That each and every tenth, or ten proprietries, shall have their proportion of front to the river Delaware, and so far back into the woods as will make or contain sixty-four thousand acres for their first settlement, and for the subdividing the Yorkshire and London two-tenths.

"3. To allow three thousand and two hundred acres where the parties concerned please to chuse it within their own tenth; to be taken up according to the rules or methods following, viz.: One-eighth part of a propriety, and so for smaller parts, to have their full proportion of the said land in one place (if they please) and greater purchasers or shares not to exceed 500 acres to one settlement.

"4. All lands so taken up and surveyed, shall be seated within six months after it is so taken up; and if the same shall not be seated within the said time, then such choice and survey shall be void, and the same lands shall be free for any other purchaser to take up; provided he or they so taking up the same, do, or shall seat it within one month after it is so taken up.

"5. That no person or persons shall take up lands on both sides of a creek, to one settlement, except the commissioners for the time being, shall see good cause for their so doing.

"6. That no person or persons shall have more than forty perches front to the river, or navigable creek, for each and every one hundred acres, except it fall upon a point, so that it cannot otherwise be avoided; and in such cases it shall be left to the discretion of the commissioners then for the time being.

"7. That all lands be laid out on straight lines,

that no vacancies be left between lands, but that they be joined one seat to another, except the commissioners then for the time being, shall for good causes order it otherwise.

"8. That all persons shall take their just proportions of meadow, which shall be laid forth at the discretion of the commissioners then for the time being.

"9. That all persons who are already seated, shall have liberty to make his settlement his choice, if he please; provided he or they observe and follow the rule or method herein prescribed.

"10. That every proprietor shall have 400 acres to a propriety, and so proportionably to lesser quantities for their town lot, over and above their aforesaid 3,200 acres; which may be taken any where within their own tenth, either within or without the town bounds.

"11. That no person or persons who have already taken up a town lot, shall have liberty to leave it, and take a lot elsewhere; but shall keep the same he hath taken up as his town lot.

"12. That Thomas Wright shall keep his settlement, containing 400 acres; and that the commissioners for Yorkshire side, shall allow to the town bounds, 300 acres, to be taken up adjoining to the town bounds, on Lazy Point, in lieu thereof.

"13. That no purchaser shall take up more land within the town bounds, than belongs to his town lot, by virtue of his purchase.

"14. That no person or persons (who are not purchasers to whom town lot or lots are given) shall dispose of, or sell his or their said lot or lots of land, from their house or houses respectively; and that if any such person or persons as aforesaid, shall dispose of, or sell such said lot or lots apart from his or their said house or houses, then such said sale of lot or lots shall be void and of no effect, and the same lot or lots shall from thence become forfeit, to the use of the town of Burlington, to be disposed of therein at the discretion of the commissioners then for the time being.

"15. That no person or persons from hence forward shall take up any land, without special order from two or more of the commissioners for the time being, first had and obtained.

"16. That all and every settlement and settlements already made, which are not consonant and agreeable to the rules and methods aforesaid, shall be liable to regulation, according to the said rules and methods.

"17. That the proprietors who are yet remaining in England, shall have notice that we find it necessary for the speedy settlement of this province, and for the interest of all concerned therein, to allow to every propriety as aforesaid, 3,200 acres for our first choice; and in case much people shall come, as may be reasonably expected, who have purchased no land in England, and desire to settle amongst us; that then we reserve liberty to take up so much land more as shall fall to every propriety, not exceeding 5,200 acres, which was allowed to us for our first settlement. Provided nevertheless, that none shall take up any proportion of land, but as they shall settle it, or cause it to be settled, which is to be done after the aforesaid 3,200 acres shall be justly taken up and settled.

"18. That all public highways shall be set forth, at any time or times hereafter, at the discretion of the commissioners for the time being, in or through any lands taken up, or to be taken up; allowing the owners of such lands where such public highways shall be laid forth, reasonable satisfaction at

(the discretion of the commissioners, in lieu thereof.

"19. Yet nevertheless, it is hereby commanded and agreed by the authority aforesaid, that the rules and methods herein before agreed on, shall not make void or disannul all or any settlement or settlements heretofore made, in the Yorkshire tenth, who have seated according to a former agreement, viz., not having taken up more than fifty perches for each and every hundred acres on the river or navigable creek, and having kept their due breadth and bounds from the river or creek.

"Signed and sealed the 5th of December, 1681, by Samuel Jennings, governor, Thomas Olive, Thomas Budd, Robert Stacy, Benjamin Scott, Thomas Gardiner, Daniel Wills, Mahlon Stacy, Thomas Lambert.

"20. That all persons who have already taken up any lands, within the first and second tenth in this province, shall bring in their deeds or writings, to shew their title to such lands as they have taken up, to Benjamin Scott, Robert Stacy, Thomas Budd, and Thomas Gardiner, on or before the 12th day of this instant January, next ensuing the day of the date hereof.

"21. That all person or persons hereafter to take up land within the said first and second tenth, shall first make application to the said Benjamin Scott, Robert Stacy, Thomas Budd, and Thomas Gardiner, or any two of them; and shall also before the said commissioners solemnly declare and aver, upon the penalty of the law of perjury to pass against them, that the quantity or portion of land contained in their respective deeds or other writings, do really and in good conscience belong and appertain to him or them so requiring a warrant or warrants, for laying forth his or their land, so as the said commissioners may be thereby satisfied with the justness of his or their title thereto; then, and not before, the said commissioners, or any two of them, shall and may grant out a warrant to the surveyor or his deputy, to lay out and survey the respective proportion of land to him or them due and appertaining, as aforesaid; enjoining the surveyor or his deputy, to make return of his said warrant and survey, at the next court after such warrant granted, to be held at Burlington; that the same may be registered by order of the said court.

"22. That all proprietors and purchasers, within the said first and second tenths, shall and may have liberty to take his and their full proportions of land as before within is agreed upon, of the first and second choice in one place; provided he or they so doing take not up more than 500 acres of land in one settlement.

"Witness our hands and seals, the 14th day of the 11th month, 1681, Samuel Jennings, governor, Thomas Olive, Robert Stacy, Thomas Budd, Daniel Wills, Thomas Gardiner, Benjamin Scott."

Another ship arrives at West Jersey—Proceedings of the general assembly of West Jersey—Sir George Carteret's death—Conveyance to the twelve eastern proprietors—Their proposals and regulations in several respects; particularly in disposing of lands and building a town at Ambo point—The twelve proprietors each take a partner, and thence are called the twenty-four; to whom the Duke of York makes a third and last grant—The twenty-four establish the council of proprietors of East Jersey, on the footing it now is—A general view of the improvements in East Jersey, in 1682—A compendium of some of the first laws passed at Elizabeth-town—

Doubts started whether the government of West Jersey was granted with the soil—Jenings continued governor of West Jersey; and laws passed there.

In the year 1682, a large ship, of 550 tons burthen, arrived at West Jersey, which got aground in Delaware bay; where, after laying eight days, by a favourable wind and tide, it was got off; and coming up the river, landed her passengers, being 360 in number, between Philadelphia and Burlington on the Jersey shore. Their provisions being nearly exhausted, they sent ten miles to an Indian town near Rankokus creek, for Indian corn and pease. The chief of this tribe being then there, treated them kindly, and directed such Indians as had provisions, to bring it in next morning, who accordingly brought plenty; which being delivered and put in bags, the messengers took leave of the chief, who kindly ordered some of the Indians to carry their bags for them to their canoes.

The assembly of West Jersey having, at their last sitting, adjourned to the 1st of February this year (1682) met; but not being a full house, they adjourned to the 14th, and then dissolved themselves without doing any business. Another being called, sat from the 2d to the 11th of the month following. The members returned by the sheriff for the respective tenths, to serve in this assembly, were, Thomas Olive, speaker, Mahlon Stacy, Joshua Wright, John Lambert, Thomas Lambert, William Emley, Godfrey Hancock, Daniel Leeds, Thomas Wright, Samuel Borden, Robert Stacy, Thomas Budd, Daniel Wills, sen., Thomas Gardiner, John Crips, John White, John Chaffin, Bernard Davenish, Isaac Marriott, William Peachy, William Cooper, Mark Newby, Thomas Thackery, Robert Zane, James Nevil, Richard Guy, Mark Reeves, Richard Hancock, John Smith, John Pledger, Edward Wade, George Deacon, and Samuel Hedge. Hitherto the members had been chosen by the electors from all the tenths indiscriminately; but this assembly declared it their judgment, and the judgment of those they represented, that the most regular method for preserving the liberty and property of the people by a free assembly, was, that such of the ten proprietries, as were now peopled, should each choose ten representatives (and the others also as they became peopled), and resolving, that twenty-four, the speaker one, should make the quorum, they chose the council, justices, commissioners for laying out land, and other officers.

This done, the governor, council, and assembly, passed sundry laws; by some of which it was enacted, that each of the ten proprietors should have liberty to sell as far as 500 acres of land, within their respective tenths, or take such other expedient as they should judge fit, for defraying the public charges, for the tenths respectively; to which purpose, Mahlon Stacy and Thomas Lambert were appointed within the first or Yorkshire tenth; Thomas Budd and Thomas Gardiner, for the second or London tenth; William Cooper and Mark Newby for the third or Irish tenth; and Samuel Jennings and Thomas Budd, within the remaining six tenths. As for J. Fenwick, who owned the other tenth, they seem not to have considered him. That the three pounds fine, formerly imposed on such as sold rum or other strong liquor to the Indians, should go one half to the informer, the other to the public stock, where the offence was given; and that every foreigner offending therein, should forfeit five

pounds, to be disposed of in like manner. That for the more convenient payment of small sums of money, Mark Newby's coppers, called Patrick's half-pence, should pass as half-pence current pay; provided he gave security to the speaker, for the use of the general assembly for the time being, that he, his executors and administrators would change them on demand, and provided none were obliged to take more than five shillings in one payment. That for preventing clandestine and unlawful marriages, justices should have power to solemnize them, the parties having first published their intentions fourteen days in some public place appointed for that purpose; any justice presuming to marry without the consent or knowledge of parents or trustees (if such consent could be reasonably obtained), was to be fined at the discretion of the general assembly; of which marriage the register was to make public entry of the day it was solemnized; the births of children, and decease of all persons, were also to be entered in the public register of the respective tenths; and for preventing differences between masters and servants, where no covenants were made, all servants were to have, at the expiration of their service, according to the custom of the country, ten bushels of corn, necessary apparel, two hoes and an axe. That all servants of full age, coming into the province without indentures, or other agreements, should serve four years, from the ship's entry, (to take which entries custom-house officers were before appointed,) and that all under the age of one-and-twenty years, who came without indentures, should within three months after their arrival, be brought to the court, in the district where the party resided; which court was to appoint the time of servitude. That for preventing deceits, lands should pay debts, where personal estates were insufficient. That for encouragement of building a saw-mill, one thousand acres should be sold to William Frampton, to accommodate him with land for that purpose; and more as the governor and commissioners should judge convenient. That for the better settling and confirmation of lands, six of the commissioners, with the governor, should (where there was occasion) make an inspection into such as were or should be taken up; that on finding these legally located, they might after public notice in the court, and no just reason to the contrary, confirm the same at the next court. That there should be four courts of session held at Burlington and Salem yearly. That the twenty pounds formerly granted the governor, the five pounds to the speaker, and the five pounds to the clerk, should be raised by tax; nine pounds six shillings and eight-pence by the Yorkshire, London, and Salem tenths each, and forty shillings by the third tenth; the whole, being thirty pounds, was to be delivered to Thomas Budd and Thomas Gardiner, in skins, corn, or money; and the remainder of the two hundred pounds, formerly directed to be raised to defray the charges of government, to be a debt due from the other proprietries.

The representatives of West Jersey were still annually chosen; and continued to be so until the surrender of the proprietary government, in 1702. The council, (who were justices ex-officio,) justices of peace, and inferior officers of government, were chosen by them; the governor was appointed by the proprietors, who governed them by a deputy, till the succeeding year; when the assembly, understanding that Byllinge, for some selfish reasons, inclined to turn Jennings out, who had hitherto been

deputy governor, to the general satisfaction of the governed; they undertook, by their choice, to continue him governor of the province, pretending a right to do this, because in the constitutions, power was given to six parts in seven of the assembly, to make such alterations for the public good, (the laws of liberty of conscience, of property, of yearly assemblies, of juries, and of evidence, excepted) as they found necessary; and that no advantage might be taken of such judicial proceedings, as had not been exactly agreeable to the concessions, they confirmed and ratified them all.

About this time, the settlers in many parts were exceedingly distressed for food; and several were only supported by what they could procure with their guns; which, as powder and shot were sometimes very scarce, was but a precarious supply.

Sir George Carteret, sole proprietor of East Jersey, who died in 1679, had, by will, ordered that province to be sold, to pay his debts; which was done accordingly, by his widow and executors, by indenture of lease and release, bearing date the 1st and 2d of February, 1681-2, to William Penn, Robert West, Thomas Rudyard, Samuel Groome, Thomas Hart, Richard Mew, Thomas Wilcox, of London, goldsmith, Ambrose Rigg, John Haywood, Hugh Hartshorne, Clement Plumsted, and Thomas Cooper, their heirs and assigns; who were then called "the twelve proprietors." They being together so seized, in this year (1682) published an account of the country, together with a fresh project for a town, and their method of disposing of their lands.

Their plan was popular, and took much, especially among the Scotch, of whom many had already arrived: and in this and some of the immediately succeeding years, came many more. Among them was George Keith, who some time after became surveyor-general, and was accounted exceedingly skillful.

The twelve proprietors did not long hold the province to themselves, but by particular deeds, took each a partner: their names were, James Earl of Perth, John Drummond, Robert Barclay, Robert Gordon, Aarent Sonmans, Gawen Lawrie, Edward Byllinge, James Braine, William Gibson, Thomas Barker, Robert Turner, and Thomas Warne; these with the other twelve, were subsequently called "the twenty-four proprietors." To them the Duke of York made a fresh grant of East New Jersey, bearing date the 14th of March, 1682.

This was the duke's third and last grant of East Jersey; soon after which, the twenty-four proprietors, by an instrument under most of their hands, established "a council of proprietors;" and gave them power to appoint, oversee, and displace all officers necessary for the management of their property; to take care of all lands belonging to the general proprietors; to demise them for terms of years, and to appoint dividends; to examine the rights of the particular proprietors who demanded their shares of those dividends, and to grant warrants to the surveyor-general (whom they chose themselves) for the appropriating the quantity of acres due to such share; to sue trespassers upon the general proprietors' land; and in general, to manage the affairs which related to the general proprietors. This council always to consist of at least one-third of the general proprietors, or their proxies; and to have two general meetings yearly, at Perth Amboy; which were at first held immediately after the supreme courts there, but were afterwards altered to the first Tuesday in April, and second in September.

The province of East New Jersey was now tolerably settled; and it was reduced to some regularity, as appears from the following accounts, published by secretary Nicolls of New York, in 1682.

Shrewsbury, near Sandy Hook, adjoining the river or creek of that name, was already a township, consisting of several thousand acres, with large plantations contiguous; the inhabitants were computed to be about 400. Lewis Morris, of Barbadoes, had iron works and other considerable improvements here.

Middletown was supposed to consist of 100 families; several thousand acres allotted for the town, and many thousands for the several out-plantations: John Bowne, Richard Hartshorne, and Nicholas Davis, had each well improved settlements here; a court of sessions was held twice or thrice a-year, for Middletown and Piscataway, and their jurisdictions. Several plantations were settled on the north side of Rariton river, below Piscataway; several also higher up Rariton, and about the Falls; among which John Palmer, of Staten Island, Thomas Codrington, John Robinson, White and company, and Edsall and Company, of New York, and captain Corsen, had settlements; some land was likewise located by Millstone river, up Rariton, supposed to be near the division line.

Woodbridge had several improved plantations in it, and the country round; Delaplairs, the surveyor-general, was one of the settlers here. This town claimed more privileges than others; was incorporated by charter, and had erected a court-house and prison (such as they were). There were here about one hundred and twenty families; a large quantity of land in the town, and for the plantations round, many thousand acres; of which plantations there were several on the north side of the river that divides Elizabeth Town and Woodbridge.

At the entrance of the creek, on the north side, called Carteret's Point, north of Staten Island, were other plantations, from Elizabeth Town to the bounds of New York. Within Elizabeth Town claim, was a settlement in partnership between the proprietor Carteret, and governor P. Carteret; the latter had built a house and resided here; the town was supposed to consist of one hundred and fifty families.

On the north of Milford or Newark river, was a large tract belonging to Kingsland and Sanfoord. Higher up the river, another to captain Berrie; who dividing it, several plantations were soon settled on it. Still further up the river, an island belonging to Christopher Hoogland, of Newark; above that again was a large tract owned by Jacques Cartelayne, and partners; who now made some settlement. These tracts were within the jurisdiction of Newark. Newark was then said to be a compact town, consisting of about one hundred families.

Near the mouth of the bay, upon the side of Overbrook creek, adjacent to Hackinsack river, several of the rich valleys were then settled by the Dutch; and near Snakehill was a fine plantation, owned by Pinhorn and Eickbe; for half of which, Pinhorn is said to have paid 500*l*. There were other settlements on Hackinsack river; and on a creek near it, Sarah Kiersted, of New York, had a tract given her by an old Indian sachem, for services in interpreting between the Indians and Dutch, on which several families were settled. John Berrie had a large plantation, two or three miles above, where he then lived, and had considerable improvements; as had also near him, his son-in-law Smith, and one Baker from Barbadoes. On the west side of the

creek, opposite to Berrie, were other plantations; but none more northerly. There was a considerable settlement on Bergen Point, then called Constable Hook, and first improved by Edsall, in Nicolls's time. Other small plantations were improved along Bergen Neck, to the east, between the Point and a little village of twenty families. Further along lived sixteen or eighteen families; and opposite New York, about forty families were seated; southward from this, a few families settled together at a place called the Duke's Farm; and further up the country, was a place called Hobuck, formerly owned by a Dutch merchant, who, in the Indian wars with the Dutch, had his wife, children and servants murdered by the Indians, and his house and stock destroyed by them; but it was now settled again, and a mill erected there. Along the river side, to the north, were lands settled by William Lawrence, Samuel Edsall and captain Beinfeld; and at Haversham, near the High Lands, governor Carteret had taken up two large tracts; one for himself, the other for Andrew Campyne and company; which were now but little improved. The plantations on both sides of the Neck, to its utmost extent, as also those at Hackinsack, were under the jurisdiction of Bergen Town, situate about the middle of the Neck; where was a court held by select men or overseers, consisting of four or more in number, as the people thought best, chosen annually to try small causes, as had been the practice in all the rest of the towns at first. Two courts of sessions were held here yearly, from which, if the cause exceeded twenty pounds, the party might appeal to the governor, council and court of deputies or assembly.

Bergen, a compact town, which had been fortified against the Indians, contained about seventy families; its inhabitants chiefly Dutch, some of whom had been settled there upwards of forty years. Upon the whole there were at this time supposed to be about seven hundred families settled in the towns of East Jersey; which, reckoning five to a family, were 3500 inhabitants; besides the out-plantations, which were thought to contain half as many more, though these could not be so well guessed at.

P. Carteret continued governor of East Jersey after the quint-partite division, till about the year 1681. His salary was generally 50*l.* a-year, paid in country produce, at prices fixed by law, and sometimes four shillings a day besides, to defray his charges while a sessions was held; the wages of the council and assembly during their sitting in legislation, was, to each member three shillings a day. The rates for public charges were levied at two shillings per head for every male above fourteen years old.

The council in 1668 consisted of six, viz. Nicholas Verlet, Robert Bond, Robert Vanquellin, Daniel Pierce, Samuel Edsall, William Pardon.

The assembly then consisted of twelve; the first members amounted only to the ten following: Casper Steenmets, Baltazar Bayard, for Bergen. John Ogden, sen., John Brackett, for Elizabeth Town. Robert Treat, Samuel Swarne, for Newark. John Bishop, Robert Dennis, for Woodbridge. James Grover, John Bound, for Middletown and Shrewsbury.

The sessions were mostly held at Elizabeth Town, but sometimes at Woodbridge, and once or more at Middletown and Piscatawa. Some of the first laws as published by the legislature at Elizabeth Town, were to the following effect. That persons resisting authority, should be punished at the discretion of the court. That men from 16 to 60 years of age,

should provide themselves with arms, on penalty of one shilling for the first week's neglect, and two for every week after. That for burglary or highway robbery, the punishment should be, for the first offence, burning in the hand; for the second, in the forehead; in both, to make restitution; and for the third offence, death. For stealing, for the first offence, treble restitution; and the like for the second and third offence, with such increase of punishment as the court saw cause, even to death, if the party appeared incorrigible; but if not, and unable to make restitution, they were to be sold for satisfaction, or to receive corporal punishment. That conspiracies or attacks upon towns or forts, should be death. That undutiful children, smiting or cursing their father or mother, except provoked thereunto for self-preservation, upon complaint of, and proof from their parents, or either of them, should be punished with death. That in case of adultery, the party to be divorced, corporally punished or banished, or either, or all of them, as the court should judge proper. That for night-walking and revelling after the hour of nine, the parties to be secured by the constable or other officer till morning, and then not giving a satisfactory account to the magistrate, to be bound over to the next court, and there receive such punishment as should be inflicted. That the meeting of the assembly should be always on the first Tuesday in November, yearly, and oftener, if the governor and council thought necessary; and that they should fix the governor's salary; the deputies of each town to be chosen on the 1st of January, according to the concessions; any deputy absenting himself at such times, was to be fined 40*s.* for every day's absence. That 30*l.* should be levied for provincial charges, *i. e.* 5*l.* to be paid by each town. That in winter, wheat should be five shillings a bushel; summer, four and sixpence, pease at three shillings and sixpence, Indian corn at three shillings, rye at four shillings, barley at four shillings, beef at two-pence halfpenny per pound, and pork at three-pence halfpenny. That no son, daughter, maid, or servant, should marry without the consent of his or their parents, masters or overseers, without being three times published in some public meeting or kirk, near the party's abode, or notice being set up in writing at some public-house near where they lived, for fourteen days before; then to be solemnized by some approved minister, justice or chief officer, who, on penalty of 20*l.*, and to be put out of office, were to marry none who had not followed those directions. That fornication should be punished at the discretion of the court, by marriage, fine, or corporal punishment; and that no life should be taken but by virtue of some law, and the proof of two or three witnesses.

There being doubts started, whether the government of West New Jersey had been granted with the soil, and reports to that effect being industriously spread in the province, as well as in England, to the prejudice of the possessor's title, as was imagined; the assembly in the spring this year (1682) thought it their business to obviate this, and other points, by unanimously resolving, as to the first, "That the land and government of West New Jersey were purchased together." And that as to the question, "Whether the concessions agreed upon by the proprietors and people, and subscribed in London and West Jersey, were agreed upon to be the fundamentals and ground of the government of West New Jersey, or not? Resolved in the affirmative. *nemine contradicente*: only John Fenwick excepted

his tenth; which he said at that time was not under the same circumstances, but now freely consenteth thereto."

Jenings was at this assembly chosen governor, having hitherto acted as Byllinge's deputy. The commissioners and other officers of government, being also chosen, they severally took their qualifications; and having agreed that the governor should be chairman, or speaker; that he should sit as a member with them, and they together with the council, and that the chairman should have a double vote, passed sundry laws, among which was the following:

"And whereas it hath pleased God, to commit this country and province into the hands of such who (for the generality of them) are fearing God, and painful and industrious in the promoting and improving the said province; and for the better preventing of such as are profane, loose, and idle, and scandalous, from settling amongst us, who are, and will be, not only unserviceable, but greatly burdensome to the province: It is therefore hereby enacted by the authority aforesaid, that all person and persons, who shall transport him or themselves into this province, shall, within eighteen months after he or they shall arrive in the said province, procure and produce a certificate, under the hands of such of that religious society, to whom he or they did belong, or otherwise from two magistrates (if procurable), or two constables or overseers of the poor, with three or more creditable persons of the neighbourhood, who inhabit or belong to the place where he or they did last reside, as may give satisfaction (that is to say), that he or they came not clandestinely or fraudulently away; and if unmarried, that he or she are clear from former engagements in that particular; and also, that he or she are such as live soberly and honestly, to the best of their knowledge; and that no justice shall presume to marry any such person or persons, who shall come into this province, before such certificate be produced; or that it be laid before the governor or two justices, and give them sufficient satisfaction concerning their clearness; and that all such person and persons who shall settle in the said province, and shall refuse or neglect to produce such certificate as aforesaid, within the said eighteen months, shall be fined at the discretion of the governor and council of the said province, not exceeding 20*l.*; the same to be levied by distress and sale on the offender's goods, and to be paid into the hands of the treasurer of the said province."

Robert Barclay appointed governor of East Jersey, and T. Rudyard, deputy—Letters from Rudyard, and others, concerned in that settlement.

We have seen that the Scotch had a considerable share in the settlement of East Jersey, many of whom settled about Amboy, and up the Rariton. The twelve proprietors appointed Robert Barclay (author of the Apology,) governor for life; and Thomas Rudyard (a lawyer or attorney in London, noted for his assistance at the trial of Penn and Mead,) deputy governor; which last arrived at his government the latter end of last, or beginning of this year (1683). His account of the country, soon after his arrival, may not be unacceptable. The following letters are given verbatim, as they are the best, and indeed only accounts that give an idea of the character and circumstances of the early settlers. It must be remembered, with regard to the style of composition that most of the writers were quakers.

"East Jersey, the 30th of the 3d month, called May, 1683.

"Dear B. G.—To be as particular in my turn, were but thy due, yet I cannot promise so much; however, I may give thee some general account of the province, and of our satisfaction with our present lot, the short time I have experienced this: but to give thee also, as thou desires, a character of Pennsylvania and West Jersey, that will be a task I must be excused to undertake, lest I give offence, or at least bring me under censure as partial. Were I not concerned in any of the provinces, I might satisfy thy curiosity; but being chiefly interested in this, I'll be very cautious meddling with my neighbours, more than here, one with another; so I may use my freedom with my neighbours, which they take not ill, but not write what may be taken otherways. They lie so near adjacent, that they may be said, in a sense, to be but one country; and what's said for one, in general may serve for all. I have been at Burlington, and at Pennsylvania, as far as Philadelphia, which lies about twenty miles below Burlington: that journey by land gave me some view of all the provinces, and made me considerably to estimate this of East Jersey, having some conveniences esteemed by me, which the others are not so plentifully furnished withal, viz., fresh and salt meadows, which now are very valuable; and no man here will take up a tract of land without them, being the support of their stock in winter, which other parts must supply by store, and taking more care for English grass. But know, where salt marshes are not, there is no musketoes, and that manner of land the more healthy; and this was often answered me, when I have been making comparisons. I must tell thee their character in print, by all that reads it here, is said to be modest, and much more might have been said in it's commendation. We have one thing more particular to us, which the others want also, which is vast oyster banks, which is constant fresh victuals, during the winter, to English as well as Indians; of these there are many all along our coasts from the sea as high as against New York, whence they come to fetch them; so we are supplied with salt fish at our doors, or within half a tide's passage; and fresh fish in abundance, in every little brook, as perch, trout, eels, &c., which we catch at our doors. Provisions here are very plentiful, and people generally well stocked with cattle. New York and Burlington have hitherto been their market; few or no trading men being here in this province: I believe it hath been very unhappy heretofore, under an ill-managed government; and most of the people are such who have been invited from the adjacent colonies, by the goodness of its soil, and convenient situation. At Amboy we are now building some small houses, of 30 feet long and 18 feet broad, fitting to entertain workmen, and such who will go and build larger. The stones lie exceeding well and good up the Rariton river a tide's passage, and oyster shells upon the point, to make lime withal; which will wonderfully accommodate us in building good houses cheap—warm for winter, and cool for summer; and durable covering for houses are shingles, oak, chesnut, and cedar; we have plentiful here of all—the last endures a man's life, if he lives to be old. There are five or six saw-mills going up here this spring; two at work already, which abates the price of boards half in half, and all other timber for building; for although timber costs nothing, yet workmanship by hand was London price, or near upon it, and sometimes more; which these

mills abate; we buy oak and chesnut boards no cheaper than last year. My habitation with Samuel Groome is at Elizabeth Town, and here we came first; it lies on a fresh small river; with a tide, ships of 30 or 40 tons, come before our doors. Throughout this town is good English grass, and bears a very good burthen. We cannot call our habitations solitary; for, what with the public employ, I have little less company at my house daily than I had in George Yard, although not so many passers by my doors. The people are generally a sober professing people, wise in their generation, courteous in their behaviour, and respectful to us in office among them. As for the temperature of the air, it is wonderfully suited to the humours of mankind, the wind and weather rarely holding in one point, or one kind, for ten days together; it is a rare thing for a vessel to be wind-bound for a week together, the wind seldom holding in a point more than 48 hours; and in a short time we have wet and dry, warm and cold weather, which changes we often desire in England, and look for before they come; yet this variation creates not cold, nor have we the tenth part of the colds we have in England: I never had any since I came, and in the midst of winter and frosts, could endure it with less cloaths than in England, for generally I go with the same cloaths I used to wear in summer with you, but warm cloaths hurt not. I bless the Lord, I never had better health, nor my family; my daughters are very well improved in that respect, and tell me they would not change their place for George Yard, nor would I. People here are generally settled where the tide reaches; and although this is good land and well timbered, and plentifully supplied with salt marsh, yet there is much better land up higher on the river, where they may go up with small boats, where many now are settling. There's extraordinary land, fresh meadows overflowed in the winter time, that produces multitudes of winter corn; and it's believed will endure twenty, thirty, or fifty years ploughing, without intermission, and not decay. Such land there is at Esopus, on Hudson's river, which hath bore winter corn about twenty years without help, and is as good as at first, and better. William Penn took a view of the land this last month when here, and said he had never seen such before in his life. All the English merchants, and many of the Dutch, have taken, and are desirous to take up plantations with us: our country here, called Bergen, is almost Dutchmen; at a town called Newark, seven or eight miles hence, is made great quantities of cider, exceeding any we can have from New England, Rhode Island, or Long Island. I hope to make twenty or thirty barrels out of our orchard next year, as they have done who had it before me; for that, it must be as Providence orders. Upon our view and survey of Amboy point, we find it extraordinary well situate for a great town or city, beyond expectation; at low water, round about the point, are oysters of two kinds, small as English, and others two or three mouthfuls, exceeding good for roasting and stewing; the people say, our oysters are good, and in season all summer; the first of the third month I eat of them at Amboy very good. The point is good lively land, ten, some places twenty foot above the water mark. About it are several coves, where vessels may lay up conveniently; besides, great ships of any burthen may all ride before the town, land-locked against all winds; there Rariton river runs up, or rather down, 50 for larger—some say 100 miles, for small

boats. I saw several vines upon the point, which produces, as they say, good grapes in their season; this country is very full of them, but being not present profit, few regard them more than to pick them as they lay in their way, when they are ripe. We have store of clams esteemed much better than oysters; on festivals the Indians feast with them; there are shallops, but in no great plenty. Fish we have great store, as our relation sets forth; but they are very good when catched (as the proverb is). I have several barrels by me now, which are good for our table and for sale. I brought a sea net over with me, which may turn to good account; sea nets are good merchandize here; mine cost me about four or five pounds, and can have twenty pounds for it if I would sell it now. I may write of many such matters in our province, which may invite persons here; but so am resolved to conclude, knowing that, in probability, there is not an industrious man, but by God's blessing may not only have a comfortable, but plentiful supply of all things necessary for this life; with the salutation of my true affection to all, &c., I rest thy affectionate friend. "Thomas Rudyard."

Gawen Lawrie arrived this year (1683) as deputy-governor of East Jersey, under Robert Barclay, and chose a fresh council, of whom Richard Hartshorne was one. There having been considerable disturbances in the province, especially about Middletown and Woodbridge, relating to town affairs; their prudent conduct contributed to the quiet of the province. The two following letters, written soon after Lawrie's arrival, contain, as well his sentiments of the country, as some of the principal transactions of those times.

Gawen Lawrie, to the proprietors at London.

"Elizabeth Town, 1st Month 2d, 1684.

"I took up several days with countrymen, and others, to view the ground and water; at last I pitched upon a place, where a ship of 300 tons may ride safely within a plank length of the shore, at low water; adjoining thereto is a piece of marsh ground, about twelve perches broad, and twenty perches long, and high land on each side like our quays by London bridge; this may be easily cut round, for small vessels to come to the quay, and lie safe. Round this island I set out lots, one acre a-piece, viz. four pole at the quay, and forty pole backward; from thence along the river near half a mile. I laid out the like lots, very pleasant for situation, where they can see the ships coming in the bay of Sandy-hook, for near twenty miles; the ships may ride along by the town, as safe as at London, just at the point by the town. Rariton river runs up by the country, a great way; there boats of forty tons may go; and the river by the town goes to New York, Hudson's river, Long island, Staten island, and so to New England. There is no such place in all England, for convenience and pleasant situation; there are sixty lots upon the river, and forty backward between those and the river; and those backward, have a highway 100 feet broad; where I have laid out a place for a market, with cross streets from the river to the market; where the town houses are to be built. When this was done, I laid out 400 acres, to be divided into forty-eight parts, viz. thirty-six to each proprietor; and those who have lots in the town, I grant them half lots in this; to pay for the lots in the town, twenty pounds; or if a half lot of thirty-six acres, forty pounds. I laid 400 acres to lie until the proprietors agree to divide it, as people

come over. There are sixteen lots taken up by the Scotch proprietors; and eight lots by the proprietors that are here. There are twenty lots taken up in the town, by other people. I engage with all, that they shall build a house of thirty feet long, and eighteen broad, and eighteen feet high to the raising; to be finished within a year; to pay for laying out, forty shillings a lot, and four pence per annum quit rent. There are several begun already to build. I have laid out forty or fifty acres for the governor's house. The highway and wharf between the river to be 100 feet broad; and to leave a row of trees along upon the river, before the houses, for shade and shelter, exceeding pleasant. I have agreed for two houses of like dimensions, to be built for the proprietors; and also a house for the governor, of sixty-six feet long, and eighteen broad; if the quit rents come in, I intend three or four houses more for the proprietors. I can easily let them. This work took me up five weeks. After I had finished it, I set the people to work, Scottish and English, about fifty persons; some preparing for building, others to clearing ground to get corn sown this spring. Then came in a boat privately to Elizabeth Town the 12th past. Next morning I went to New York to visit the governor; staid there two or three days; he was very kind, and promised a fair correspondence; so I did not publish my commission until this day, before the council; they have been kind and courteous. Now is the time to send over people for settling; there are 30,000 acres of land in several places, belonging to the proprietors, formerly taken up by Carteret: so here is land enough. The Scots and William Dockwra's people coming now and settling, advance the province more than it hath been advanced these ten years. Therefore, forthwith send over some families and servants; I shall presently set them out land, and it will bring in considerable profit, in a few years. Here wants nothing but people. There is not a poor body in all the province; here is abundance of provision; pork and beef at two-pence per pound; fish and fowl plenty. Oysters which I think would serve all England. Wheat four shillings sterling per bushel; Indian wheat two shillings and six-pence per bushel: it is exceeding good for food every way, and two or three hundred fold increase. Cider good and plenty, for one penny per quart. Good drink that is made of water and molasses, stands in about two shillings per barrel, wholesome like our eight shilling beer in England. Good venison plenty, brought us in at eighteen-pence the quarter: eggs at three-pence per dozen. All things very plenty; land as good as ever I saw: vines, walnuts, peaches, strawberries, and many other things plenty in the woods. The proprietors have 150 or 200 acres, three miles from the town, up Rariton river salt marsh, where I intend to let the people of Amboy cut grass for hay, until we otherwise order it by lots to them. I reckon there is laid out for the town, governor's house, and public highways, near or about 200 acres; so there rests 1800 acres. I laid out 400 acres, as I said; the rest to lie in common until divided: I have put two houses in repair, upon the river, called the point, two miles from Elizabeth Town; have let one of them, with ten acres of pasture ground, and ten acres of woody ground, for seven years, at twenty-six pounds per annum; the man to clear the ten acres of woody ground, and make it fit for ploughing or pasture. I intend to let the other also, with some land. All the houses

were like to drop down; all the land lying without fence; and a barn quite fallen down, and destroyed, another without any cover; and that other next to the house where I dwell, all to pieces; and all the fences and out-houses were down, but repaired before I came. I am setting up a ferry-boat at Perth, for men and horses, to go and come to Burlington and Pennsylvania, and New York. Also I am treating with one, to set up a house midway to Burlington, to entertain travellers, and a ferry-boat to go to New York; all which is for promoting Perth, that being the centre. Also you should give me power to set out a line, between the governor of New York and us; he calls on me for it, because several plantations on the river are settled, and we know not yet on what side they will fall; so I cannot at present mention all particulars, which you must supply, by some general clauses or words; for it is not possible for you to understand what is for the good of the province, as I do, that am here; and be not sparing to send over people, it will bring you it again, with large profits; for here is a gallant plentiful country, and good land. I have given you a large account of the little time I have been here. I have none to write for me, but you must send a copy of this to Scotland; and with it your further instructions, to be signed and sent me forthwith. I will be bound till it come; I rest your friend, sic subscribitur, Gawen Lawrie."

The same to a friend in London.

"East Jersey, 1st Month 26th, 1684.

"I promised to write, but had not time till now; I shall give thee a brief account of the country, no fiction, but truth. It is beyond what I expected; it is situate in a good air, which makes it healthy; and there is great conveniency for travelling from places through and about the province, in boats—from a small canoe, to vessels of thirty, forty or fifty tons, and in some places one hundred: in the bay coming up to Amboy-point, where the town of Perth is now in building, a ship of three hundred ton may easily ride close to the shore within a plank's length of the houses of the town; and yet the land there, nor other in the province, is not low, swampy, marshy ground, but pretty high ground, rising from the water side at Amboy-point. The bank of the river is twenty feet, in some places thirty, and in some forty feet high; and yet hath many conveniences for landing goods. The soil is generally black, in some places a foot deep, beareth great burdens of corn, and naturally bringeth forth English grass: two years ploughing, the ground is tender, and the ploughing is very easy. The trees grow generally not thick, but some places ten, in some fifteen, in some twenty-five or thirty upon an acre; this I find generally, but in some particular places there is one hundred upon an acre; but that is very rare. The trees are very tall and straight, the general are oak, beech, walnut; chesnuts and acorns lie thick upon the ground, for want of eating; peaches, vines, strawberries and many other sorts of fruit grow commonly in the woods; there is likewise gumtree, cedar, whitewood like our fir tree; walnuts, chesnuts and others lie thick on the ground; there is great plenty of oysters, fish, fowl; pork is two pennies the pound, beef and venison one penny the pound, a whole fat buck for five or six shillings; Indian corn for two shillings and six-pence per bushel, oats twenty-pence, and barley two shillings per bushel. We have good brick earth, and stones for building at Amboy, and elsewhere. The country farm houses are built very cheap. A carpenter, with a man's own servants, builds the house

they have all materials for nothing, except nails; their chimneys are of stones; they make their own ploughs and carts for the most part, only the iron work is very dear. The poorer sort set up a house of two or three rooms themselves, after this manner; the walls are of cloven timber, about eight or ten inches broad, like planks, set one end to the ground, and the other nailed to the raising, which they plaster within; they build a barn after the same manner, and these cost not above 5%. a piece; and then to work they go. Two or three men in one year will clear fifty acres, in some places sixty, and in some more. They sow corn the first year, and afterwards maintain themselves; and the increase of corn, cows, horses, hogs and sheep comes to the landlord. Several merchants of New York have left their several plantations there, to come to East Jersey, two or three may join together, with may be twelve, fifteen or twenty servants, and one overseer, which cost them nothing for the first year, except some shoes, stockings and shirts. I have been to see these plantations, and find they have a great increase by them; they maintain their families at New York with all provisions, and sell a great deal yearly; and for servants, our English people are far better husbandmen than the New Englandmen; the servants work not so much by a third as they do in England, and I think feed much better; for they have beef, pork, bacon, pudding, milk, butter, and good beer and cider for drink; when they are out of their time, they have land for themselves, and generally turn farmers for themselves. Servants' wages are not under two shillings a-day, besides victuals; and at Amboy-point two shillings and six-pence per day. At Amboy we have one setting up to make malt, but we want a brewer; I wish thou would send over some to set up a brewhouse, and a bakehouse to bake bread and biscuit; for a biscuit-maker we must have, to vend our meat to the plantations. Send over some husbandmen and country fellows that plough, sow, reap, thresh, and look after cattle; a carpenter or two, and a smith for ploughs and horses; and a cooper, which we want very much: if thou wilt send a dozen of servants, most of them countrymen, I will set thee out a gallant plantation of 500 or 1000 acres, on a river side; but thou must send over some goods to stock it withal: I desire thee to encourage some of our friends, especially the proprietors, to send over some servants to stock some land; and when they have cleared it, if they have a mind to let it, here are tenants to take it, and if they will sell it, here are also purchasers. There is one man since I came here, sold his plantation for 1500*l.*; the whole was 1600 or 1800 acres, whereof only 120 acres were cleared; upon which he had a house, garden, and orchard, and barn planted. I know several men who let cleared land at six shillings and eight-pence, and at ten shillings the acre, yearly rent; which is a good encouragement for sending over servants to plant: I write not this as an idle story, but as things really and truly are. I have sent for servants myself to settle a farm; for if the proprietors will not do so, I see not what they can expect. The Scots have taken a right course, they have sent over many servants, and are likewise sending more; they have likewise sent over many poor families, and given them a small stock; and these families, some for seven, some for ten years, give the half of their increase to the landlord, except the milk, which the tenant hath to himself. I have set them out land, and they are at work: I believe they will have forty

acres cleared this spring and this summer: I am to set them out more, so that in a short time they will have a great increase coming in. This will raise the price of the land here, and is the reason that several from New York bounds come to me to take up land, for they believe now this province will be improving, and our land is better than theirs; that every proprietor's sending over ten people, will also be a great advantage to himself; encourage others to take up land and bring all the division that hath been here, to an end; for these men seeing that they shall be balanced, are already more compliant than they were; now I have laid these things before thee, and desire thee to impart them to some of the proprietors and other friends, that they may consider of the same. I am thy loving friend, sic subscriber.

"GAWEN LAWRIE."

John Barclay, Arthur Forbes, and Gawen Lawrie, in answer to certain queries of the Scots proprietors, say, after describing the country, much in the same terms as the foregoing letters, "We shall now answer as far as we are capable, your queries. To the first we cannot positively give an account of the whole length and breadth of the province; but we are informed that it is a great deal broader than ye expected; for those that have travelled from the extent of our bounds on Hudson's river, straight over to the Delaware, say it is 100 miles, or upwards; we shall know that certainly after a while; for the line betwixt us and New York, is to be run straight over to Delaware river, about three weeks hence; and after that the line betwixt us and West Jersey; after which we shall be able to give a true account of the bounds of that province.

"When the bounds are so exactly laid out, we can the easier guess at the number of acres, and by that time may be able to give an account what number of acres is already taken up; but there is no fear of want of land.

"The quantity of meadow ground, we cannot determine, having travelled as yet, but little in the province; but wherever we have travelled there is meadow in abundance, both on the water sides and on the upland.

"There is also other good ground in some places, great quantities free of wood, which is fit either for corn or grass; and the ground all over brings forth good English grass naturally, after it is ploughed.

"There are also commons upon the country, but what quantity we cannot tell; there is little kept in them save wild horses, which the people take up when they have occasion: there is also land fit for pasture for sheep; and there is sheep in the country, but what number the ablest planters have we know not, but some we see have good flocks.

"An exact map of the country is not yet drawn, nor can you quickly expect it, for it will take up a great deal of time, charge, and pains to do it.

"There are also hills up in the country, but how much ground they take up we know not; they are said to be stony, and covered with wood; and beyond them it is said to be excellent land.

"There be people of several sorts of religions, but few very zealous; the people, being mostly New England men, do mostly incline to their way; and in every town there is a meeting-house, where they worship publicly every week. They have no public laws in the country for maintaining public teachers, but the towns that have them, make way within themselves to maintain them; we know none that have a settled preacher, that follows no other employment, save one town, Newark.

"There are not many out-plantations that are not within the bounds of some town; yet there are some, and those are the richest; what number there are we know not; some have great quantities of land, and abundance cleared.

"The richest planters have not above eight or ten servants: they will have some of them a dozen cows, yea, some twenty or thirty; eight or ten oxen; horses more than they know themselves, for they keep breeding mares; and keep no more horses at home than they have occasion to work; the rest they let run in the woods both winter and summer, and take them as they have occasion to use them. Swine they have in great flocks in the woods; and sheep in flocks also; but they let them not run in the woods, for fear of being destroyed by wolves. Their profit arises from the improvement of their land, and increase of their bestial.

"There will be in most of the towns already settled at least 100 houses, but they are not built so regular as the towns in our country; so that we cannot compare them with any town we know in Scotland. Every house in the town hath a lot of four acres lying to it; so that every one building upon his own lot, makes the town irregular and scattered. Their streets are laid out too large, and the sheep in the towns are mostly maintained in them; they are so large that they need no trouble to pave them.

"Betwixt Sandy Hook and Little Egg Harbour, lie two towns, Middletown and Shrewsbury. There is no land taken up that way, but what is (now) in the bounds of these two towns; what kind of land it is we know not, having never travelled that way. Barnagat or Burning-hole, is said to be a very good place for fishing; and there is some desiring to take up land there, who inform us that it is good land, and abundance of meadow lying to it.

"There are no fishermen that follow only that trade, save some that go a whaling upon the coasts; and for other fish there is abundance to be had every where through the country, in all the rivers; and the people commonly fish with long sieves or long nets, and will catch with a sieve one, sometimes two barrels a day of good fish, which they salt up mostly for their own use, or to sell to others.

"There are no ships belonging to this province particularly, or built here, save one which Samuel Groome built here the last summer, which stands yet on the stocks (a stop being put to it by his death); there is conveniency enough to build ships. The ships in this part trade mostly to the West India islands, and some to Newfoundland, where the provision of this country vends.

"There is land here in several places, after it is cleared and brought into a farm, set out for rents, as in our country, at five, eight, and ten shillings per acre, according to the goodness and situation of the said land; and those that will be at the charge to clear land, may get tenants to take upon these terms; but whether it will turn to good account or not, because little experienced as yet with the charge of clearing of land, we will not positively inform.

"There are several places of the country fit for mills; and several, both corn and saw mills, already set up, and good encouragement to set up more.

"The acres are here reckoned according to the English account, sixteen feet to the rood; twenty long and eight broad make an acre. One English buft of wheat, which is eight English gallons, or Scots quarts, commonly sows an acre; two bushels of barley also an acre; and two bushels of oats an

acre and half. English peck, which is four English quarts or Scotch shoppens of Indian corn, plants one acre.

"There are but few Indian natives in this country, their strength is inconsiderable, they live in the woods, and have small towns in some places far up in the country; they plant a little Indian corn, shoot deer and other wild beasts and fowls for their food. They have kings among themselves to govern them; for religion they have none at all; they do not refuse to sell lands at occasion. The prices of grain and other provisions here at present:—Indian corn two shillings and six-pence the bushel: wheat four shillings; rye three shillings; oats one shilling and eight-pence; beef one penny; pork two-pence; venison one penny; mutton three-pence the pound, this English measure and weight; but mark, these things being valued in this country money, there is a fifth part difference betwixt it and sterling money; so that wheat being valued here at four shillings the bushel, is but three shillings and three-pence sterling, and so of the rest proportionably.

"Here you have an account of things, as far as we are capable to give at present; with which we hope you will be satisfied, while further opportunity and better experience give us occasion to write more; and so we rest your friends and well-wishers to all our countrymen; sic subscribitur,

"Elizabeth-town, in East Jersey, the 29th of the first month, called March, 1684.

"JOHN BARCLAY."

"ARTHUR FORBES."

"This I have heard read, and do also subscribe to the truth thereof, and rest, G. L."

Manner of the West Jersey Government in 1684—Their unsettled state, and succession of governors—Danger of suffering for want of food in 1687—The division line run by G. Keith; and agreement between the governors Coxe and Barclay—Alteration in the manner of locating lands in West Jersey—No person in West Jersey to purchase from the Indians, without the consent of the council of proprietors; and instructions respecting deeds and warrants for taking up lands.

The assembly of West Jersey at their meeting, the 20th of March, this year (1684), chose Thomas Olive governor, and chairman or speaker; in both which capacities he now acted; the several branches of the legislature we have seen doing their business in common together; the choice of the people being the foundation of the whole, whose representatives were distinctly returned from their respective first, second, third and Salem tenths, which were all the tenths yet settled. At their first meetings they chose the governor, council, commissioners to lay out land, and all the other officers of government.

(1685.) Olive had been twice governor of West Jersey before, and continued on the last choice in that station for a year past; but Byllinge having desisted from the claims which the assembly and their constituents had thought unjust, and which had been the cause of their undertaking in opposition to him to choose the governor, and he in this year sending a fresh commission to John Skeine to be his deputy, the assembly and people submitted to him, though they had before refused William Welsh in that capacity, while Byllinge continued, what they considered, his unjust claim.

The year 1686 seems to have been a dangerous one in East Jersey, if the law then passed against wearing swords was properly founded. According

to that, several persons had received abuses, and were put in great fear from quarrels and challenges; to prevent which for the future, none were to give a challenge, upon pain of six months' imprisonment, without bail or mainprize, and a ten pound fine; whoever accepted or concealed the challenge, was also to forfeit ten pounds: no person was "to wear any pocket-pistols, skeins, stilladers, daggers or dirks, or other unusual weapons," upon pain of five pounds forfeiture for the first offence, and for the second to be committed; and on conviction, imprisoned for six months, and moreover to pay a fine of ten pounds: no planter was to go armed with sword, pistol, or dagger, upon penalty of five pounds. Officers, civil and military, soldiers in service, and strangers travelling upon lawful occasions, were excepted.

The settlers in both West Jersey, and Pennsylvania, about the year 1687, were embarrassed on account of their crops having in great part failed; several families were compelled to subsist on what could be spared by such of their neighbours as were better provided; which was very little, in proportion to the quantity requisite. Some near the rivers had lived weeks upon fish, others were forced to put up with herbs; but unexpectedly, in the midst of their distress, a vessel arrived from New England, bound to Philadelphia, laden with corn, which proved an agreeable supply; and this vessel meeting with so good a market, others soon followed; so that the settlers were not afterwards exposed to such extremities.

In this year, George Keith, surveyor-general of East Jersey, by order of the proprietors there, attempted to run the division line between East and West Jersey; pursuant to an award on the terms established in the quintipartite deed. He began with a line from Little Egg-harbour, north by west, and three degrees five minutes more westerly, as the compass then pointed for a part; the line he ran sixty miles in length, till he fell upon the corner of Dobie's plantation, on the south branch of Rariton. This, by order of the council of proprietors of West Jersey, was subsequently, about the year 1721, traversed by John Chapman, who was esteemed a careful surveyor; and upon the computation it appeared, that the line at the time of his traverse, was north sixteen degrees and forty-three minutes west, which leaves a variation of two degrees and twenty-three minutes in that thirty-four years. The remaining part of Keith's line was from Dobie's plantation, along the rear of that and other tracts and plantations, as they were before patented and surveyed in right of the proprietors of the eastern division of New Jersey, until it intersects that part of the north branch of Rariton river, which descends from a fall of water, commonly called and known by the Indian name of Allamitung, then running from that point of intersection up the branch or stream of the fall of Allamitung.

Upon the original running of this line, the western proprietors thought too much of their best lands were surveyed to the eastward; and were uneasy with it.

In the autumn of 1688, the governors of East and West Jersey, on behalf of each division, entered into the following agreement.

"London, September 5, 1688.

"It is agreed this day, by Dr. Daniel Cox, governor of the province of West Jersey, on behalf of himself, and all the rest of the proprietors of that province, on the one part; and Robert Barclay, go-

vernor of the province of East Jersey, on behalf of himself and all the rest of the proprietors of that province, on the other part; as followeth, viz.

"For the final determination of all differences, concerning the deed of partition; and all other disputes and controversies about dividing the lands, and settling the bounds between East and West Jersey.

"1. The line of partition run straight from Little Egg-harbour, to the most westerly corner of John Dobie's plantation, as it stands on the south branch of Rariton river, shall be the bounds so far between East and West Jersey, and shall not be altered; but remain as it stands, on a printed draught of the proprietors' lands, surveyed in East Jersey, and drawn by John Reid, and since printed.

"2. From thence to run along the back of the adjoining plantations, until it comes to James Dundass's plantation; and from thence, at the most north-westerly part thereof, a line to lie down with a line on the back of those plantations, and so to run north-eastward, till it touch the north branch of Rariton river, as it is struck upon the map already; but saving the plantations already laid out, to be within the line, if they happen to stand a little more westerly than that line is marked.

"3. From the north end of the line, where it touches Rariton north branch; thence forward the largest stream or current of water belonging to the said north branch, shall be the bound or partition; and so continuing along the same, unto the north end thereof, for the bounds so far.

"4. From the said north end of the branch, a short straight line to run to touch the nearest part of Passaic river; and so following the course of that river, continuing Poquanick river, so long as it runs northerly or north-westerly; those rivers still to be the bounds between both provinces; and if Poquanick river do not run far enough to the latitude of forty-one degrees; then from the said river, a straight line to be run northward to the latitude; and that to be the utmost north partition point, and from the said point in a straight line due east to the partition point on Hudson's river, between East Jersey and New York: provided always, that all plantations and tracts of land, laid out and surveyed, before this agreement arrives in East Jersey, shall remain to the parties concerned; and the partition shall so run as to include them within East Jersey bounds.

"Lastly, Dr. Cox doth covenant and promise, to make good the agreements above written, and warrant the title and quiet possession of all the lands so to be appropriated to the proprietors of East Jersey, according to the limits and bounds above-mentioned, against all persons that shall or may pretend, or claim any interest to any of the said lands, as West Jersey proprietors. And Robert Barclay doth covenant and promise to make good the agreement above written, and warrant the title and quiet possession of lands, so to be appropriated, to the proprietors of West Jersey, according to the limits and bounds above-mentioned, against all persons that shall or may pretend or claim any interest to any of the said lands, as East Jersey proprietors. For performance of all and every the respective articles and covenants herein-mentioned, they do mutually bind themselves, each to the other, in the sum of 5,000*l*., to be well and truly paid on the breach of any of the clauses and covenants, herein before-mentioned. In witness whereof, they have interchangeably set their hands and seals, the day

and year first above written. "Robert Barclay."

"Sealed and delivered in the presence of David Hewling; Stephen Lucock."

Notwithstanding this agreement, and that the parties at several times seemed desirous the line should be properly run out and fixed, the necessary preliminaries could never be sufficiently settled; those of East Jersey being thought by the western proprietors to have the advantage.

In order to keep the transactions relative to the division line together, we have advanced a year. We must now return and notice the manner of locating the proprietors' lands in West Jersey; the divisions and sub-divisions of shares had multiplied demands, and introduced a necessity for other measures than had been hitherto in practice; accordingly in 1687, the proprietors found it expedient to appoint certain trustees and commissioners to settle their matters.

On this arrangement afterwards was founded the constitution of "The Council of proprietors of West Jersey." The following minutes being some of their first enactments, will give an example of their powers and proceedings:

"At a meeting of several proprietors of West Jersey, at Burlington, on the 6th day of the 7th month, anno domini 1688," amongst a variety of other matters, it is agreed, "That every proprietor, and every person interested in proprieties, shall pay to the use of Daniel Cox, to any person appointed to receive it, as a reimbursement for the money laid out by him, in the Indian purchase lately made in the lower counties, the sum of twelve shillings and six-pence for every thousand acres, and so proportionably to be taken up out of that purchase; the first year to begin the 1st day of April last past, and from that time twelve months to advance eighteen-pence upon every year ensuing, until the time that the money aforesaid be paid for; the land to be laid out within the bounds of the same purchase, as consideration for the monies disbursed by the said Daniel Cox in the said Indian purchase of the whole tract, which, by the surveyor Andrew Robeson, is computed to be three hundred thousand acres of good land, capable and worthy of improvements; which money being paid, the party so paying shall be acquitted of all other payments on the consideration aforesaid.

"That the surveyor for the time being, be engaged not to set out any land within the limits of this Indian purchase, until the money abovementioned be paid and secured as abovesaid.

"And it is further agreed, that for the land taken up by order of the said Dr. Cox, above the falls of Delaware, every proprietor taking up any part thereof, shall pay to Dr. Cox, or his order, the sum of twenty-five shillings per thousand acres, and two shillings and six-pence yearly consideration, till the money be paid.

"It is agreed, ordered, and concluded by authority of the council abovesaid, that Samuel Jennings be, and is hereby appointed commissioner, to examine all deeds, taking a minute of the same, and issue warrants to the surveyor-general, for the surveying and taking up of lands; keeping a record of the same, and this for the inhabitants within the county of Burlington, or to any others as occasion shall require.

"And it is ordered, that for the support of the service, every warrant for land under one hundred acres shall pay the sum of one shilling; and one hundred acres and above, under one thousand, shall

pay the sum of eighteen-pence; and one thousand acres and upwards, shall pay the sum of two shillings and six-pence.

"It is also ordered, that no person or persons whatsoever, shall presume to purchase any land from the Indians, without the consent of this council first obtained, otherwise to be prosecuted as our common enemy."

"At a meeting on the 11th of the 8th month:

"Agreed and concluded, that all deeds granted only by Edward Byllinge, in and before the year 1682, shall be adjudged and esteemed insufficient for the commissioners to grant warrants upon."

"Instructions for the commissioners to observe and follow, in their examining of deeds, and granting of warrants for the taking up of lands.

"1. Agreed and ordered by the council aforesaid, that the commissioners grant no warrants but upon the producing of good deeds, authentic copies, or an extract of the record of such deed under the register's hand, &c.

"2. That all deeds granted only by Edward Byllinge, in and before the year 1682, shall be accounted insufficient for the commissioners to grant warrants upon.

"3. That there shall be given a particular warrant for every several deed, or particular purchase.

"4. That the president of the council for the time being, shall, from time to time, grant warrants for the commissioners, for the taking up of their own lands.

"5. That the commissioners shall not direct their warrants to the surveyor-general for the laying forth of his own lands, but to some other person, at the discretion of the commissioner that gives forth the warrant.

"6. That every proprietor coming for a warrant, shall first sign to an instrument, to be presented to them for their compliance, to pay his and their respective and proportionable share of such incident charge, for the management of the proprietor's affairs; as in the said instrument here following, may further appear.

"The form of the instrument to be signed by the proprietors before they have warrants granted for the taking up of their lands.

"We the subscribers having taken into consideration the necessity of the incident charges, that will attend the council of proprietors, in the employ and concern wherein we have placed and constituted them, for the carrying on and discharging of those inevitable charges that will follow upon the prosecution of our affairs; we do therefore hereby bind, and oblige ourselves, each for himself and not for one another, to comply with and pay our proportions respectively of the aforesaid charges, as our said council shall from time to time give us an account of, and find needful to be raised. In witness whereof we have hereunto set our hands, the &c."

In the year 1691, Dr. Cox conveyed the government of West Jersey and territories, to "The West Jersey Society," consisting of the following persons: Sir Thomas Lane, knt., Michael Watts, Edward Harrison, Thomas Skinner, James St. Johns, Nicholas Hayward, Mordecai Abbot, Nicholas Battersby, Robert Curtis, John Jurin, Richard Bramhall, Robert Mitchell, Charles Mitchell, James Boddington, John Gunston, Arthur Shallet, John Lamb, William Wightman, Joseph Brooksbank, William Thompson, Henry Harrington, John Love, Thomas Phipps, Isaac Cocks, John Sweetable, Thomas Bromfield, John Norton, Robert Hackshaw,

John Bridges, Joseph Paise, Edward Richier, William Dunk, Edward Habberdfield, John Alberson, Edward West, Edward Pouncefort, Obadiah Burnet, Francis Michel, Benjamin Steele, John Slaney, Nehemiah Erwing, John Wilcocks, Richard Mayo, Jonah Netteaway, William Brooks, Tracey Pouncefort, Joseph Allen, and Richard Greenaway.

A flood at Delaware falls—Death and character of Thomas Olive—Commotions in East and West Jersey—Surrender of the two governments to Queen Anne—Her acceptance, and commission to Lord Cornbury.

The first settlers of the Yorkshire tenth in West Jersey, had several of them built upon the low lands, near the falls of Delaware, where they had lived, and been improving for nearly sixteen years; they had been told by the Indians, that their buildings were liable to be damaged by freshes, or springs, and the situation of the place must have made it probable. They had, however, got up several wooden tenements and outhouses, which in the spring were accordingly generally demolished. The snows suddenly melting above, caused an uncommon overflow of the river; there have been many great floods since, but none quite so high; it came upon them so unexpectedly, that many were in their houses surrounded with water, and conveyed to the opposite shore, by neighbours from thence, in canoes. The water continued rising till it reached the upper stories of some of their houses, then most, or all of them gave way, and were dashed to pieces; many cattle were drowned; beds, kettles, and other furniture were picked up on the shores below; the frights and damages were considerable; two persons in a house, carried away by the sweeping torrent, lost their lives before they could be got out. This casualty taught the owners to fix their habitations on higher ground, and was what is commonly called "the great flood at Delaware falls."

It was in the spring of this year that the proprietors of West Jersey first appointed Col. Andrew Hamilton to be their governor. And about this time also died Thomas Olive, who since the first settlement of West Jersey, had been a man of importance there; he came over one of the London commissioners in 1677, was sometime governor, in which station he behaved with great circumspection and prudence; while a common magistrate he had a ready method of business, often performing the office with good effect, without any ceremony, on the stumps in his meadows. He generally contrived to postpone sudden complaints, till deliberation had shown them to be justly founded, and then seldom failed of accommodating matters without much expense to the parties. He had been imprisoned and otherwise a sufferer for religion in England; and by his preaching and writing, as well as other public and private conduct, had gained the general love and esteem.

We have now arrived at the year 1701, a memorable era in New Jersey, on account of the disturbances and confusions that agitated several parties, and caused a total change in the form of government. Each province had many and different proprietors, who promoted separate schemes and interests, which sometimes interfered with each other. To facilitate particular purposes, one party would have the choice and management of a governor, while another refused any but of their own nomination, and a third objected to proposals from either. In such a state of affairs moderate councils could not be heard; a contaminating spirit of party

and discord took place of order and peace; every expedient to restore union and regularity proved unsuccessful; and faction prevailed, and particular animosities were nourished to that degree, that the delays of time seemed only to give opportunity of accumulating fresh occasions of disgust and uneasiness; a detail of particulars would be an ungrateful, we hope an unnecessary task. The following instance may suffice as a specimen of the whole.

Jeremiah Bass, (in the spring of 1698,) under a pretence of a commission he had received from some of the proprietors of East Jersey, with the king's approbation, superseded Andrew Hamilton, the then governor of both East and West Jersey; but in the next year it appeared that Bass had not obtained the king's approbation of his commission, nor was it granted by enough of the proprietors to make it valid, which induced great numbers of the inhabitants to refuse obedience to him, and to the magistrates and officers by him appointed; some persons being imprisoned for refusing obedience, it was resented by others with great indignation, and feuds and confusion followed. To accommodate matters for the time, Andrew Hamilton was again appointed governor by a fresh commission from some of the proprietors; but a great number refused obedience to him, and the magistrates and officers under him, in like manner, and for the same reasons as they had refused Bass and those he appointed. The disorders in the Eastern division during this time, made such an impression on the minds of many, that they readily hearkened to overtures made for a surrender of the government to the crown. A considerable part of West Jersey was also, for similar reasons, disposed to a resignation. The commotions in both, which had been increasing for some years, now seemed to be arrived to a crisis, and all things tended to a surrender of the powers of the government; which was at length brought about in the beginning of the next year.

Meanwhile sundry petitions and remonstrances were sent home, complaining loudly of their grievances and confusions, and praying redress. And in 1702, a surrender was made to the queen, empowering her to elect a governor, which was immediately accepted, and Edward Lord Viscount Cornbury, grandson to the great Chancellor Clarendon, was appointed governor of New Jersey. His commission, as follows, we give, together with the instructions, because they form, as it were, a new constitution for the province.

"Anne, by the grace of God, of England, Scotland, France, and Ireland, Queen, defender of the faith, &c. To our trusty and well beloved Edward Hyde, Esq., commonly called Lord Cornbury, greeting: Whereas in the government of that country, which was formerly granted by King Charles II., under the name of Nova Cæsaria, or New Jersey, and which has since been subdivided by the proprietors, and called East New Jersey, and West New Jersey, such miscarriages have happened, that the said country is fallen into disorder and confusion; which has accordingly been represented to our dearest brother the late king, in several petitions, memorials and other papers, signed by the general proprietors, and by great numbers of the inhabitants; and by means of that disorder the public peace and administration of justice, whereby the properties of our subjects should be preserved there, is interrupted and violated, and the guard and defence of that country so totally neglected, that the same is in imminent danger of being lost

from the crown of England. And whereas the aforesaid proprietors, being sensible that the said country, and our good subjects the inhabitants thereof, cannot be defended and secured by any other means than by our taking the government of the same under our immediate care, have executed and made a formal and entire surrender of their right, or pretended right and title, to the government of that country unto us. We therefore, reposing especial trust and confidence in the prudence, courage, and loyalty of you the said Lord Cornbury, out of our especial grace, certain knowledge, and mere motion, have thought fit to constitute and appoint, and by these presents do constitute and appoint, you the said Lord Cornbury, to be our captain-general and governor-in-chief, in and over the aforesaid country of Nova Cæsaria, or New Jersey, viz. the division of East and West New Jersey, in America, which we have thought fit to re-unite into one province, and settle under one entire government. And we do hereby require and command you, to do and execute all things in due manner that shall belong unto your said command, and the trust we have reposed in you, according to the several powers and directions granted or appointed you by this present commission, and the instructions and authorities herewith given you, or by such further powers, instructions or authorities as shall at any time hereafter be granted, or appointed you under our signet and sign manual, or by our order in our privy council, and according to such reasonable laws and statutes as shall be made and agreed upon by you, with the advice and consent of the council and assembly of our said province, under your government, in such manner and form as is hereafter expressed. And our will and pleasure is, that you the said Lord Cornbury, having after the proclamation of these our letters patent, first taken the oaths appointed by act of parliament to be taken instead of the oath of allegiance and supremacy, and the oath mentioned in an act, entitled, 'An act to declare the alteration in the oath appointed to be taken by the act,' entitled, 'An act for the further security of his majesty's person, and the succession of the crown in the protestant line, and for the extinguishing the hopes of the pretended Prince of Wales, and all other pretenders and their open and secret abettors, and for the declaring the association to be determined;' as also the test mentioned in the act of parliament made in the twenty-fifth year of the reign of King Charles II., entitled, 'An act for preventing dangers which may happen from popish recusants;' together with the oath for the due execution of the office and trust of our captain-general and governor-in-chief, in and over our said province of Nova Cæsaria, or New Jersey, as well with regard to the equal and impartial administration of justice, in all causes that shall come before you, as otherwise; and likewise the oath required to be taken by governors of plantations, to do the utmost that the laws relating to the plantations be observed; all which our council in our said province, or any three of the members thereof, have hereby full power and authority, and are required to administer unto you; and in your absence our lieutenant-governor, if there be any upon the place; you shall administer unto each of the members of our said council, as also to our lieutenant-governor, if there be any upon the place, as well the oath appointed by the act of parliament to be taken instead of the oath of allegiance and supremacy, and the oath mentioned in the said act, entitled, 'An act to de-

clare the alteration in the oath appointed to be taken by the act,' entitled, 'An act for the further security of his majesty's person, and the succession of the crown in the protestant line, &c.' as the fore-mentioned test, and the oath for the due execution of their places and trusts. And we do hereby give and grant unto you, full power and authority, to suspend any of the members of our said council from sitting, voting, and assisting therein, if you shall see just cause for so doing. And if it shall at any time happen, that by the death, departure out of our said province, or suspension of any of our said counsellors, or otherwise, there shall be wanting in our said council, any three whereof we do appoint to be a quorum, our will and pleasure is, that you signify the same unto us by the first opportunity, that we may under our signet and sign manual, constitute and appoint others in their stead; but that our affairs may not suffer at that instant, for want of a due number of counsellors, if ever it should happen that there should be less than seven of them residing in our said province, we do hereby give and grant unto you the said Lord Cornbury, full power and authority to choose as many persons out of the principal freeholders, inhabitants thereof, as will make up the full number of our said council to be seven, and no more; which persons so chosen and appointed by you, shall be to all intents and purposes counsellors in our said province, until either they shall be confirmed by us, or that by the nomination of others by us, under our sign manual and signet, our said council shall have seven or more persons in it. And we do hereby give and grant unto you, full power and authority, with the advice and consent of our said council from time to time, as need shall require, to summon and call general assemblies of the freeholders and planters within your government, in manner and form as shall be directed in our instructions which shall be given you, together with this our commission. Our will and pleasure is, that the persons thereupon duly elected, by the major part of the freeholders of the respective counties and places so returned, and having before sitting taken the oaths appointed by act of parliament to be taken instead of the oaths of allegiance and supremacy, and the oath mentioned in the aforesaid act, entitled, 'An act to declare the alteration in the oath appointed to be taken by the act,' entitled, 'An act for the further security of his majesty's person, and the succession of the crown in the protestant line, and for extinguishing the hopes of the pretended Prince of Wales, and all other pretenders, and their open and secret abettors, and for declaring the association to be determined;' as also the afore-mentioned test; which oath you shall commissionate fit persons under our seal of Nova Cæsaria, or New Jersey, to administer unto them, and without taking of which oaths and subscribing the said test, none shall be capable of sitting though elected:—shall be called and held the general assembly of that our province, and that you the said Lord Cornbury, by and with the advice and consent of our council and assembly, or the major part of them respectively, shall have full power and authority to make, constitute and ordain laws, statutes, and ordinances, for the public peace, welfare and good government of our said province, and of the people and inhabitants thereof, and such others as shall resort thereto, and for the benefit of us, our heirs and successors, which said laws, statutes, and ordinances are not to be repugnant, but as near as may be, agreeable unto the laws and

statutes of this our kingdom of England; provided that all such laws, statutes, and ordinances, of what nature or duration soever, be within three months or sooner, after the making thereof, transmitted to us, under our seal of Nova Cæsaria or New Jersey, for our approbation or disallowance of them, as also duplicates thereof by the next conveyance, or in case any or all of them being not before confirmed by us, shall at any time be disallowed and not approved, and so signified by us, our heirs or successors, under our or their sign manual and signet, or by order of our or their privy council, unto you the said Lord Cornbury or to the commander-in-chief of our said province for the time being, then such and so many of them as shall be disallowed and not approved shall from henceforth cease, determine, and become utterly void and of none effect, anything to the contrary thereof notwithstanding. And to the end that nothing may be passed or done by our said council or assembly, to the prejudice of our heirs and successors, we will and ordain, that you the said Lord Cornbury, shall have and enjoy a negative power in the making and passing of all laws, statutes, and ordinances as aforesaid. And that you shall and may likewise from time to time, as you shall judge it necessary, adjourn, prorogue and dissolve, all general assemblies. Our will and pleasure is, that you shall and may use and keep the public seal of our province of Nova Cæsaria, or New Jersey, for sealing all things whatsoever that pass the great seal of our said province under your government. And we do further give and grant unto you the said Lord Cornbury, full power and authority, from time to time, and at all times hereafter, by yourself, or by any other to be authorized by you in that behalf, to administer and give the oaths appointed by act of parliament, instead of the oath of allegiance and supremacy, to all and every such person and persons as you shall think fit, who shall at any time or times pass into our said province, or shall be resident or abiding there. And do further give and grant unto you, full power and authority, with the advice and consent of our said council, to erect, constitute, and establish such and so many courts of judicature and public justice within our said province under your government, as you and they shall think fit and necessary, for the hearing and determining of all causes as well criminal as civil, according to law and equity, and for awarding execution thereupon, with all reasonable and necessary powers, authorities, fees and privileges belonging unto them; and also to appoint and commissionate fit persons in the several parts of your government, to administer the oaths appointed by act of parliament to be taken instead of the oath of allegiance and supremacy, and the oath mentioned in the aforesaid act, entitled, 'An act to declare the alteration in the oath to be taken by the act,' entitled, 'An act for the further security of his majesty's person, and the succession of the crown in the protestant line, &c. &c. as also the test unto such persons as shall be obliged to take the same. And we do hereby authorise and empower you, to constitute and appoint judges, and in cases requisite commissioners of oyer and terminer, justices of the peace, and other necessary officers and magistrates in our said province, for the better administration of justice, and putting the laws in execution, and to administer, or cause to be administered unto them, such oath or oaths as are usually given for the due execution and performance of offices and places, and for the clearing of truth in judicial causes. And we

do hereby give and grant unto you, full power and authority, where you shall see cause, or judge any offender or offenders in criminal matters, or any fines or forfeitures due unto us, fit objects of our mercy, to pardon all such offenders, and to remit all such offences, fines and forfeitures, treasons and wilful murder only excepted; in which case you shall likewise have power upon extraordinary occasions, to grant reprieves to the offenders, until and to the intent our royal pleasure may be known therein. And we do by these presents, authorise and empower you to collate any person or persons to any churches, chapels, or other ecclesiastical benefices within our said province, as often as any of them shall happen to be void. And we do hereby give and grant unto you the said Lord Cornbury, by yourself, and by your captains and commanders by you to be authorised, full power and authority to levy, arm, muster, command, and employ all persons whatsoever residing within our said province of Nova Cæsaria, or New Jersey, and as occasion shall serve, them to transport from one place to another for the resisting and withstanding of all enemies, pirates, and rebels, both at sea and land, and to transport such forces to any of our plantations in America, if necessity shall require, for the defence of the same, against the invasion and attempts of any of our enemies, pirates and rebels, if there shall be occasion, to pursue and prosecute in or out of the limits of our said province and plantations, or any of them; and if it shall please God them to vanquish, apprehend and take, and being taken, either according to law to put to death, or keep and preserve alive at your discretion, and to execute martial law in time of invasion, insurrection, or war, and to do and execute all and every other thing and things, which to any captain-general and governor-in-chief doth or ought of right to belong. And we do hereby give and grant unto you full power and authority, by and with the advice and consent of our said council, to erect, raise, and build in our said province of Nova Cæsaria, or New Jersey, such and so many forts, platforms, castles, cities, boroughs, towns, and fortifications, as you, by the advice aforesaid, shall judge necessary, and the same or any of them, to fortify and furnish with ordinance, ammunition, and all sorts of arms fit and necessary for the security and defence of our said province; and by the advice aforesaid, the same or any of them again to demolish or dismantle as may be most convenient. And forasmuch as many mutinies and disorders may happen, by persons shipped and employed at sea, during the time of war; to the end that such may be better governed and ordered, we do hereby give and grant unto you the said Lord Cornbury, full power and authority, to constitute and appoint captains, lieutenants, masters of ships, and other commanders and officers, and to grant unto such captains, lieutenants, masters of ships, and other commanders, and officers, commissions, to execute the law martial during the time of war, and to use such proceedings, authorities, corrections, executions, upon any offender or offenders who shall be mutinous, seditious, disorderly, or any ways unruly at sea, or during the time of their abode or residence in any of the ports, harbours, or quays of our said province, as the cause shall be found to require, according to martial law, during the time of war as aforesaid. Provided, that nothing herein contained shall be construed to the enabling you, or any by your authority, to hold plea or have any jurisdiction of any offence, cause mat-

ter or thing committed or done upon the high sea, or within any of the harbours, rivers or creeks of our said province under your government, by any captain, commander, lieutenant, master, officer, seaman, soldier, or other person whatsoever, who shall be in actual service and pay, in or aboard any of our ships of war, or the vessels acting by immediate commission or warrant from our high admiral of England, under the seal of our admiralty, or from the commissioners for executing the office of our high admiral of England for the time being; but that such captain, commander, lieutenant, master, officers, seamen, soldiers, and other persons offending, shall be left to be proceeded against as the merit of their offences shall require, either by commission under our great seal of England, as the statute of the 28th of King Henry VIII. directs, or by commission from our high admiral of England, or from our commissioners for executing the office of our high admiral of England, for the time being, according to the act of parliament passed in the thirteenth year of King Charles II., entitled, 'An act for establishing articles and orders, for the regulating and better government of his majesty's navy, ships of war, and forces by sea,' and not otherwise. Provided nevertheless, that all disorders and misdemeanors committed on shore by any captain, commander, lieutenant, master, officer, seaman, soldier, or any other person whatsoever, belonging to any of our ships of war, or other vessels acting by immediate commission, or warrant from our high admiral of England, under the seal of our admiralty, or from our commissioners for executing the office of high admiral of England, for the time being, may be tried and punished according to the laws and place where any such disorders, offences and misdemeanors, shall be committed on shore, notwithstanding such offender be in our actual service and in our pay on board any such our ships of war or other vessels, acting by immediate commission or warrant from our high admiral, or from our commissioners for executing the office of high admiral for the time being as aforesaid, so as he shall not receive any protection for the delaying of justice, for such offences committed on shore, from any pretence of his being employed in our service at sea. Our will and pleasure is, that all publick money raised, or that shall be raised, by any act hereafter to be made within our said province, and issued out by warrant from you, by and with the advice and consent of our council, and disposed of by you for the support of the government, and otherwise; we do hereby give you the said Lord Cornbury, full power and authority to order and appoint fairs, marts, and markets, as also such and so many ports, harbours, quays, havens, and other places for the convenience and security of shipping, and for the loading and unloading of goods and merchandize, as by you, with the advice and consent of our said council, shall be thought fit and necessary. And we do hereby require and command all officers and magistrates, civil and military, and all other the inhabitants of our said province, to be obedient, aiding and assisting unto you the said Lord Cornbury, in the execution of this our commission, and of the powers and authorities herein contained; and in case of your death or absence out of our said province, to be obedient, aiding and assisting to such person as shall be appointed by us, to be our lieutenant-governor, or commander-in-chief of the said province, to whom we do therefore by these presents, give and grant all and singular the privileges

and authorities aforesaid, to be by him executed and enjoyed during our pleasure, or until your arrival within our said province: And if upon your death or absence out of our said province, there be no person upon the place commissioned or appointed by us to be our lieutenant-governor, or commander-in-chief of the said province; our will and pleasure is, that the then present council of our said province do take upon them the administration of the government, and execute this commission, and the several powers and authorities herein contained, and that such counsellor who shall be at the time of your death or absence, residing within our said province, and nominated by our instructions to you, before any other at that time residing there, do preside in our said council, with such privileges and preeminences as may be necessary in those circumstances, for the due and orderly carrying on the public service in the administration of the government as aforesaid, until our pleasure be further known, or until your return. Lastly, we do hereby declare, ordain and appoint, that you the said Lord Cornbury, shall and may hold, execute, and enjoy the office and place of captain-general and governor-in-chief, in and over our province of Nova Casaria, or New Jersey, together with all and singular the powers and authorities hereby granted unto you, for and during our will and pleasure, from and after the publication of this our commission. In witness whereof we have caused these our letters to be made patents: Witness ourself at Westminster, the 5th day of December, in the first year of our reign."

Instructions from Queen Anne to Lord Cornbury.

"Instructions for our right trusty and well beloved Edward Lord Cornbury, our captain-general and governor-in-chief, in and over our province of Nova Casaria, or New Jersey, in America. Given at our Court at St. James's, the sixteenth day of November, 1702, in the first year of our reign.

"1. With these our instructions you will receive our commission under our great seal of England, constituting you our captain-general and governor-in-chief of our province of New Jersey.

"2. You are with all convenient speed to repair to our said province, and being there arrived, you are to take upon you the execution of the place and trust we have reposed in you, and forthwith to call together the following persons, whom we do by these presents appoint and constitute members of our council in and for that province, viz. Edward Hunloke, Lewis Morris, Andrew Bowne, Samuel Jenings, Thomas Revell, Francis Davenport, William Pinborne, Samuel Leonard, George Deacon, Samuel Walker, Daniel Leeds, William Sandford, and Robert Quarry, esquires.

"3. And you are with all due solemnity, to cause our said commission under our great seal of England, constituting you our captain-general and governor-in-chief as aforesaid, to be read and published at the said meeting of our council, and to cause proclamation to be made in the several most public places of our said province, of your being constituted by us our captain-general and governor-in-chief as aforesaid.

"4. Which being done, you shall yourself take, and also administer to each of the members of our said council so appointed by us, the oaths appointed by act of parliament to be taken instead of the oaths of allegiance and supremacy, and the oath mentioned in an act, entitled, 'An act to declare

the alteration in the oath appointed to be taken by the act,' entitled, 'An act for the further security of his majesty's person, and the succession of the crown in the protestant line, &c.,' as also the test mentioned in an act of parliament made in the twenty-fifth year of the reign of King Charles II., entitled, 'An act for preventing dangers which may happen from popish recusants;' together with an oath for the due execution of your and their places and trusts, as well with regard to the equal and impartial administration of justice in all causes that shall come before you, as otherwise, and likewise the oath required to be taken by governors of plantations, to do their utmost, that the laws relating to the plantations be observed.

"5. You are forthwith to communicate unto our said council, such and so many of these our instructions, wherein their advice and consent are mentioned to be requisite, as likewise all such others from time to time, as you shall find convenient for our service to be imparted to them.

"6. And whereas the inhabitants of our said province have of late years been unhappily divided, and by their enmity to each other, our service and their own welfare have been very much obstructed; you are therefore in the execution of our commission, to avoid the engaging yourself in the parties which have been formed amongst them, and to use such impartiality and moderation to all, as may best conduce to our service, and the good of the colony.

"7. You are to permit the members of our said council, to have and enjoy freedom of debate and vote, in all affairs of public concern, that may be debated in council.

"8. And although by our commission aforesaid, we have thought fit to direct that any three of our counsellors make a quorum, it is nevertheless our will and pleasure, that you do not act with a quorum of less than five members, except in case of necessity.

"9. And that we may be always informed of the names and characters of persons fit to supply the vacancies which shall happen in our said council, you are to transmit unto us, by one of our principal secretaries of state, and to our commissioners for trade and plantations, with all convenient speed, the names and characters of six persons, inhabitants of the eastern division, and six other persons, inhabitants of the western division of our said province, whom you shall esteem the best qualified for that trust; and so from time to time when any of them shall die, depart out of our said province, or become otherwise unfit, you are to nominate unto us so many other persons in their stead, that the list of twelve persons fit to supply the said vacancies, viz., six out of the east, and six out of the west division, as aforesaid, may be always compleat.

"10. You are from time to time to send to us as aforesaid, and to our commissioners for trade and plantations, the names and qualities of any members by you put into our said council, by the first conveyance after your so doing.

"11. And in the choice and nomination of the members of our said council, as also of the principal officers, judges, assistants, justices, and sheriffs, you are always to take care that they be men of good life, and well affected to our government, of good estates and abilities, and not necessitous people or much in debt.

"12. You are neither to augment nor diminish the number of our said council, as it is hereby established, nor to suspend any of the present members

thereof without good and sufficient cause. And in case of suspension of any of them, you are to cause your reasons for so doing, together with the charges and proofs against the said persons, and their answers thereunto (unless you have some extraordinary reason to the contrary) to be duly entered upon the council books; and you are forthwith to transmit the same, together with your reasons for not entering them upon the council books, (in case you do not enter them) unto us and to our commissioners for trade and plantations as aforesaid.

"13. You are to signify our pleasure unto the members of our said council, that if any of them shall at any time hereafter absent themselves, and continue absent above the space of two months together from our said province without leave from you, or from our governor or commander-in-chief of our said province, for the time being, first obtained; or shall remain absent for the space of two years, or the greater part thereof successively, without our leave given them under our royalsign manual; their place or places in our said council, shall immediately thereupon become void, and that we will forthwith appoint others in their stead.

"14. And in order to the better consolidating and incorporating the two divisions of East and West New Jersey, into and under one government, our will and pleasure is, that with all convenient speed, you call together one general assembly for the enacting of laws for the joint and mutual good of the whole; and that the said general assembly do sit in the first place at Perth Amboy, in East New Jersey, and afterwards the same, or other the next general assembly, at Burlington, in West New Jersey; and that all future general assemblies do sit at one or the other of those places alternately, or (in cases of extraordinary necessity) according as you with the advice of our foresaid council, shall think fit to appoint them.

"15. And our further will and pleasure is, that the general assembly so to be called, do consist of four and twenty representatives, who are to be chosen in the manner following, viz. two by the inhabitants, householders, of the city or town of Perth Amboy, in East New Jersey; two by the inhabitants, householders, of the city and town of Burlington in West New Jersey; ten by the freeholders of East New Jersey, and ten by the freeholders of West New Jersey; and that no person shall be capable of being elected a representative by the freeholders of either division, or afterwards of sitting in general assemblies, who shall not have 1,000 acres of land, of an estate of freehold in his own right, within the division for which he shall be chosen; and that no freeholder shall be capable of voting in the election of such representative, who shall not have 100 acres of land of an estate of freehold in his own right, within the division for which he shall so vote: And that this number of representatives shall not be enlarged or diminished, or the manner of electing them altered, otherwise than by an act or acts of the general assembly there, and confirmed by the approbation of us, our heirs and successors.

"16. You are with all convenient speed to cause a collection to be made of all the laws, orders, rules, or such as have hitherto served or been repeated as laws amongst the inhabitants of our said province of Nova Cæsaria, or New Jersey, and, together with our aforesaid council and assembly, you are to revise, correct, and amend the same, as may be necessary; and accordingly to enact such and so many of them, as by you with the advice of our said

council and assembly, shall be judged proper and conducive to our service, and the welfare of our said province, that they may be transmitted unto us, in authentic form, for our approbation or disallowance.

"17. You are to observe in the passing of the said laws, and of all other laws, that the stile enacting the same, be by the governor, council, and assembly, and no other.

"18. You are also as much as possible to observe, in the passing of all laws, that whatever may be requisite upon each different matter, be accordingly provided for by a different law, without intermixing in one and the same act, such things as have no proper relation to each other; and you are especially to take care that no clause or clauses be inserted in, or annexed to any act, which shall be foreign to what the title of such respective act imports.

"19. You are to transmit authentic copies of the forementioned laws that shall be enacted, and of all laws, statutes, and ordinances, which shall at any time hereafter be made or enacted within our said province, each of them separately, under the public seal, unto us, and to our said commissioners for trade and plantations, within three months or by the first opportunity after their being enacted, together with duplicates thereof by the next conveyance, upon pain of our high displeasure, and of the forfeiture of that year's salary, wherein you shall at any time, or upon any pretence whatsoever, omit to send over the said laws, statutes, and ordinances as aforesaid, within the time above limited, as also of such other penalty as we shall please to inflict. But if it shall happen, that during time of war, no shipping shall come from our said province, or other our adjacent or neighbouring plantations, within three months after the making such laws, statutes, and ordinances, whereby the same may be transmitted as aforesaid, then the said laws, statutes, and ordinances are to be so transmitted as aforesaid, by the next conveyance after the making thereof whenever it may happen, for our approbation or disallowance of the same.

"20. You are to take care, that in all acts or orders to be passed within that our province in any case for levying money or imposing fines and penalties, express mention be made that the same is granted or reserved to us, our heirs or successors, for the public uses of that our province, and the support of the government thereof, as by the said act or orders shall be directed.

"21. And we do particularly require and command, that no money, or value of money whatsoever, be given or granted by any act or order of assembly, to any governor, lieutenant-governor, or commander-in-chief of our said province, which shall not according to the stile of acts of parliament in England, be mentioned to be given and granted unto us, with the humble desire of such assembly, that the same be applied to the use and behoof of such governor, lieutenant-governor, or commander-in-chief, if we shall so think fit; or if we shall not approve of such gift or application, that the said money or value of money, be then disposed of and appropriated to such other uses as in the said act or order shall be mentioned; and that from the time the same shall be raised, it remain in the hands of the receiver of our said province until our royal pleasure shall be known therein.

"22. You shall also propose with the said general assembly, and use your utmost endeavours with them, that an act be passed for raising and settling a public revenue for defraying the necessary charge

of the government of our said province, in which provision be particularly made for a competent salary to yourself, as captain-general and governor-in-chief of our said province, and to other our succeeding captain-generals, for supporting the dignity of the said office, as likewise due provision for the salaries of the respective members of our council and assembly, and of all other officers necessary for the administration of that government.

"23. Whereas it is not reasonable that any of our colonies or plantations should by virtue of any exemptions or other privileges whatsoever, be allowed to seek and pursue their own particular advantages, by methods tending to undermine and prejudice our other colonies and plantations, which have equal title to our royal care; and whereas the trade and welfare of our province of New York, would be greatly prejudiced, if not intirely ruined, by allowing unto the inhabitants of Nova Cæsaria, or New Jersey, any exemption from those charges, which the inhabitants of New York are liable to; you are therefore in the settling of a public revenue as before directed, to propose to the assembly, that such customs, duties, and other impositions be laid upon ail commodities imported or exported in or out of our said province of Nova Cæsaria, or New Jersey, as may equal the charge that is or shall be laid upon the like commodities in our province of New York.

"24. And whereas we are willing in the best manner to provide for the support of the government of our said province, by setting apart sufficient allowances to such as shall be our governor or commander-in-chief, residing for the time being within the same; our will and pleasure therefore is, that when it shall happen, that you shall be absent from the territories of New Jersey and New York, of which we have appointed you governor, one full moiety of the salary and of all perquisites and emoluments whatsoever, which would otherwise become due unto you, shall, during the time of your absence from the said territories, be paid and satisfied unto such governor or commander-in-chief who shall be resident upon the place for the time being, which we do hereby order and allot unto him towards his maintenance, and for the better support of the dignity of that our government.

"25. Whereas great prejudice may happen to our service and the security of our said province under your government by your absence from those parts, without a sufficient cause and especial leave from us; for prevention thereof, you are not, upon any pretence whatsoever, to come to Europe from your government, without first having obtained leave for so doing, under our signet and sign manual, or by our order in our privy council.

"26. You are not to permit any clause whatsoever to be inserted in any law for the levying money, or the value of money, whereby the same shall not be made liable to be accounted for unto us here in England, and to our high treasurer, or to our commissioners of our treasury for the time being.

"27. You are to take care that fair books of accounts of all receipts and payments of all such money be duly kept, and the truth thereof attested upon oath, and that the said books be transmitted every half year or oftner, to our high treasurer, or to our commissioners of our treasury for the time being, and to our commissioners for trade and plantations, and duplicates thereof by the next conveyance; in which books shall be specified every particular sum raised or disposed of, together with

the names of the persons to whom any payment shall be made, to the end we may be satisfied of the right and due application of the revenue of our said province.

"28. You are not to suffer any public money whatsoever, to be issued or disposed of otherwise than by warrant under your hand, by and with the advice and consent of our said council; but the assembly may be nevertheless permitted from time to time to view and examine the accounts of money or value of money disposed of by virtue of laws made by them, which you are to signify unto them as there shall be occasion.

"29. And it is our express will and pleasure, that no law for raising any imposition of wines or other strong liquors, be made to continue for less than one whole year; as also that all laws whatsoever for the good government and support of our said province, be made indefinite, and without limitation of time, except the same be for a temporary end, which shall expire and have its full effect within a certain time.

"30. And therefore you shall not re-enact any law which shall have been once enacted there by you, except upon very urgent occasions, but in no case more than once without our express consent.

"31. You shall not permit any act or order to pass in our said province, whereby the price or value of the current coin within your government, (whether it be foreign or belonging to our dominions) may be altered, without our particular leave or direction for the same.

"32. And you are particularly not to pass any law or do any act, by grant, settlement, or otherwise, whereby our revenue, after it shall be settled, may be lessened or impaired, without our especial leave or commands therein.

"33. You shall not remit any fines or forfeitures whatsoever, above the sum of ten pounds, nor dispose of any escheats, fines or forfeitures whatsoever, until, upon signifying unto our high treasurer, or to our commissioners of our treasury for the time being, and to our commissioners for trade and plantations, the nature of the offence and the occasion of such fines, forfeitures, or escheats, with the particular sums or value thereof, (which you are to do with all speed) you shall have received our directions therein; but you may in the mean time suspend the payment of the said fines and forfeitures.

"34. You are to require the secretary of our said province, or his deputy for the time being, to furnish you with transcripts of all such acts and public orders as shall be made from time to time, together with a copy of the journals of the council, to the end the same may be transmitted unto us, and to our commissioners for trade and plantations as above directed, which he is duly to perform, upon pain of incurring the forfeiture of his place.

"35. You are also to require from the clerk of the assembly, or other proper officer, transcripts of all the journals and other proceedings of the said assembly, to the end the same may in like manner be transmitted as aforesaid.

"36. Our will and pleasure is, that for the better quieting the minds of our good subjects, inhabitants of our said province, and for settling the properties and possessions of all persons concerned therein, either as general proprietors of the soil under the first original grant of the said province, made by the late King Charles II., to the late duke of York, or as particular purchasers of any parcels of land from the said general proprietors, you shall

propose to the general assembly of our said province, the passing of such act or acts, whereby the right and property of the said general proprietors to the soil of our said province may be confirmed to them, according to their respective rights and title; together with all such quit-rents as have been reserved, or are or shall become due to the said general proprietors, from the inhabitants of our said province; and all such privileges as are expressed in the conveyances made by the said duke of York, excepting only the right of government, which remains in us: And you are further to take care, that by the said act or acts so to be passed, the particular titles and estates of all the inhabitants of that province, and other purchasers claiming under the said general proprietors, be confirmed and settled as of right does appertain, under such obligations as shall tend to the best and speediest improvement or cultivation of the same. Provided always, that you do not consent to any act or acts, to lay any tax upon lands that lie unprofitable.

"37. You shall not permit any other person or persons besides the said general proprietors, or their agents, to purchase any land whatsoever from the Indians within the limits of their grant.

"38. You are to permit the surveyors and other persons appointed by the fore-mentioned general proprietors of the soil of that province, for surveying and recording the surveys of land granted by and held of them, to execute accordingly their respective trusts: And you are likewise to permit, and if need be, aid and assist such other agent or agents, as shall be appointed by the said proprietors for that end, to collect and receive the quit-rents which are or shall be due unto them, from the particular possessors or any parcels or tracts of land from time to time. Provided always, that such surveyors, agents or other officers appointed by the said general proprietors, do not only take proper oaths for the due execution and performance of their respective offices or employments, and give good and sufficient security for their so doing, but that they likewise take the oaths appointed by act of parliament to be taken instead of the oaths of allegiance and supremacy, and the oath mentioned in the aforesaid act, entitled, 'An act to declare the alteration in the oath appointed to be taken by the act,' entitled, 'An act for the further security of his majesty's person and the succession of the crown in the protestant line, and for extinguishing the hopes of the pretended prince of Wales, and all other pretenders, and their open and secret abettors, and for declaring the association to be determined;' as also the fore-mentioned test. And you are more particularly to take care that all lands purchased from the said proprietors, be cultivated and improved by the possessors thereof.

"39. You shall transmit unto us, and to our commissioners for trade and plantations, by the first opportunity, a map with the exact description of our whole territory under your government, and of the several plantations that are upon it.

"40. You are likewise to send a list of officers employed under your government, together with all public charges.

"41. You shall not displace any of the judges, justices, sheriffs, or other officers or ministers within our said province, without good and sufficient cause to be signified unto us, and to our said commissioners for trade and plantations; and to prevent arbitrary removal of judges and justices of the peace, you shall not express any limitation of time in the

commissions which you are to grant, with the advice and consent of the council of our said province, to persons fit for those employments, nor shall you execute yourself, or by deputy, any of the said offices, nor suffer any persons to execute more offices than one by deputy.

"42. Whereas we are given to understand, that there are several offices within our said province granted under the great seal of England, and that our service may be very much prejudiced by reason of the absence of the patentees, and by their appointing deputies not fit to officiate in their stead; you are therefore to inspect the said offices, and to inquire into the capacity and behaviour of the persons now exercising them, and to report thereupon to us, and to our commissioners for trade and plantations, what you think fit to be done or altered in relation thereunto; and you are upon the misbehaviour of any of the said patentees, or their deputies, to suspend them from the execution of their places, till you shall have represented the whole matter and received our directions therein; but you shall not by colour of any power or authority hereby or otherwise granted or mentioned to be granted unto you, take upon you to give, grant or dispose of any office or place within our said province, which now is or shall be granted under the great seal of England, any further than that you may upon the vacancy of any such office or place, or suspension of any such officer by you as aforesaid, put in any fit person to officiate in the interval till you shall have represented the matter unto us, and to our commissioners for trade and plantations as aforesaid, (which you are to do by the first opportunity) and till the said office or place be disposed of by us, our heirs or successors, under the great seal of England, or that our further directions be given therein.

"43. In case any goods, money, or other estate of pirates, or piratically taken, shall be brought in, or found within our said province of Nova-Cesaria, or New Jersey, or taken on board any ships or vessels, you are to cause the same to be seized and secured until you shall have given us an account thereof, and received our pleasure concerning the disposal of the same: But in case such goods or any part of them are perishable, the same shall be publicly sold and disposed of, and the produce thereof in like manner secured until our further order.

"44. And whereas commissions have been granted unto several persons in our respective plantations in America, for the trying of pirates in those parts pursuant to the act for the more effectual suppression of piracy, and by a commission already sent to our province of New York, you (as captain-general and governor-in-chief of our said province of New York) are empowered, together with others therein mentioned, to proceed accordingly in reference to our provinces of New York, New Jersey, and Connecticut; our will and pleasure is, that in all matters relating to pirates, you govern yourself according to the intent of the act and commission aforementioned; but whereas accessaries in cases of piracy beyond the seas, are by the same act left to be tried in England, according to the statute of the second of King Henry VIII., we do hereby further direct and require you to send all such accessaries in cases of piracy in our aforesaid province of Nova-Cesaria or New Jersey, with the proper evidences that you may have against them, into England, in order to their being tried there.

"45. You shall not erect any court or office of judicature, not before erected or established, without our especial order.

"46. You are to transmit unto us and to our commissioners for trade and plantations, with all convenient speed, a particular account of all establishments of jurisdictions, courts, offices, and officers, powers, authorities, fees and privileges, which shall be granted or settled within the said province, by virtue and in pursuance of our commission and instructions to you our captain-general and governor-in-chief of the same, to the end you may receive our further direction therein.

"47. And you are, with the advice and consent of our said council, to take especial care to regulate all salaries and fees belonging to places, or paid upon emergencies, that they be within the bounds of moderation, and that no exaction be made on any occasion whatsoever; as also, that tables of all fees be publicly hung up in all places where such fees are to be paid; and you are to transmit copies of all such tables of fees to us, and to our commissioners, for trade and plantations as aforesaid.

"48. Whereas it is necessary that our rights and dues be preserved and recovered, and that speedy and effectual justice be administered in all cases relating to our revenue, you are to take care, that a court of exchequer be called and do meet at all such times as shall be needful, and you are to inform us and our commissioners for trade and plantations, whether our service may require that a constant court of exchequer be settled and established there.

"49. You are to take care that no man's life, member, freehold, or goods be taken away or harmed in our said province, otherwise than by established and known laws, not repugnant to, but as much as may be, agreeable to the laws of England.

"50. You shall administer, or cause to be administered, the oaths appointed by act of parliament to be taken instead of the oaths of allegiance and supremacy, and the oath mentioned in the aforesaid act, entitled, 'An act to declare the alteration in the oath appointed to be taken by the act,' entitled, 'An act for the further security of his majesty's person, and the succession of the crown in the protestant line, and for extinguishing the hopes of the pretended prince of Wales, and all other pretenders, and their open and secret abettors, and for declaring the association to be determined;' as also the fore-mentioned test, to the members and officers of the council and assembly, and to all judges, justices, and all other persons that hold any office or place of trust or profit in the said province, whether by virtue of any patent under our great seal of England, or otherwise, without which you are not to admit any person whatsoever into any publick office, nor suffer those who have been admitted formerly to continue therein.

"51. You are to permit a liberty of conscience to all persons (except papists) so they may be contented with a quiet and peaceable enjoyment of the same, not giving offence or scandal to the government.

"52. And whereas we have been informed, that divers of our good subjects inhabiting those parts, do make a religious scruple of swearing, and by reason of their refusing to take an oath in courts of justice and other places, are or may be liable to many inconveniences; our will and pleasure is, that in order to their ease in what they conceive

to be matter of conscience, so far as may be consistent with good order and government, you take care, that an act be passed in the general assembly of our said province, to the like effect as that passed here in the seventh and eighth years of his majesty's reign, entitled, 'An act, that the solemn affirmation and declaration of the people called Quakers, shall be accepted, instead of an oath in the usual form,' and that the same be transmitted to us, and to our commissioners for trade and plantations as before directed.

"53. And whereas we have been further informed, that in the first settlement of the government of our said province, it may so happen, that the number of inhabitants fitly qualified to serve in our council in the general assembly, and in other places of trust or profit there, will be but small; it is therefore our will and pleasure, that such of the said people called quakers, as shall be found capable of any of those places or employments, and accordingly be elected or appointed to serve therein, may upon their taking and signing the declaration of allegiance to us in the form used by the same people here in England, together with a solemn declaration for true discharge of their respective trusts, be admitted by you into any of the said places or employments.

"54. You shall send an account unto us, and to our commissioners for trade and plantations, of the present number of planters and inhabitants, men, women and children, as well masters as servants, free and unfree, and of the slaves in our said province, as also a yearly account of the increase or decrease of them, and how many of them are fit to bear arms in the militia of our said province.

"55. You shall also cause an account to be kept of all persons born, christened and buried, and you shall yearly send fair abstracts thereof to us, and to our commissioners for trade and plantations as aforesaid.

"56. You shall take care, that all planters and christian servants, be well and fitly provided with arms, and that they be listed under good officers, and when and as often as shall be thought fit, mustered and trained, whereby they may be in a better readiness for the defence of our said province under your government; and you are to endeavour to get an act passed, (if not already done) for apportioning the number of white servants to be kept by every planter.

"57. You are to take especial care, that neither the frequency, nor unreasonableness of their marches, musters and trainings, be an unnecessary impediment to the affairs of the inhabitants.

"58. You shall not, upon any occasion whatsoever, establish, or put in execution, any articles of war, or other law martial, upon any of our subjects, inhabitants of our said province, without the advice and consent of our council there.

"59. And whereas there is no power given you by your commission, to execute martial law in the time of peace upon soldiers in pay, and that nevertheless it may be necessary that some care be taken for the keeping of good discipline amongst those, that we may at any time think fit to send into our said province, (which may properly be provided for by the legislative power of the same) you are therefore to recommend to the general assembly of our said province, that they prepare such act or law for the punishing of mutiny, desertion and false musters, and for the better preserving of good discipline amongst the said soldiers, as may best answer those ends,

"60. And whereas upon complaints that have been made of the irregular proceedings of the captains of some of our ships of war, in the pressing of seamen in several of our plantations; we have thought fit to order, and have given directions to our high-admiral accordingly, that when any captain or commander of any of our ships of war, in any of our said plantations, shall have occasion for seamen, to serve on board our ships under their command, they do make their applications to the governors, and commanders-in-chief of our plantations respectively, to whom as vice-admirals, we are pleased to commit the sole power of impressing seamen in any of our plantations in America, or in sight of any of them, you are therefore hereby required upon such application made to you, by any of the commanders of our said ships of war, within our province of Nova Cæsaria, or New Jersey, to take care that our said ships of war be furnished with a number of seamen that may be necessary for our service on board them from time to time.

"61. And whereas together with other powers of vice-admiralty, you will receive authority from our dearest husband Prince George of Denmark, our high-admiral of England, and of our plantations, upon the refusal or neglect of any captain or commander of any of our ships of war, to execute the written orders he shall receive from you for our service, and the service of our province under your government, or upon his negligent or undue execution thereof, to suspend him, such captain or commander, from the exercise of his said office of captain or commander, and to commit him into safe custody either on board his own ship or elsewhere, at your discretion, in order to his being brought to answer for such refusal or neglect, by commission either under our great seal of England, or from our high-admiral, or our commissioners for executing the office of our high-admiral of England for the time being.

"62. And whereas you will likewise receive directions from our said dearest husband, as our high-admiral of England, and of our plantations, that the captain or commander, so by you suspended shall during such his suspension and commitment, be succeeded in his said office by such commission or warrant officer of our said ship, appointed by our said high-admiral of England, or by our commissioners for executing the office of our high-admiral of England for the time being, as by the known practice and discipline of our navy, does and ought to succeed him next as in case of death, sickness, or other ordinary disability happening to the commander of any of our ships of war and not otherwise, you standing also accountable for the truth and importance of the crime and misdemeanor, for which you shall so proceed to the suspending of such our captain or commander; you are not to exercise the said power of suspending any such captains or commanders of our ships of war, otherwise than by virtue of such commission or authority from our said high-admiral; any former custom or usage to the contrary notwithstanding.

"63. Whereas it is absolutely necessary, that we be exactly informed of the state of defence of all our plantations in America, as well in relation to the stores of war that are in each plantation, as to the forts and fortifications there, and what more may be necessary to be built for the defence and security of the same; you are so soon as possible, to prepare an account thereof, with relation to our said province of Nova Cæsaria, or New Jersey, in

the most particular manner, and you are therein to express the present state of the arms, ammunition, and other stores of war, either in any publick magazines, or in the hands of private persons, together with the state of all places either already fortified, or that you judge necessary to be fortified for the security of our said province; and you are to transmit the said account to us, and to our commissioners for trade and plantations by the first opportunity, and other like accounts yearly in the same manner.

"64. And that we may be the better informed of the trade of our said province, you are to take especial care, that due entries be made in all ports in our said province of all goods and commodities, their species or quantities imported or exported from thence, with the names, burden, and guns of all ships importing and exporting the same, also the names of their commanders, and likewise expressing from and to what places the said ships do come and go, a copy whereof the naval officer is to furnish you with, and you are to transmit the same unto us, or our high treasurer, or our commissioners of our treasury for the time being, and to our commissioners for trade and plantations quarterly, and duplicates thereof by the next conveyance.

"65. And whereas great losses have been sustained by our subjects, trading to our plantations in America, by ships sailing from those parts without convoy, or without the company of other ships, which might protect them from our enemies, by which means many of them have been taken by the French in their return to England; to the end therefore the ships of our subjects may be the better secured in their return home, you are to take care that during this time of war, no ships trading to our province of Nova Cæsaria, or New Jersey, be permitted to come from thence to England, but in fleets, or under the convoy or protection of some of our ships of war, or at such a time as you shall receive notice from hence, of their meeting such convoys, as may be appointed for the bringing them safe to some of our ports in this kingdom; and in case of any danger, you are to expect directions from hence, what precautions shall be further necessary for their security.

"66. You are likewise to examine what rates and duties are charged and payable upon any goods, imported or exported within our province of Nova Cæsaria, or New Jersey, whether of the growth or manufacture of the said province or otherwise, and to use your best endeavours for the improvement of the trade in those parts.

"67. And whereas orders have been given for the commissioning of fit persons to be officers of our admiralty and customs in our several plantations in America; and it is of great importance to the trade of this kingdom, and to the welfare of all our plantations, that illegal trade be every where discouraged: You are therefore to take especial care, that the acts of trade and navigation be duly put in execution; and in order thereunto, you are to give constant protection and all due encouragement to the said officers of our admiralty and customs, in the execution of their respective offices and trusts within our territories under your government.

"68. You are from time to time to give an account as before directed, what strength your bordering neighbours have, be they Indians or others, by sea and land, and of the condition of their plantations, and what correspondence you do keep with them.

"69. You shall take especial care, that God Al mighty be devoutly and duly served throughout your government, the book of common prayer as by law established read each Sunday, and holy-day, and the blessed sacrament administered according to the rites of the church of England.

"70. You shall be careful that the churches already built there, be well and orderly kept, and that more be built, as the colony shall by God's blessing be improved; and that besides a competent maintenance to be assigned to the minister of each orthodox church, a convenient house be built at the common charge for each minister, and a competent proportion of land assigned to him, for a glebe and exercise of his industry.

"71. And you are to take care, that the parishes be so limited and settled, as you shall find most convenient for the accomplishing this good work.

"72. You are not to prefer any minister to any ecclesiastical benefice in that our province, without a certificate from the right reverend father in God the lord bishop of London, of his being conformable to the doctrine and discipline of the church of England, and of a good life and conversation. And if any person already preferred to a benefice, shall appear to you to give scandal either by his doctrine or manners, you are to use the best means for the removal of him, and to supply the vacancy in such manner as we have directed.

"73. You are to give order, that every orthodox minister within your government, be one of the vestry in his respective parish, and that no vestry be held without him, except in case of sickness, or that after the notice of a vestry summoned, he omit to come.

"74. You are to enquire whether there be any minister within your government, who preaches and administers the sacrament in any orthodox church or chapel, without being in due orders, and to give account thereof to the said lord bishop of London.

"75. And to the end the ecclesiastical jurisdiction of the said lord bishop of London, may take place in our said province so far as conveniently may be, we do think fit that you give all countenance and encouragement to the exercise of the same, excepting only the collating to benefices, granting licences for marriages, and probate of wills, which we have reserved to you our governor, and the commander-in-chief of our said province for the time being.

"76. And you are to take especial care, that a table of marriages established by the canons of the church of England, be hung up in every orthodox church, and duly observed, and you are to endeavour to get a law passed in the assembly of our said province, (if not already done) for the strict observation of the said table.

"77. You are to take care, that drunkenness and debauchery, swearing and blasphemy, be discountenanced and punished. And for the further discountenance of vice, and encouragement of virtue and good living, (that by such example the infidels may be invited and desire to partake of the christian religion) you are not to admit any person to publick trusts and employments in our said province under your government, whose ill-fame and conversation may occasion scandal.

"78. You are to suppress the ingrossing of commodities as tending to the prejudice of that freedom which commerce and trade ought to have, and to settle such orders and regulations therein, with the advice of the council, as may be most conducive to the benefit and improvement of that colony.

"79. You are to give all due encouragement and invitation to merchants and others, who shall bring trade unto our said province, or any way contribute to the advantage thereof, and in particular the royal African company of England.

"80. And whereas we are willing to recommend unto the said company, that the said province may have a constant and sufficient supply of merchantable Negroes, at moderate rates, in money or commodities; so you are to take especial care, that payment be duly made, and within a competent time according to their agreements.

"81. And you are to take care, that there be no trading from our said province to any place in Africa, within the charter of the royal African company, otherwise than prescribed by an act of parliament, entitled, 'An act to settle the trade to Africa.'

"82. And you are yearly to give unto us, and to our commissioners for trade and plantations, an account of what number of Negroes our said province is yearly supplied with, and at what rates.

"83. You are likewise from time to time, to give unto us, and to our commissioners for trade and plantations as aforesaid, an account of the wants and defects of our said province, what are the chief products thereof, what new improvements are made therein by the industry of the inhabitants or planters, and what further improvements you conceive may be made, or advantages gained by trade, and in what manner we may best advance the same.

"84. You are not to grant commissions of marque or reprisals, against any prince or state, or their subjects in amity with us, to any person whatsoever, without our especial command.

"85. Our will and pleasure is, that appeals be made in cases of error from the courts in our said province of Nova Casaria, or New Jersey, unto you and the council there; and in your absence from our said province, to our commander-in-chief for the time being, and our said council in civil causes, wherein such of our said council as shall be at that time judges of the court from whence such appeal shall be made to you our governor and council, or to the commander-in-chief for the time being, and council as aforesaid, shall not be admitted to vote upon the said appeal, but they may nevertheless be present at the hearing thereof, to give the reasons of the judgment given by them, in the cause wherein in such appeal shall be made. Provided nevertheless, that in all such appeals, the sum or value appealed for exceed 100*l*. sterling, and that security be first duly given by the appellant to answer such charges as shall be awarded in case the first sentence be affirmed.

"86. And if either party shall not rest satisfied with the judgment of you, or the commander-in-chief for the time being, and council as aforesaid; our will and pleasure is, that they may then appeal unto us, in our privy council, provided the sum or value so appealed for unto us, do exceed 200*l*. sterling, and that such appeal be made within fourteen days after sentence; and that good security be given by the appellant, that he will effectually prosecute the same, and answer the condemnation, as also pay such costs and damages as shall be awarded by us, in case the sentence of you, or the commander-in-chief for the time being, and council, be affirmed. And provided also, that execution be not suspended by reason of any such appeal to us.

"87. You are also to permit appeals to us in council, in all cases of fines imposed for misdemeanors; provided the fines so imposed, amount to

or exceed the value of 200*l*., the appellant first giving good security, that he will effectually prosecute the same, and answer the condemnation, if the sentence by which such fine was imposed in our said province of Nova Casaria, or New Jersey, shall be confirmed.

"88. You are, for the better administration of justice, to endeavour to get a law passed (if not already done) wherein shall be set the value of men's estates, either in goods or lands, under which they shall not be capable of serving as jurors.

"89. You shall endeavour to get a law passed for the restraining of any inhuman severity, which by ill masters or overseers may be used towards their christian servants, and their slaves, and that provision be made therein, that the wilful killing of Indians and Negroes may be punished with death, and that a fit penalty be imposed for the maiming of them.

"90. You are also, with the assistance of the council and assembly, to find out the best means to facilitate and encourage the conversion of Negroes and Indians to the christian religion.

"91. You are to endeavour with the assistance of the council to provide for the raising of stocks, and building of public work-houses, in convenient places, for the employing of poor and indigent people.

"92. You are to propose an act to be passed in the assembly, whereby the creditors of persons becoming bankrupts in England, and having estates in our aforesaid province of New Jersey, may be relieved and satisfied for the debts owing to them.

"93. You are to encourage the Indians upon all occasions, so as they may apply themselves to the English trade and nation, rather than to any other of Europe.

"94. And whereas the preservation of the northern frontiers of our province of New York, against the attempts of any enemy by land, is of great importance to the security of our other northern plantations on the continent of America, and more especially of our said province of New Jersey, which lies so near adjoining to our province of New York, and the charge of erecting and repairing the fortifications, and of maintaining the soldiers necessary for the defence of the same, is too great to be borne by the single province of New York, without due contributions from others concerned therein, for which reason, we have upon several occasions, required such contributions to be made, and accordingly settled a quota to regulate the proportions thereof; you are therefore to take further care, to dispose the general assembly of our said province of New Jersey, to the raising of such other supplies as are or may be necessary for the defence of our province of New York, according to the signification of our will and pleasure therein, which has already been made to the inhabitants of New Jersey, or which shall at any time hereafter be made to you our governor, or to the commander-in-chief of our said province for the time being.

"95. And in case of any distress of any of our plantations, you shall upon application of the respective governors to you, assist them with what aid the condition and safety of your government will permit, and more particularly in case our province of New York be at any time attacked by an enemy, the assistance you are to contribute towards the defence thereof, whether in men or money, is according to the fore-mentioned quota or repartition, which has already been signified to the inhabitants of our aforesaid province under your government, or ac-

cording to such other regulations as we shall hereafter make in that behalf, and signify to you or the commander-in-chief of our said province for the time being.

"96. And for the greater security of our province of New Jersey, you are to appoint fit officers and commanders in the several parts of the country bordering upon the Indians, who upon any invasion may raise men and arms to oppose them, until they shall receive your directions therein.

"97. And whereas we have been pleased by our commission to direct, that in case of your death or absence from our said province, and in case there be at that time no person upon the place commissioned or appointed by us to be our lieutenant-governor or commander-in-chief, he then present council of our said province, shall take upon them the administration of the government, and execute our said commission, and the several powers and authorities therein contained in the manner therein directed; it is nevertheless our express will and pleasure, that in such case the said council shall forbear to pass any acts, but what are immediately necessary for the peace and welfare of our said province, without our particular order for that purpose.

"98. You are to take care, that all writs be issued in our name throughout our said province.

"99. Forasmuch as great inconveniences may arise by the liberty of printing in our said province, you are to provide by all necessary orders, that no person keep any press for printing, nor that any book, pamphlet, or other matters whatsoever be printed without your especial leave and licence first obtained.

"100. And if any thing shall happen that may be of advantage and security to our said province, which is not herein, or by our commission to you provided for, we do hereby allow unto you, with the advice and consent of our council of our said province, to take order for the present therein, giving unto us by one of our principal secretaries of state, and to our commissioners for trade and plantations, speedy notice thereof, that so you may receive our ratification if we shall approve of the same.

"101. Provided always, that you do not by any colour of any power or authority hereby given you, commence or declare war, without our knowledge and particular commands therein, except it be against Indians, upon emergencies, wherein the consent of our council shall be had, and speedy notice given thereof unto us as aforesaid.

"102. And you are upon all occasions to send unto us by one of our principal secretaries of state, and to our commissioners for trade and plantations, a particular account of all your proceedings, and of the condition of affairs within your government.

"103. And whereas the lords spiritual and temporal in parliament, upon consideration of the great abuses practised in the plantation trade, did by an humble address, represent to his late majesty, the great importance it is of, both to this our kingdom and to our plantations in America, that the many good laws which have been made for the government of the said plantations, and particularly the act passed in the seventh and eighth years of his said majesty's reign, entitled, 'An act for preventing frauds, and regulating abuses in the plantation trade,' be strictly observed. You are therefore to take notice, that whereas notwithstanding the many good laws made from time to time, for preventing frauds in the plantation trade, it is nevertheless

manifest, that very great abuses have been and continue still to be practised to the prejudice of the same, which abuses must needs arise, either from the insolvency of the persons who are accepted for the security, or from the remissness or connivance of such as have been, or are governors in the several plantations, who ought to take care, that those persons who give bond should be duly prosecuted, in case of non performance; we take the good of our plantations and the improvement of the trade thereof, by a strict and punctual observance of the several laws in force concerning the same, to be of so great importance to the benefit of this our kingdom, and to the advancing of the duties of our customs here, that if we shall be hereafter informed, that at any time there shall be any failure in the due observance of those laws, within our foresaid province of Nova Cæsaria, or New Jersey, by any wilful fault or neglect on your part, we shall look upon it as a breach of the trust reposed in you by us, which we shall punish with the loss of your place in that government, and such further marks of our displeasure, as we shall judge reasonable to be inflicted upon you, for your offence against us, in a matter of this consequence, that we now so particularly charge you with."

Lord Cornbury convenes the first general assembly after the surrender—His speech, their address, and other proceedings—Queen Anne's proclamation for ascertaining the rates of coin—Lord Cornbury dissolves the assembly, and convenes a new one—Its proceedings and dissolution—A summary of the establishment and practice of the council of proprietors of West Jersey—Another assembly called.

(1703.) The distinction of the two provinces East and West Jersey, being henceforth as to all matters of government laid aside, and both united in one under the name of Nova Cæsaria, or New Jersey; we now enter upon a series of more regular proceedings.

Contrary to the expectation of those concerned in the surrender, we soon find them jointly struggling for the preservation of their privileges against the encroachments of a governor, who, if his abilities had been equal to his birth and interest, must be allowed to have been as formidable an antagonist in that capacity as any that ever proceeded to the colonies; besides being the son of a family that had merited highly in the revolution, he was first cousin to Queen Anne. With such interest, had he desired to promote unanimity, instead of basely abetting animosities, he had a fair opportunity of restoring the public tranquillity, and of laying the foundation of the prosperity of the province; but that honourable duty was reserved for another.

Lord Cornbury arrived in New Jersey in the month of August, 1703. Having published his commission at Amboy and Burlington, he returned to his government of New York; but soon came back and convened the general assembly to meet him at Perth Amboy, on the tenth of November. The names of the first members of council after the surrender are in Lord Cornbury's instructions. The first representatives were,—for the eastern division. Obadiah Bown, Jedediah Allen, Michael Howden, Peter Van Este, John Reid, John Harrison, Cornelius Tunison, Richard Hartshorne, Col. Richard Townley. For the western division. Thomas Lambert, William Biddle, William Stevenson, Restore Lippincott, John Kay, John Hugg, jun., Joseph Cooper, William Hall, John Mason, John

Smith. For the town of Burlington. Peter Fretwell, Thomas Gardiner. City of Perth Amboy. Thomas Gordon, Miles Forster. The assembly chose Thomas Gardiner, speaker, who was presented and accepted, and then, conformably to the practice of parliament, made a demand of the particular privileges of assemblies as follows:

"That the members, with their servants, may be free from arrests or molestation during the sessions.

"That they have free access to your excellency's person, when occasion requires.

"That they may have liberty of speech, and a favourable construction of all debates that may arise among them.

"That if any misunderstanding shall happen to arise between the council and this house, that in such a case a committee of the council may be appointed to confer with a committee of this house for adjusting and reconciling all such differences. And,

"That these our requests may be approved of by your excellency and council, and entered in the council books."

The governor, in answer, told them, he granted the three first as the just and undoubted right of the house; but rejected the fourth as an innovation, and accordingly ordered an entry of the same in the council-books; which being done, he made the following speech to the council and general assembly.

"Gentlemen,—The proprietors of East and West New Jersey, having upon very mature consideration, thought fit to surrender to her most sacred majesty the great queen of England, my mistress, all the powers of government which they supposed were vested in them; the queen has been pleased to unite these formerly two provinces now into one, under the name of Nova Cæsaria or New Jersey; her majesty has been pleased graciously to honour me with the trust of this government, and has commanded me to assure you of her protection upon all occasions; and you may assure yourselves, that under her auspicious reign, you will enjoy all the liberty, happiness, and satisfaction, that good subjects can wish for; under a most gracious queen, and the best laws in the universe, I mean the laws of England, which all the world would be glad to partake of, and none are so happy to enjoy, but those whose propitious stars have placed them under the most happily constituted monarchy: I will not question, but that you, on your parts, will do all that can be expected from faithful subjects, both for the satisfaction of the queen, and the good and safety of your country; which must be attended with general satisfaction to all people.

"In order to attain these good ends, I must earnestly recommend it both to you, gentlemen of her majesty's council, and you gentlemen of the assembly, to apply yourselves heartily and seriously to the reconciling the unhappy differences which have happened in this province; that as the queen has united the two provinces, so the minds of all the people may be firmly united in the service of the queen, and good of the country; which are all one, and cannot be separated without danger of destroying both.

"Gentlemen, you are now met in general assembly, on purpose to prepare such bills to be passed into laws, to be transmitted into England for her majesty's approbation, as may best conduce to the settling of this province upon a lasting foundation of happiness and quiet; only I must recommend it to you, that the bills you shall think fit to offer,

may not be repugnant to the laws of England, but as much as may be, agreeable to them.

"I must recommend to you, gentlemen, in the wording of your bills, to observe the stile of enacting by the governor, council and assembly; and likewise, that each different matter may be enacted by a different law, to avoid confusion.

"In all laws whereby you shall think fit to grant money, or to impose any fines or penalties, express mention may be made, that the same is granted or reserved unto her majesty, her heirs or successors, for the public use of this province, and the support of the government thereof.

"Gentlemen, I am farther commanded by the queen, to recommend it to you, to raise and settle a revenue for defraying the necessary charges of the government of this province, in order to support the dignity of it.

"I am likewise commanded to recommend to your care, the preparing one or more bill or bills whereby the right and property of the general proprietors to the soil of this province may be confirmed to them, according to their respective titles, together with all quit-rents and all other privileges as are expressed in the conveyances made by the duke of York; except only the right of government, which remains in the queen.

"Now, gentlemen, I have acquainted you with some of those things which the queen is desirous to have done: I shall likewise acquaint you, that her majesty has been graciously pleased to grant to all her subjects in this province, (except papists) liberty of conscience. I must further inform you, that the queen has commanded me not to receive any present from the general assembly of this province; and that no person who may succeed me in this government, may claim any present for the future, I am commanded to take care, that her majesty's orders may be entered at large in the council books, and the books of the general assembly.

"Now, gentlemen, I have no more to offer to you at this time, only I recommend to you dispatch in the matter before you, and unanimity in your consultations, as that which will always best and most effectually conduce to the good of the whole."

The governor's speech being read in the house, produced the following address.

"May it please your excellency,

"I am commanded by this house, to return your excellency our hearty thanks for your excellency's many kind expressions to them, contained in your excellency's speech; and it is our great satisfaction, that her majesty has been pleased to constitute your excellency our governor.

"We are well assured the proprietors, by their surrender of their rights to the government of this province, have put us in circumstances much better than we were in under their administration, they not being able to protect us from the villainies of wicked men; and having an entire dependance on her majesty, that she will protect us in the full enjoyment of our rights, liberties and properties, do thank your excellency for that assurance you are pleased to give us of it, and think our stars have been very propitious in placing us under the government and direction of the greatest of queens, and the best of laws. And we do entreat your excellency to believe, that our best endeavours shall not be wanting to accomplish those things which shall be for the satisfaction of the queen, the general good of our country, and (if possible) to the universal satisfaction of all people. With our prayers to

the God of heaven, we shall join our utmost endeavours to unite our unhappy differences; and hope with the assistance of your excellency and council it will not be impossible to accomplish that blessed work. We shall follow the directions given in your excellency's speech, with what dispatch the nature of the things require; and hope, that all our consultations may conduce to the best and greatest ends.

"Memorandum, that all the members of this house do agree to the subject matter above written, though several of them dissent from some of the expressions therein contained."

This address presented, the assembly, after regulating elections complained of, prepared several bills; one only received the governor's assent; which related to the purchasing of lands of the Indians, and had been prepared pursuant to an article in Lord Cornbury's instructions. It prohibits purchases or gifts of lands being made or received from the Indians without licence of the proprietors, after the 1st December, 1703, under penalty of forfeiting forty shillings per acre; it also was retrospective, and made void all Indian bargains, gifts, leases or mortgages, without an English title, unless covered with a propriety right in six months thereafter.

The governor put an end to this session, December 13th, by observing to the assembly, that the season being far advanced, it was absolutely necessary to conclude business: that he wished the several bills before himself and them could have been dispatched; but that the matters contained in them were of so great moment, the difficulties so many, and the time so short, that it was impossible to finish them: that being now acquainted with the nature of those difficulties, they should come prepared in the spring to remove them, and provide such good laws as might effectually ascertain the rights of the several proprietors, and fully secure every man's property: these being the points which would most conduce to the peace and welfare of the colony, recommended the council and assembly to employ their serious thoughts, that the most effectual means to attain those desirable ends might be discovered, and to point out other useful laws, and concludes with observing, that they would ever find him ready to consent to all such things as should be for the good of the whole.

In 1704, great inconvenience was experienced by the same coin bearing a different value in each colony; to remedy this by one general medium, Queen Anne published her proclamation for ascertaining the value of foreign coin in America; which claims a place here.

"By the QUEEN.

"A proclamation for settling and ascertaining the current rates of foreign coins in her majesty's colonies and plantations in America.

"We having had under our consideration the different rates at which the same species of foreign coins do pass in our several colonies and plantations in America, and the inconveniencies thereof, by the indirect practice of drawing the money from one plantation to another, to the great prejudice of the trade of our subjects; and being sensible, that the same cannot be otherwise remedied, than by reducing of all foreign coins to the same current rate within all our dominions in America; and the principal officers of our mint having laid before us a table of the value of the several foreign coins which usually pass in payments in our said plantations,

according to the weight and the assays made of them in our mint, thereby showing the just proportion which each coin ought to have to the other, which is as followeth, viz. Seville pieces of eight, old plate, seventeen penny-weight, twelve grains, four shillings and six-pence; Seville pieces of eight, new plate, fourteen penny-weight, three shillings and seven-pence one farthing; Mexico pieces of eight, seventeen penny-weight twelve grains, four shillings and six-pence; pillar pieces of eight, seventeen penny-weight twelve grains, four shillings and six-pence three farthings; Peru pieces of eight, old plate, seventeen penny-weight twelve grains, four shillings and five-pence or thereabouts; cross dollars, eighteen penny-weight, four shillings and four-pence three farthings; ducatoons of Flanders, twenty penny-weight and twenty-one grains, five shillings and six-pence; eau's of France or silver Lewis, seventeen penny-weight twelve grains, four shillings and six-pence; crusadoes of Portugal, eleven penny-weight four grains, two shillings and ten-pence one farthing; the silver pieces of Holland, twelve penny-weight and seven grains, five shillings and two-pence one farthing; old rix dollars of the empire, eighteen penny-weight and ten grains, four shillings and six-pence; the half, quarters and other parts in proportion to their denominations; and light pieces in proportion to their weight. We have therefore thought fit, for remedying the said inconveniencies, by the advice of our council, to publish and declare, that from and after the first day of January next ensuing the date hereof, no Seville, pillar, or Mexico pieces of eight, though of the full weight of seventeen penny-weight and a half, shall be accounted, received, taken or paid, within any of our said colonies or plantations, as well those under proprietors and charters, as under our immediate commission and government, at above the rate of six shillings per piece, current money, for the discharge of any contracts or bargains to be made after the said first day of January next; the halves, quarters, and other lesser pieces of the same coins, to be accounted, received, taken, or paid in the same proportion; and the currency of all pieces of eight of Peru, dollars and other foreign species of silver coins, whether of the same or baser alloy, shall after the said first day of January next, stand regulated, according to their weight and fineness, according and in proportion to the rate before limited and set for the pieces of Seville, pillar and Mexico; so that no foreign silver coin of any sort be permitted to exceed the same proportion upon any account whatsoever. And we do hereby require and command all our governors, lieutenant-governors, magistrates, officers, and all other our good subjects, within our said colonies and plantations, to observe and obey our directions herein, as they tender our displeasure. Given at our castle at Windsor, the eighteenth day of June, 1704, in the third year of our reign."

Lord Cornbury met the assembly at Burlington the 7th of September, and recommended the preparing a bill to ascertain the rights of the general proprietors to the soil of the province; to settle a fund for support of government; and a French privateer having committed depredations on the settlers about Sandy Hook, he thence took occasion to press for a law to establish a militia, and fix a watch-house on the Navesink hills. The house took these matters into consideration. It does not appear but they intended to make such provision on those occasions as suited the circumstances of the province, yet their proceedings on the whole were not agreeable

to the governor, and on the 28th, therefore, he abruptly sent for and dissolved them, and issued writs for a new election, to meet at Burlington the 13th of November following. This election was indutiously managed, and a majority of members procured to suit the views of the governor; they met at the time, and being divided in the choice of a speaker, Peter Fretwell and John Bowne, candidates, and the votes equal, they called upon their clerk, (William Anderson,) to give the casting vote, which he did for Fretwell, who was accordingly placed in the chair; then receiving the speech, they by an address complimented Lord Cornbury, with going through the affairs of government "with great diligence and exquisite management, to the admiration of his friends, and envy of his enemies;" and passed a bill to raise 2,000*l.* per annum, by tax, for support of government, to continue two years.

Several other laws were passed this session, and amongst them one for establishing a militia, by the unnecessary severity of which, those conscientiously scrupulous of bearing arms in many parts were great sufferers.

On the 12th of December, the governor adjourned them till next year, with more encomiums on their conduct, than many of them got from their constituents on their return home; during this whole session, they had tamely suffered the arbitrary practices of the governor to deprive them of three of their most substantial members, Thomas Gardiner, Thomas Lambert, and Joshua Wright, under pretence of their not owning land enough to qualify them to sit there, though they were known to be men of sufficient estates; and the same assembly at their next meeting at Amboy, in 1705, themselves declare, "the members had heretofore satisfied the house of their being duly qualified to sit in the same;" and they were then admitted, when the purposes of their exclusion were answered: this sitting was in October and November, but produced nothing of much consequence; the session which followed at the same place in October, 1706, likewise proved unsuccessful; and now the governor again dissolved the assembly.

In the 11th month this year (1706), the council of proprietors for the western division, met according to their usual practice; there were present, William Biddle, president, Samuel Jenings, George Deacon, John Wills, William Hall, Christopher Wetherill, and John Kay; to this council, Lord Cornbury sent an order to resolve him in certain points proposed to them, which for some reasons were postponed; but in the spring next year, he sent for the council of proprietors to attend him in council at Burlington, and there proposed sundry questions on the same subject, demanding a categorical answer to each; they soon resolved him by sending a summary of their constitution and establishment as follows:

"The answer delivered to the governor's three questions, delivered to him by the council of proprietors.

"Whereas our governor the Lord Cornbury, was pleased at our attending on him in council, the 13th day of this instant May, to require answers to three questions, viz., who was the council of proprietors the last year; and who are chosen for this year 1707, and to have the names of them?—the second is, what are the powers the said council pretend to have?—the third, by whom constituted?

"And in obedience thereto, we being part of the trustees, or agents commonly called the council of

proprietors, are willing to give all the satisfaction we are able, in humble answer to his lordship's requirings, viz.:

"1. The persons chosen for the last year to serve the proprietors as agents or trustees, were William Biddle, Samuel Jenings, George Deacon, John Wills, and Christopher Wetherill, for the county of Burlington; and John Reading, Francis Collings, John Kay, and William Hall, of Salem, for the county of Gloucester, and below; and for this present year 1707, William Biddle, Samuel Jenings, Lewis Morris, George Deacon, John Wills, John Kay, John Reading, Thomas Gardiner and William Hall of Salem.

"2. In the year 1677, the first ship that came here from England, which brought the first inhabitants that came to settle in these remote parts, by virtue of Byllinge's right, before she sailed, the proprietors being met together at London, thought it advisable to settle some certain method how the purchasers of land from Byllinge, &c., should have their just rights laid forth to them, concluded on a number of persons, viz., Joseph Helmsly, William Emly, John Penford, Benjamin Scott, Daniel Wills, Thomas Olive, and Robert Stacy, as should be called commissioners, and they were first impowered to purchase what land they could from the Indians, and then to inspect all rights, as any lands were claimed, and when satisfied therein, to order the laying it out accordingly; which commissioners when arrived here, did forthwith make several purchases of land, and acted as aforesaid, for some time, till some of them being not longer able to struggle with such hunger, and many other great hardships as were then met withal, returned again for England; so for preventing confusion among the people, the assembly took the trouble of it on them; this continued in practice till about the year 1687; then the assembly having much other business, and being not able to spend their time and money abroad, would not longer be troubled with that business, as was wholly belonging to the proprietors, and so threw it out of the house, and told the proprietors they might choose a convenient number of persons of themselves to transact their own business: Accordingly the 14th of February, the same year, the proprietors met at Burlington, and then and there chose and elected eleven persons of themselves, to act for the whole for the next ensuing year; but then finding that so many and at such distances being hard to be got together, they next year chose but nine, and accordingly signed instruments for the confirming that constitution, of which his lordship has a copy; and the same methods have been every year since practised to this present year 1707, and in all this time no inconvenience hath arisen from it, but on the contrary, much ease and advantage to the proprietors; as by a further declaration of many other of the proprietors under their hands, is ready to be proved.

"Now as to the powers of those that are now and have all along been, they are the same with the first that came over from England in the year 1677; that is to say, to purchase land of the Indians, with the consent and advice of the said proprietors as chose them, and to inspect the rights of every man as shall claim any land, so that the same may be surveyed to him or them; and for the more easy and speedy settling of the province, commissioners have been appointed in each county, to inspect all rights as aforesaid; the said agents, trustees, or counsel, also to choose a recorder, a surveyor-general,

and rangers in each county, to range for the benefit of the said general proprietors, and to appoint persons to prevent the wasting and destroying of the proprietors' timber, upon their unsurveyed lands, &c.

"The proprietors residing in England, have had knowledge of a committee of the agents or trustees of the proprietors here, who were to act and negotiate their affairs by their agents, from time to time, acting in conjunction with them, as Adlord Boud, John Tatham, agents to Doctor Coxe; and when Jeremiah Bass was agent, he acted with them also; after him, when our late Governor Hamilton was made agent, he acted as one of the said agents, trustees or counsel for several years, and was president of the same; and now Lewis Morris, as agent to the society, is one of the said trustees or counsel; and not only the agents of the proprietors at home, but any proprietor now hath, and have had liberty, to come and meet with the said agents, trustees or counsel, when he or they pleased.

"Lastly, as to the constitution of the said agents, trustees, or committee, and by whom constituted; it is on certain days in the county of Burlington and Gloucester, yearly and every year, they are chosen by the proprietors. The above is as good an account as we that are present are able to give, in answer to what was required of us by his lordship, and pray it may find acceptance as such; but if any further thing may seem needful to be answered, we humbly pray it may for this time be suspended, till the whole can be got together."

The writs for a new assembly were returnable to Burlington the 5th of April, 1707. In this assembly it soon appeared, Lord Cornbury had not the same success in elections as in the last choice; his conduct was arbitrary, and the people dissatisfied; the assembly chose Samuel Jenings, speaker, received the governor's speech, and soon after resolved into a committee of the whole house to consider grievances; this committee continued sitting from day to day, till at length they agreed upon fifteen resolves, and by petition to the queen laid them before her, on the 8th of the month, called May, they also represented their grievances to the governor as follows:

"May it please the governor,

"We, her majesty's loyal subjects, the representatives of the province of New Jersey, are heartily sorry, that instead of raising such a revenue as is by the governor (as we suppose by the queen's directions) required of us, we are obliged to lay before him the unhappy circumstances of this province; it is a task we undertake not of choice, but necessity, and have therefore reason to hope, that what we say may meet with a more favourable reception.

"We pray the governor to be assured, it is our misfortune extorts this procedure from us, and that we should betray the trust reposed in us by our country, did we not endeavour to obtain relief.

"The governor encourages us to hope he will not be deaf to our entreaties, nor by his denial render our attempts for the best ends fruitless.

"We may not perchance rightly apprehend all the causes of our sufferings, but have reason to think some of them are very much owing to the governor's long absence from this province, which renders it very difficult to apply to him in some cases which may need a present help.

"It were to be wished the affairs of New York would admit the governor oftener to attend those of New Jersey, he had not then been unacquainted with our grievances; and we are inclined to believe

they would not have grown to so great a number.

"It is therefore, in the first place, humbly presented to the governor's consideration, that some persons under sentence of death for murder, have not only remained till this time unexecuted, (they being condemned not long after Lord Cornbury's accession to this government) but often have been suffered to go at large; it's possible the governor has not been informed that one of those persons is a woman who murdered her own child; another of them a woman who poisoned her husband. The keeping of them so long has been a very great charge, and how far it's a reflection on the publick administration, to suffer such wretches to pass with impunity, we dare not say; but sure the blood of those innocents cries aloud for vengeance, and just Heaven will not fail to pour it down upon our already miserable country, if they are not made to suffer according to their demerits.

"Secondly, we think it a great hardship, that persons accused for any crime, should be obliged to pay court fees, notwithstanding the jury have not found the bill against them; they are men generally chose out of the neighbourhood, and should be the most substantial inhabitants, who cannot well be supposed to be ignorant of the character of the person accused, nor want as good information as may be had; when therefore they do not find the bill, it is very reasonable to suppose the accused person innocent, and consequently no fees due from him; we pray therefore, that the governor will give his assent to an act of assembly to prevent the like for the future; otherwise no person can be safe from the practices of designing men, or the wicked effects of a vindictive temper.

"Thirdly, the only office for probate of wills being in Burlington, it must be very expensive and inconvenient for persons who live remote to attend it, especially for the whole eastern division; we therefore pray the governor will assent to an act to settle such an office in each county, or at least in each division of this province, and that the officers be men of good estates, and known integrity in the said county or division.

"Fourthly, that the secretary's office is not also kept at Amboy, but that all the eastern division are forced to come to Burlington, that have any business at said office, is a grievance which we hope the governor will take care to redress; it seeming inconsistent with the present constitution of government established by the queen, which doth not admit one of the divisions of this province to enjoy more privileges than the other; we therefore entreat the governor not to take it amiss, that we desire his assent to an act to be passed to oblige the secretary to keep the office at both places.

"Fifthly, the granting of patents to cart goods on the road from Burlington to Amboy, for a certain number of years, and prohibiting others, we think to be a grievance that is contrary to the statute 21 Jac. I. c. 3. against monopolies; and being so, we doubt not, will easily induce the governor to assent to an act to prevent all such grants for the future; they being destructive to that freedom which trade and commerce ought to have.

"Sixthly, the establishing fees by any other power or authority than by the governor, counsel and representatives met in general assembly, we take to be a great grievance, directly repugnant to Magna Charta, and contrary to the queen's express instructions in the governor's instructions, which says, 'You are to take care that no man's life,

member, freehold, or goods, be taken away or harmed in our province, under your government, otherwise than by established and known laws, not repugnant to, but as near as much as may be, agreeable to the laws of England; we therefore pray, that the governor will assent to an act to be passed to settle fees; without which we think no more can be legally demanded, than the persons concerned by agreement oblige themselves to pay.

"Seventhly, the governor putting the former public records of the eastern division of this province into the hands of Peter Sonman, pretended agent to the proprietors, one that does not reside in the province, nor has not given security for the well and true keeping of them, as is by the queen directed, and kept them so that her majesty's subjects cannot have recourse to them; and their being carried out of the division, is a great and crying grievance. They are the only evidences that one-half of this province has to prove the titles to their estates, and this house is humbly of opinion, they ought to be so kept, that persons may have recourse to them; and in the hands of such of whose fidelity there is no reason to doubt; this being a thing so reasonable, encourages us to request the governor to assent to an act to be passed to put them in proper hands for the future, that the country may not be under the same disappointments they now are.

"These, governor, are some of the grievances this province complains of, and which their representatives desire may be redressed; but there are others of a higher nature, and attended with worse consequences; they cannot be just to the governor, themselves, or their country, should they conceal them. We did expect when the government of the Jerseys was surrendered, to feel the benign influences of the queen's mild government, under her more immediate administration, and to be protected in the full enjoyment of our liberties and properties, the last of which we thought ourselves something more secure in than some of the neighbouring plantations, and had an entire dependence that her majesty's royal bounty and goodness would never be wanting to make us easy and happy, even beyond our wishes. It is our misfortune, that we must say, the success has not answered the expectation, and the queen's subjects here have felt the reverse of what they had most reason to hope; that greatest and best of princes is, without all peradventure, ignorant of our pressures, or we had long since had relief; she is too good to continue even the deserved sufferings of the miserable, and has more of heaven in her than to hear the cry of those that groan under oppression, and the unkind effects of mistaken power, to whom we owe our miseries; and what they are the sequel shows.

"In the first place, the governor has prohibited the proprietors' agents, commonly called the council of proprietors, from granting any warrants for taking up of land in the Western division of this province. We cannot see by what law or reason any man's property can be disposed of by the governor without his consent. The proprietors when they surrendered their government, did not part with their soil, and may manage it as they think fit, and are not to take directions from any person whatsoever, how and when to do it; if any persons concerned be grieved, the laws are open, by which disputes in property are decided; and he doubtless will not be left remediless. We are very sorry the governor gives us occasion to say, it is a great encroachment on the proprietors' liberties; but we are not sur-

prised at it, when a greater encroachment on our liberties lead the way to it, and that was the governor's refusing to swear or attest three members of the last assembly upon the groundless suggestions of Thomas Revel and Daniel Leeds, two members of the queen's council, by which they were kept out of the assembly. We are too sensibly touched with that procedure, not to know what must be the unavoidable consequences of a governor's refusing to swear which of the members of an assembly he thinks fit; but to take upon himself the power of judging of the qualifications of assembly-men, and to keep them out of the house (as the governor did the aforesaid three members nigh eleven months till he was satisfied in that point) after the house had declared them qualified, is so great a violation of the liberties of the people, so great a breach of the privileges of the house of representatives, so much assuming to himself a negative voice to the freeholders' election of their representatives, that the governor is entreated to pardon us, if this is a different treatment from what we expected: it is not the effects of passionate heats, the transports of vindictive tempers, but the serious resentments of a house of representatives, for a notorious violation of the liberties of the people, to whom they could not be just, nor answer the trust reposed in them, should they decline letting the governor know they are extremely dissatisfied at so unkind a treatment, especially when its causes and effects conspire to render it so disagreeable.

"It is notoriously known, that many considerable sums of money have been raised to procure the dissolution of the first assembly, to get clear of the proprietors' quit-rents, and to obtain such officers as the contributors should approve of; this house has great reason to believe, the money so gathered was given to Lord Cornbury, and did induce him to dissolve the then assembly, and by his own authority keep three members out of the next assembly, and put so many mean and mercenary men into office; by which corrupt practice, men of the best estates are severely harassed, her majesty's good subjects in this province so impoverished, that they are not able to give that support to her majesty's government as is desired, or as they would be otherwise inclined to do; and we cannot but be very uneasy when we find by these new methods of government, our liberties and properties so much shaken, that no man can say he is master of either, but holds them as tenant by courtesy and at will, and may be stript of them at pleasure. Liberty is too valuable a thing to be easily parted with, and when such mean inducements procure such violent endeavours to tear it from us, we must take leave to say, they have neither heads, hearts, nor souls, that are not moved with the miseries of their country, and are not forward with their utmost power lawfully to redress them.

"We conclude, by advising the governor to consider what it is that principally engages the affections of a people, and he will find no other artifice needful than to let them be unmolested in the enjoyment of what belongs to them of right; and a wise man that despises not his own happiness, will earnestly labour to regain their love.

"By order of the house,

"SAMUEL JENINGS, Speaker."

By this remonstrance may be seen much of the history of the times, and that though matters were carried to arbitrary lengths, there were not wanting in the province men of discernment to see and la-

ment the unhappy situation of their country, and of spirit to oppose its greatest enemies; several such were in this assembly, the speaker in particular, had very early known New Jersey, had lived through many changes and commotions, to see great alterations in it; much concerned in public transactions, he knew what belonged to a public character; he had governed the western part of the province for several years, with integrity and reputation; saw the advantages of a just confidence, and knew it could not be acquired any other way; that though the office was in itself respectable, it was the honest execution of it according to its dignity, that produced the intended service, and secured the approbation of a kind but watchful mistress; for such Queen Anne was accounted to her governors. Jennings was also undaunted, and Lord Cornbury on his part exacted the utmost decorum; while as speaker he was delivering the remonstrance, the latter frequently interrupted him with "stop, what's that," &c., at the same time putting on a countenance of authority and sternness, with intention to confound him; with due submission, yet firmness, whenever interrupted, he calmly desired leave to read the passages over again, and did it with an additional emphasis upon those most complaining; so that on the second reading they became more observable than before: he at length got through, when the governor desired the house to attend him again "on Saturday next, at 11 o'clock, to receive his answer;" he did not get ready till the 12th, when sending for the house, he delivered his answer.

Lord Cornbury's answer to the assembly's remonstrance.

"Gentlemen,—On Thursday last I received a paper from you, which you call a remonstrance; I then told you it was of an extraordinary nature, and contained many particulars, which though they lay open enough to receive an immediate answer, yet because I would not put it in your power to say I had given you a rash inconsiderate answer, I would make no return to it till the Saturday following, at which time I sent you word by the secretary, that I should not expect your attendance till this day. I shall not take notice of any thing in your preamble, but the two last clauses of it; in the first of which you say, that you have reason to think that some of your sufferings are owing to the governor's long absence from this province, which renders it very difficult to apply to him in some cases that may need a present help: This is so far from being true, that besides my being twice in this province every year, and have never staid less than a month, sometimes six weeks, or more, the post goes every week to New York, by which I may be easily informed of any emergency; moreover, the lieutenant-governor, Colonel Ingoldsby, resides constantly in this province, and would certainly have done right to any persons that would have complained to him; which makes this allegation very frivolous.

"In the next clause you say, that it were to be wished that the affairs of New York would admit the governor oftener to attend those of New Jersey. The affairs of New York have never hindered the governor from attending those of New Jersey, whenever it has been requisite; and I can safely say, I don't know of any grievances this province labours under, except it be the having a certain number of people in it, who will never be faithful to, nor live quietly under any government, nor suffer their neighbours to enjoy any peace, quiet, or happiness, if they can help it.

"I now begin with your articles.

"Two women that have been condemned for murdering, have not been executed, there having appeared most notorious malice and revenge in some people, who were zealous in these prosecutions; the queen is the fountain of honour, justice, and mercy; and as she is so, she may when she pleases exert her mercy, either in relieving or pardoning any criminal. That power of pardoning and relieving after condemnation, the subjects of this province, her majesty has been pleased to intrust me with; and I am no ways accountable to any person or number of persons whatsoever, for what I do in those matters, but to the queen's majesty alone.

"As for what you say, with relation to the apprehensions you have, that just Heaven will not fail to pour down vengeance upon your already miserable country, if these criminals are not made to suffer according to their demerits: I am of opinion that nothing has hindered the vengeance of just heaven from falling upon this province long ago, but the infinite mercy, goodness, long-suffering, and forbearance of Almighty God, who has been abundantly provoked by the repeated crying sins of a perverse generation among us, and more especially by the dangerous and abominable doctrines and the wicked lives and practices of a number of people; some of whom, under the pretended name of Christians, have dared to deny the very essence and being of the Saviour of the world. It is a strange thing, that such an assembly of men as the representatives of the people of this province are or ought to be, should complain of any thing under the name of hardship, before they had informed themselves whether the thing they had a mind to complain of, were really a hardship or not: this plainly is your case at this time; for if you had asked any man that knows any thing of the practice of the law in England, you would have found, that if any proceedings had been carried on against any persons supposed to be guilty, they have always paid the court fees, notwithstanding the grand jury have not found the bill; and this is so known a practice, that it is not to be disputed; but when men will intermeddle with, or pretend to things which they neither know nor understand, they cannot fail of misguiding themselves, and misleading those that have a mind to be guided by them.

"Indeed, if juries in this country were as they ought to be, the supposition might in some measure be allowed; but we find by woful experience, that there are many men who have been admitted to serve upon grand and petty juries, who have convinced the world that they have no regard for the oaths they take, especially among a sort of people, who under a pretence of conscience, refuse to take an oath; and yet many of them, under the cloak of a very solemn affirmation, dare to commit the greatest enormities, especially if it be to serve a friend, as they call him; and these are the designing men, and the vindictive tempers, of which all the queen's good subjects ought to beware, and be protected from; and these are the crying sins which will undoubtedly draw down the vengeance of just Heaven upon this province and people, if not timely and seriously repented of.

"If I could persuade myself to wonder at any of the enormities contained in this remonstrance (and which I would do if it came from any other men), it should be at this; because no reasonable man can persuade himself to believe, that a number of men chosen by their country to represent them, would

presume to complain of a thing as a grievance, when the thing complained of is in fact not true; for the office of probate of wills is wherever the governor is, consequently not at Burlington only. Ever since the queen has done me the honour to entrust me with the government of this province, I have never failed of being in the province twice every year, once at Burlington and once at Amboy, except the last year, that I had the unspeakable misfortune of losing a wife, whom I loved as my own soul, after a very long tedious sickness, during which I am persuaded no reasonable man could expect I should leave her for any time; and yet notwithstanding that, I was twice at Amboy last year, where anybody that had a will to prove, might have had it done if they had pleased; besides my being twice every year in the province, considering the remoteness of Cape May county and the county of Salem, I did appoint a surrogate at Burlington, before whom any of the inhabitants of either division might have had their wills proved; I did not think it necessary to appoint one in the Eastern division, because the inhabitants of that division who are most remote from New York, are within a very easy day's journey of my surrogate at Burlington, and much the major part of the people of that division are within a small day's journey of New York, where their private affairs daily call many of them, and where any of them may have their wills proved without any injury to, or encroachments upon their properties, rights or privileges. This is so certain a truth, that I am persuaded all judicious and impartial men will look upon this complaint to be malicious, scandalous, and frivolous, contrived only to amuse poor ignorant people with notions of grievances; when in truth there is no manner of cause of complaint. Besides, what you desire is a direct invasion of the queen's prerogative; for it belongs to her majesty alone to appoint who shall take probate of wills, and grant letters of administration; and that power the queen has been pleased to vest in the governor; and I am sure I will never so far betray the trust her majesty has honoured me with, as to sacrifice her prerogative royal, to the humours of any person or persons whatsoever. But of all the people in the world, the quakers ought to be the last to complain of the hardships of travelling a few miles upon such an occasion, who never repine at the trouble and charges of travelling several hundred miles to a yearly meeting, where it is evidently known, that nothing was ever done for the good of the country, but on the contrary continual contrivances are carried on for the undermining of the government both in church and state.

"You have had as little regard to the truth of matter of fact in this complaint, as in some of the rest; for it is certain, that the secretary's office is kept at Amboy, as well as at Burlington, as far as the nature of the thing requires, and it can admit of, for the records of the Eastern division, or at least so many of them as the agent for the proprietors of that division could hitherto recover from one Thomas Gordon, into whose hands they were put in the time of the proprietors' government, and who has embezzled several of them, for which he must be answerable; there is a supreme court held once every year at Amboy, there is no more at Burlington; so that one division does not enjoy more privileges and advantages than the other; and you have no more reason to desire a secretary's office to be settled at Amboy, than the people of the county of Cumberland would have, to desire a secretary of

state's office to be settled in their county, because it is a great way for them to travel to London when they have any business in the secretary's office; the thing is inconsistent in itself, to have two secretaries' offices in the same province, and consequently unreasonable, and I am pretty well satisfied without precedent; besides, I don't know any body that can claim the right or power of appointing a secretary in this province but the queen, and she has been pleased to appoint one under the great seal of England, and her majesty is pleased to think one sufficient, as undoubtedly it is; but if you had thought that another had been necessary, it would have been much more modest to have acquainted me with it, that I might have humbly represented it to her majesty, rather than to have remonstrated that as a grievance, which is done in pursuance of the queen's commands. But this is of the same nature with the rest of your complaints, contrived on purpose to amuse the poor ignorant people with a notion of grievances, when in truth there is not the least colour or cause of complaint. I could wish, since you had a mind to colour this complaint with the authority of an act of parliament of England, that you had advised with some lawyer, to know whether this could be any ways brought under that statute, or can by any construction in the world be called a monopoly; but where a man engrosses a commodity into his own hands, and imposes what unreasonable price he pleases upon that commodity, or where a man is suffered to enjoy any trade or occupation exclusive of others, to the prejudice of the public, or particularly the hindering or burthening of trade; the thing now complained of is so far from being of that nature, that it is directly contrary; for by the patent now complained of, the subjects of this province have the convenience of sending such quantities of goods to and from Burlington and Amboy, as their private occasions, or the nature of their trade requires, at reasonable and certain rates, and at certain times, which they never could do before; for before the settling of this waggon, if any persons had occasion to send any goods to or from either of those places, they were forced to hire a waggon, though perhaps they had not the tenth part of a load, and were forced to pay such rates as the owners of the waggon thought fit to impose upon them; whereas at present every body is sure once a fortnight to have an opportunity of sending any quantity of goods, great or small, at reasonable rates, without being in danger of being imposed upon at the will of the owner of the waggon; and the settling of this waggon is so far from being a grievance or a monopoly, that by this means and no other, a trade has been carried on between Philadelphia, Burlington, Amboy and New York, which was never known before; and in all probability would never have been, had it not been for this certain convenient way of sending such quantity of goods as people pleased from place to place; and in all the parts of Europe, the having public carriages for goods has always been esteemed of absolute necessity, and the want of them has been looked upon as a hardship. But it seems those things which in the wisest and best governments in Europe, have not only been thought convenient but esteemed of absolute necessity, are found out by some of our wiser people here, to be grievances and monopolies. This being undoubtedly true, it's plain the patent complained of cannot come within the statute of the 21 Jac. I. chap. 3. This I believe will be sufficient to convince all rea-

sonable men, how frivolous and unreasonable this complaint is. I shall observe, that when I was first applied to for a patent for the allowing this waggon, which was by one Dellaman, who in Colonel Hamilton's time was permitted to drive a waggon for carrying goods, though under no regulation, either with respect to times of going, or prices for carrying goods, and then was no monopoly; before I would grant it, I did acquaint the council with it, and desired them to let me know if they apprehended any inconveniency in granting such a patent; those gentlemen were all of opinion, there could be no inconveniency in it, but rather a great conveniency; and indeed experience has proved that opinion to be true; nay, Mr. Lewis Morris himself, the chief promoter of these unreasonable and frivolous complaints at this time, who had the honour to be one of her majesty's council, expressed himself very fully to that purpose. Indeed, had that gentleman ever been consistent with himself in any two actions of his life, I should wonder how he could so soon alter his opinion in a case of that nature; but his behaviour at all times having fully convinced the world that he never was so, makes me cease wondering. This clause of your remonstrance is indeed of a more extravagant nature than the former, for you presume to call that a great grievance, and affirm it to be directly contrary to magna charta, and contrary to the queen's express directions in the governor's instructions; which is most certainly exactly pursuant to, and in obedience of the express words contained in the queen's instructions to the governor; so that you make the governor's faithful obedience to the instructions the queen has honoured him with, to be a great grievance; which is no less than accusing her most sacred majesty, the best of queens, of commanding her governor to do things which in themselves are great grievances; how grateful a return this is to her majesty, for the repeated favours she has been pleased to shew to this province and people, let the world judge.

"That clause of my instructions which you recite in this article, has no manner of relation to fees; indeed there is another clause in my instructions, which directs how, and by whom, all fees shall be settled, and the queen's commands have been observed; the words of the clause are those, 'And you are, with the advice and consent of our said council, to take especial care to regulate all salaries and fees belonging to places, or paid upon emergencies, that they be within the bounds of moderation, and that no exaction be made on any occasion whatsoever; as also that tables of all fees be publicly hung up in all places where such fees are to be paid, and you are to transmit copies of all such tables of fees to us, and to our commissioners for trade and plantations as aforesaid;' and I challenge every one of you, and all mankind, to shew, how, when, and where, any man's life, member, freehold, or goods have been taken away, or harmed in this province, since it came under her majesty's government, otherwise than by established and known laws, not repugnant to, but as much as may be, agreeable to the laws of England. When I first read this clause, I could not imagine what it was put in for, unless it were on purpose to arraign the queen's express commands to me. First, Mr. Sonmans is not the pretended agent, but the lawfully constituted agent for the proprietors of the Eastern division of this province, and has qualified himself according to the queen's instructions to me,

and he does reside the greatest part of his time in the province; the records are not carried out of the Eastern division, unless it be those which Thomas Gordon has imbezelled; but those that came to the hands of Mr. Sonmans are kept at Amboy, where any body may have recourse to them that will desire it, at any reasonable hour; and the country is not under any disappointment upon that account, besides, the records of the Eastern division were put into the hands of the proprietors' agent, by an order from England, upon a complaint made in England, that the records were not in the hands of the proprietors' agents.

"These, governor, are some of the grievances." "This is certainly one of the boldest assertions that ever was made, especially when there appears no manner of proof to make it out. When I read these two clauses; for there are two before you come to enumerate these grievances of an higher nature, and attended with worse consequences, I expected to have found myself, or some other persons intrusted with me in the administration of the government over her majesty's subjects in this province, not only accused, but made plainly appear, by undeniable manifest proofs, beyond the possibility of a contradiction, to be guilty of the most enormous crimes. Who can imagine when such a body of men, as the representatives of a province, venture to say, 'that they did expect when the government of the Jerseys was surrendered, to feel the influences of the queen's mild government under her more immediate administration, and to be protected in the full enjoyment of their liberties and properties; the last of which they thought themselves a little more secure in, than some of the neighbouring plantations, and had an entire dependance that her majesty's royal bounty and goodness would never be wanting to make them easy and happy, even beyond their wishes; it is their misfortune, that they must say, the success has not answered the expectation; and the queen's subjects here have felt the reverse of what they had most reason to hope that the greatest and best of princes is without all peradventure ignorant of their pressures, or they had long since had relief; she is too good to continue even the deserved sufferings of the miserable, and has more of heaven in her, than not to hear the cries of those that groan under oppression and the unkind effects of mistaken power, to whom they owe their misery'; who would not, I say, after such assertions, expect to see the governor proved guilty either of treason, or betraying the trust reposed in him by the queen, by depriving the subjects of their lives, their estates or properties, or at least denying them justice, and perverting the laws, to the oppression, instead of administering them for the protection and preservation of the people committed to his charge? These or the like crimes manifestly proved, are the only things that can justify men in the accusing a governor of corrupt practice, and of shaking the liberties and properties of the people; but if none of these things can be proved, but on the contrary, it does appear plainly, that no one act of severity, much less of injustice or oppression, has been done since the government of this province came under the queen, but that there has been an impartial, just and equal administration of justice observed throughout the whole course of my government, and that many acts of mercy have been extended to persons who deserved to be severely punished; then what sort of creatures must these bold accusers appear to be, in the eyes of all impartial

and judicious men! That these are truths beyond all contradiction, and which all the people of this province know, I do challenge you, and every one of you, to prove the contrary. And though I know very well, that there are several unquiet spirits in the province, who will never be content to live quiet under any government but their own, and not long under that neither, as appears by their methods of proceeding when the government was in the hands of the proprietors; when many of these very men who are now the remonstrancers, were in authority, and used the most arbitrary and illegal methods of proceeding over their fellow subjects that were ever heard of; yet I am satisfied, there are very few men in the province, except Samuel Jenings and Lewis Morris, men known neither to have good principles, nor good morals, who have ventured to accuse a governor of such crimes, without any proof to make out their accusation; but they are capable of any thing but good.

"But that the unreasonableness of these complaints may appear the plainer, let us consider what these enormities of mine are, that have turned the benign influences of the queen's mild government into oppression, and the unkind effect of mistaken power. First, by the instructions her most sacred majesty the queen has honoured me with, I am to allow all such agents as the general proprietors shall appoint, such agents qualifying themselves by taking such oaths as the queen is pleased to direct, and no others; no persons under the name of a council of proprietors have ever tendered themselves to take those oaths, consequently they are not capable of acting as agents. Besides, I say, those people who call themselves a council of proprietors, are a parcel of people, pretending to act by a power derived from certain persons, who have no power to grant; the governor has therefore done in this case nothing but his duty, in hindering, as far as in him lay, that pretended council of proprietors from acting illegally, which they have long done to the prejudice of her majesty's subjects. This is a truth I cannot doubt of, because, besides the other reasons I have to satisfy me in that point, you have voted my putting the records of the Eastern division into the hands of Peter Sonmans, to be a grievance; though Mr. Sonmans has qualified himself long ago; so that the council of proprietors not having qualified themselves at all, is a much greater grievance. By the queen's instructions to me, she is pleased to direct, that no person shall be capable of being elected a representative by the freeholders of either division, or afterwards sitting in general assembly, who shall not have one thousand acres of land, of an estate of freehold in his own right, within the division for which he shall be chosen; two gentlemen of the council informed me, that three persons, whose names they then mentioned, were not qualified; upon which I refused to take their attestations (for they were all Quakers), and in so doing, I did my duty. I recommended it to the assembly at that time, to proceed, in the first place, to inquire into that matter; but they did not think fit to do it, till they had sat about three weeks, and then they sent me a message, to desire those three members might be sworn, for they were satisfied they were qualified: I sent them word, that if they would communicate to me the proofs which had satisfied them, I should be ready to admit them; but that they would not do. In some few days the assembly was adjourned to meet at Burlington, where they met at the time appointed, and sent me

the same message as they had done before; I sent them the same answer; upon which they ordered the three members to produce to me the proofs of their qualifications; which having done, I admitted them immediately, which I could not do before, without breaking the queen's instructions; so that it was entirely through their own stubbornness that they were not admitted sooner, and no intent or desire of mine to keep them out. If I had had a mind to keep any members out of the house, I could have made objections which they could never have answered; but such practices are below me; and it is not true that I have made any violation of the liberties of the people, nor have assumed to myself a negative voice to the freeholders' election of representatives, as this house of representatives has lately most notoriously done. But of that more anon.

"Indeed the treatment I have met with from this house of representatives, is far different from what I and all reasonable men expected from most of them, thinking them endowed with reason and common justice to mankind; but it is not different from what I expected from Samuel Jenings and Lewis Morris, two men notoriously known always to have been disturbers of the quiet and peace of this province, men always possessed with passionate heats, and the transports of most vindictive tempers, but never capable of such serious resentments as would become a house of representatives, if there were any occasion given them to show any; how they have been able to prevail with the major part of the house to join with them, in destroying as far as in them lay, the reputation of a gentleman who has the honour to serve the queen as governor of this province, and is so far from deserving such treatment from them, that he has always done to the utmost of his power, for the good, welfare and prosperity of this province and people, and would have done much more if the assembly would have put it into his power, by preparing such bills as the governor at the beginning of every sessions has recommended to them, and the condition of the country required; but that they must answer for to God and their own consciences, and perhaps one day to me.

"Whether many considerable sums of money have been raised or not, I know not; and if they were raised, for what intent and purpose they were raised I know not; but this I know, that if any money was raised, it was not given to me, nor was ever any money offered to me to procure the dissolution of the first assembly, or to get clear of the proprietors' quit-rents, or to obtain such officers as the contributors should approve of, as is falsely alleged. The reasons why I dissolved the first assembly were evident to all mankind; for it was plain that house never intended to do any thing for the support of the queen's government, nor for the good of the country; and indeed better could not be expected from an assembly so corruptly chosen as that was; for some of the now remonstrancers, and some other people, prevailed with Thomas Gordon, then sheriff of the county of Middlesex, to refuse a poll when demanded; and when the people, injured by that practice, complained to the house of representatives, they had a day assigned them to be heard, but were limited to bring but twenty witnesses; the people attended at the day appointed, with the number of witnesses they were allowed to bring, but were then by the house refused to be heard, not only by themselves but by their council, and their witnesses refused to be examined; though at the same time they heard Thomas Gordon, who was complained against;

and did examine some witnesses on his behalf; upon which the petition of the complainants was dismissed, thereby supporting the illegal proceedings of the sheriff; this was a violation of the rights of the people with a vengeance, and a sufficient reason (if I had no other) for the dissolving that assembly, that the people might once more have a free choice of their representatives. As for getting clear of the proprietors' quit-rents, it is such an absurdity to mention, that nobody would be guilty of it but Samuel Jennings and Lewis Morris; for it is evident that at the beginning of every sessions I have recommended to the assembly, to prepare a bill or bills for settling the rights of the proprietors, which I suppose will be a full answer to that part; and as I know of no such men as contributors, so can I have no such application made to me. I have not knowingly put any mean or mercenary men into office; indeed, at my first coming into the government of this province, I desired the gentlemen of the council to recommend persons to me fit to be put into offices, military and civil; several of them gave me lists, and amongst the rest Mr. Lewis Morris gave me one, which I have still by me, in which, indeed, by experience I find there are some mean scandalous men; but I cannot accuse anybody else of doing the like. Thus much I thought myself obliged to say, in answer to your remonstrance, to satisfy the world of the falsehood of your allegations and the unreasonableness of your complaints. I have said the less in answer to the scandalous reflections you have cast upon me, because I do not doubt, but upon my most humble application to her most sacred majesty the queen, she will be graciously pleased to allow me to take such measures as may be most proper to procure me ample satisfaction, for the great and extravagant injuries you have done me. As for the advice you conclude with, I shall only say, that I can never answer the taking advice from men who do not know how to govern themselves, and who have always opposed the service of the queen, and the interest and good of the country, which are inseparable.

"Now, gentlemen, I shall take notice to you of some of your late unaccountable proceedings in this assembly, which I can't pass by without a breach of the trust reposed in me by her majesty; and first, I shall observe, that at the opening of the sessions, I recommended to you the settling a revenue, and the preparing several bills which I thought might be useful for the country; and I told you, that if you found any thing else necessary to be provided for by a law, you should always find me ready to agree to any thing that might be reasonable; but instead of proceeding upon those things so necessary, that they ought to have employed your first thoughts, you have squandered away your time in hawking after imaginary grievances, for the space of one whole month, without making one step towards the service of the queen, or the country; you have presumed to take the queen's subjects into the custody of the serjeant-at-arms, who are not members of your house, which you can't lawfully do, and is a notorious violation of the liberties of the people; you have taken upon you to administer an oath to one of your members, and have expelled him the house for refusing to take an oath, which you could not legally administer to him: this is most certainly robbing that member of his property, and a most notorious assuming to yourselves a negative voice to the freeholders' election of their representatives, for which there can be no precedent found. You

have arbitrarily taken upon you to command the high sheriff of this county, to discharge a prisoner who was in his custody, at the suit of one of the queen's subjects; and he has been weak enough to do it, for which he lies liable to be sued for an escape, whenever the gentleman thinks fit to do it, and from which you can't protect him: this is a notorious violation of the rights of the subjects, and a manifest interruption of justice. You have taken upon you to appoint one of your members to act as clerk of the committee of the whole house, which you have no power to do; and the party officiating is liable to be prosecuted for acting without lawful authority, and without being qualified to act. These, gentlemen, are some of the irregularities you have been guilty of this sessions; some of them are encroachments upon the queen's prerogative, the rest are all notorious infractions upon the liberties and properties of the people.

"I was going to conclude, with giving you some wholesome advice, but I consider that will be but labour lost, and therefore shall reserve it for persons who I hope will make a right use of it."

The Assembly's reply to Lord Cornbury's answer to their remonstrance.

The assembly did not immediately enter upon the consideration of a reply, having before them the treasurer, Peter Fauconier's accounts, in which they found many articles extraordinary in their nature, several of them being paid by the governor's, (Cornbury,) order only, and the whole without vouchers; they sent for the treasurer, who when he attended, refused to lay his vouchers before them without the governor's commands, whereupon two members were sent to the governor, to desire him to order the treasurer to lay the vouchers of his accounts, and the orders for the payment of the sums therein mentioned before them; the governor said he had already ordered it, though it was what he could not legally do, because the lord-high-treasurer had appointed an auditor-general for the province, and he not being in it, had deputed one to audit the accounts, and that the treasurer was accountable only to the lord-high-treasurer; but if the house was dissatisfied with any articles in the accounts, and thought proper to apply to him, he would satisfy them. This was not done; and the accounts, extraordinary as they were, remained unsettled till Hunter's administration several years after. Several bills of consequence were now also under consideration; but Lord Cornbury, apprehensive of the conduct of the house, adjourned it till the next September, to meet him at Amboy. In the October following they met accordingly, when the first thing concluded on, was a reply to the foregoing answer to their remonstrance; and the next, that they would raise no money till the governor consented to redress the grievances of the country, which if he did, they would raise 1,500*l.* for support of government for one year.

On the 28th, the house sent a committee to acquaint the governor, that having seen his answer to their remonstrance in print, they thought it proper to make a reply to it, and desired to know when he would admit them to wait on him with it: the governor said, he would return an answer in due time; they waited for his message till next day, and then concluding he intended to elude giving them an opportunity of presenting it, sent a committee with it, but he would not receive it; upon which they ordered it to be entered in their journal, as follows:

"May it please your excellency,

"We, the representatives of this her majesty's province of New Jersey, finding her majesty's subjects greatly, and as we are very well satisfied with good reason, aggrieved, thought we could not answer the trust reposed in us by our country, should we not endeavour to get those hardships removed under which they labour.

"It was needless to hunt after imaginary grievances, real ones in too great numbers presenting themselves; and though from you we have missed of obtaining that relief that the justice of our complaints entitled us to, yet we do not despair of being heard by her sacred majesty, at whose royal feet we shall in the humblest manner lay an account of our sufferings; and however contemptible we are, or are endeavoured to be made appear, we are persuaded her majesty will consider us as the representatives of the province of New Jersey, who must better know what are the grievances of the country they represent than a governor can do, who regularly ought to receive informations of that kind from them; and we do not doubt that glorious queen will make her subjects here as easy and happy as she can.

"When we told your excellency, we had reason to think some of our sufferings were very much owing to your excellency's long absence from this province, which rendered it very difficult to apply to your lordship in some cases that might need a present help, we spoke truth; and notwithstanding all your excellency has said of a month's or twelve weeks in a year, and the weekly going of a post; we cannot be persuaded to believe, that nine months and upwards in a year is not a long absence, especially when the seal of the province is carried and kept out of the government all that time; and the Honourable Colonel Ingoldsby, the lieutenant-governor, so far from doing right, that he declined doing any act of government at all; whether he governs himself by your excellency's directions or not, we cannot tell; but sure we are, that this province being as it were without government for above nine months in a year, we must still think it a great grievance, and not made less so by carrying the seal of the province to New York, and laying her majesty's subjects under a necessity of applying from the remotest part of this province, for three parts of the year and better, to your excellency at fort Ann, in New York, from which place most of the commissions and patents granted during your excellency's absence are dated (by what authority we shall not inquire), notwithstanding a lieutenant-governor resides in the province, and is by her majesty's commission empowered to execute the queen's letters patents, and the powers therein contained, during your excellency's absence from this province of New Jersey; without which powers given and duly executed, a lieutenant-governor is useless and an unnecessary charge; and we cannot think that her sacred majesty, who honoured that gentleman with so great a mark of her royal favour, as giving him a commission for lieutenant-governor of New Jersey, did at the same time inhibit him from executing the powers therein exprest.

"Things are sometimes best illustrated by their contraries; and perhaps the most effectual way to convince the world, that this complaint is frivolous and untrue, as by your excellency alleged, would be, for your excellency to bring the seal of the province of New York to Burlington, keep it there, and do all the acts of government relating to the province of New York, at Burlington, in New Jer-

sey, for above three-fourths of a year, and let the lieutenant-governor reside at New York during that time, without doing any act of government, adjourn their assemblies on the very day, or day before they are to meet, that they may not lose the advantage of travelling to New York, from the remotest part of that province, and at a time when it cannot be done without the utmost prejudice to their affairs; it's hardly probable they would be pleased under such an administration, notwithstanding the case of informing your excellency every week by the post, of any emergency that might happen.

"We are apt to believe, upon the credit of your excellency's assertion, that there may be a number of people in this province who will never be faithful to, or live quietly under any government, nor suffer their neighbours to enjoy any peace, quiet, or happiness, if they can help it; such people are pests in all governments, have ever been so in this, and we know of none who can lay a fairer claim to these characters than many of your excellency's favourites.

"What malice and revenge were in the prosecution of the condemned persons, we don't know; we never heard of any till now, and hardly can be persuaded to believe it's possible there should be in both the instances.

"It is not impossible, there might be malice in the prosecution of the woman who was condemned for poisoning her husband, there not being (as is said) plain proof of the fact, but it was proved she had attempted it before more than once; and there were so many other concurring circumstances as did induce the jury, who were of the neighbourhood (and well knew her character) to find her guilty, and it is hardly probable their so doing was an act of malice.

"The woman who murdered her own child, did it in such a manner, and so publicly, that it is unreasonable to suppose there could be any malice in the prosecution of her, and we cannot think (notwithstanding your excellency's assertions) that you can or may believe there was. This woman was a prisoner in the sheriff's custody for breach of the peace, and going about some of the household affairs the sheriff employed her in, with a knife in her hand, her child who was something froward, followed her crying; upon which the mother turned back to it and cut its throat; but not having cut it deep enough, the child still followed her all bloody, and crying, O! mother you have hurt me: the mother turned back a second time and cut it effectually, and then took it up and carried it to the sheriff or his wife, at whose feet she laid it. How far such a wretch is entitled to the queen's favour, her majesty can best tell when she is made acquainted with the fact; but sure we are, she never gave your excellency the power of pardoning wilful murder:—whether your excellency has or has not reprieved them, you best know, and are only accountable to her majesty for your procedures therein; though we have too much reason to believe, the favourable opinion your excellency has so publicly expressed of her, has been a great reason to induce her to make her escape, which she has done. We thought it our duty, humbly to represent that matter to your excellency's consideration, and had reason to be apprehensive of the judgments of Almighty God, whose infinite mercy has hitherto suspended the execution of his justice, notwithstanding that great provocations have been given him by impiety, profaneness, and debauchery, under the mask of a pretended zeal for his glory, and love for his church.

It is not our business to enter into religious controversies; we leave them to divines, who ought best to understand things of that nature, and who may perhaps inform us what is meant by denying the very essence of the Saviour of the world.

"We cannot yet be persuaded, that an innocent person should pay fees; what the practice in England is we did never inquire, but believe, that persons acquitted by a grand jury do not pay those extravagant fees they are made to pay here; we did not govern ourselves by the practice there, but the unreasonableness of the thing; and your excellency does grant, that what we say is in some measure to be allowed, were the juries in this country such as they ought to be; we hope they are, and our experience has not convinced us, that persons who under pretence of conscience refuse an oath, have yet no regard for the oaths they take, as your excellency says. The temptations to resentment prove often too powerful, and irresistibly engage us in unbecoming heats, and when the characters of men are written with pens too deeply dipt in gall, it only evinces a want of temper in the writer. Our juries here are not so learned or rich as perhaps they are in England; but we doubt not full as honest. We thought the only office for probate of wills was at Burlington, but your excellency has convinced us, that it is wherever your excellency is, and consequently may be at York, Albany, the east end of Long Island, or in Connecticut, or New England, or any place more remote should your excellency's business or inclination call you there, which is so far from making it less a grievance, that it rather makes it more so; and notwithstanding those soft, cool, and considerate terms of malicious, scandalous, and frivolous, with which your excellency vouchsafes to treat the assembly of this province, they are of opinion, that no judicious or impartial men will think it reasonable that the inhabitants of one province should go into another to have their wills proved, and take letters of administration at Fort Ann, from the governor of New York, for what should regularly be done by the governor of New Jersey in Jersey, to which place all the acts of government relating to New Jersey are limited by the queen's letters patents under the great seal of England; and when your excellency is absent from New Jersey, to be executed by the lieutenant-governor; and by the said letters patents not the least colour of authority is given to your excellency, to do any act of government relating to New Jersey, any where but in Jersey; nor is there any instruction (that we know of) contradicting the said letters patents any where upon record in this province, to warrant your excellency's conduct in that affair. If this be not cause, and just cause of complaint, we do not know what is; we are inclined to believe the province of New York would think it so, were they to come to Amboy or Burlington to prove wills, &c.

"We do not think, that what we desire is an invasion of the queen's right, but what her majesty, without infringement of her prerogative royal, may assent to; and their late majesties of blessed memory, did, by their governor Colonel Fletcher, assent to an act made in New York, in the year 1692, entitled, 'An act for the supervising intestates estates, and regulating the probate of wills, and granting letters of administration;' by which the court of common pleas in the remote counties of that province, were empowered to take the examination of witnesses to any will within their re-

spective counties, and certify the same to the secretary's office; and the judges of the several courts in those remote counties, empowered to grant probates of any will, or letters of administration, to any person or persons, where the estate did not exceed 50*l*.; what has been done there may with as much reason be done here, without sacrificing the queen's prerogative royal to the humours or caprices of any person or persons whatsoever.

"It is the general assembly of the province of New Jersey that complains, and not the quakers, with whose persons (considered as quakers) or meetings we have nothing to do, nor are we concerned in what your excellency says against them; they perhaps will think themselves obliged to vindicate their meetings from the aspersions which your excellency so liberally bestows upon them, and evince to the world how void of rashness and inconsideration your excellency's expressions are, and how becoming it is for the governor of a province to enter the lists of controversy, with a people who thought themselves entitled to his protection of them in the enjoyment of their religious liberties; those of them who are members of this house, have begged leave, in behalf of themselves and their friends, to tell the governor they must answer him in the words of Nehemiah to Sanballat, contained in the 8th verse of the 6th chapter of Nehemiah, viz., 'There is no such thing done as thou sayest, but thou feignest them out of thine own heart.'

"We are so well assured the fact is true, that the secretary's office is kept at Burlington only, that we still are of opinion it is a grievance for the reasons we have assigned; the proprietors' records have not any thing to do with the secretary's office, but is an office wholly belonging to the proprietors, and altogether at their disposal; and is not a secretary's office kept at Amboy, either as far as the nature of the thing requires or can admit of, or any way at all.

"And as the assemblies and courts sit alternately at Amboy and Burlington, so it is highly reasonable the secretary's office should be kept alternately also at both these places, or by deputy in one of them, and may be very well done without making two secretaries.

"Both this and the rest of our complaints are not with design to amuse the people, but are just and reasonable; and we believe will by the people be thought to be grievances till they are redressed; who can no more think it reasonable that all the inhabitants of the Eastern division should come to the office at Burlington, than that all of the Western division should go to Amboy.

"We are still of opinion, the grant we complain of is against the statute we mentioned, because it is exclusive of others, and to the prejudice of the public. It can never be thought reasonable to prohibit any body to cart their own goods, or any body's else, as by virtue of that grant has been done; and not only in the road from Amboy to Burlington, but in the road from Shrewsbury; and a patent may as well be granted to keep horses to hire, by which a man may be hindered to ride his own. It is destructive to the common rights of men, and a great grievance, and we had reason to endeavour to get it redressed.

"It is true, a certain convenience for transportation of goods is no doubt of great use, and the profit that accrues by such undertakings, is the motive that induces any persons to be at the charge of them, and providing fit carriages for that end, and of ascertaining the times and prices of carrying;

and the more providers of such carriages, the more certain and cheap the transportation, and freest from imposition; and consequently the fewer carriages, the less certain and dearer, and the persons under a necessity of using them more subject to be imposed upon by the carrier; now whether granting by which others are excluded, waving the unlawfulness of it, be a means to increase the number of the undertakers in that kind, or to lessen them, and confine those who have any occasion to transport goods, to give such price as he that has the patent thinks fit to impose, we leave to all men of common sense to judge; and if experience may be admitted to determine that matter, it is plain that transportation of goods, both by land and water, is dearer than it was before the granting of that patent. It is true, the certainty was not so great as now, for now we are certain that a man cannot with his own carts carry his own goods, but that if he does they will be seized; and if that be one of the conveniences which the wise people in Europe think of absolute necessity, we shall think it no irony to be called wiser in differing from them, and calling them monopolies as they are, and prejudicial to trade, and especially that between York and Amboy, Burlington and Philadelphia; which did not owe its beginning to your excellency's patent, but was begun long before your excellency had any thing to do with New Jersey, and in all probability had much more increased were it not for that patent; and we believe whenever the gentlemen of the law will give your excellency their true opinion of it, you will not be long in doubt whether it is a monopoly or not. We thought it a monopoly, as we do still, and a grievance, as is also both that and other grants made by your excellency at fort Ann in New York, for any thing in Jersey.

"Your excellency has neither by birth nor acquisition, a right to the sovereignty of New Jersey; nor have you any power of governing the queen's subjects here, but what her majesty is pleased to grant you by her letters patents, under the great seal of England; by which letters patents the powers therein contained, are limited to that country, which was formerly granted by King Charles II., under the name of Nova Caesaria or New Jersey, and which has since been subdivided by the proprietors, and called East New Jersey, and West New Jersey, and which her majesty is pleased to reunite under one entire government, viz. 'The divisions of East and West New Jersey, in America; and in case of your excellency's death, or absence from that country, which was subdivided by the proprietors, and called East New Jersey and West New Jersey, the powers of government are lodged in other hands.' Now either fort Ann and the city of New York, is in that country granted by King Charles II., and subdivided by the proprietors thereof, and called East New Jersey and West New Jersey; or your excellency is absent from New Jersey, when you are at fort Ann in New York; that fort Ann is in New Jersey, we believe, that even your excellency will think impracticable to persuade us to do so much violence to our reason as to believe; therefore your excellency when at fort Ann, or any where in New York, is absent from New Jersey; and what the consequence is we need not say, thinking the pretence of a power to do acts of government relating to New Jersey, at fort Ann, in New York, to be so manifestly absurd, as to need nothing further to be said against it.

"There is nothing more common in the statutes

than the establishing fees, and we are of opinion that all fees have been established by act of parliament; and indeed it seems to us unreasonable they should be established by any other authority; for if a governor, either with or without his council, can appoint what sums of money shall be paid for fees, he may make them large enough to defray the charge of government, without the formality of an act of assembly, to raise a revenue for the necessary support of the same; and if it does not come up to the taxing of the queen's subjects, without their consent in assembly, we are to seek what does.

"We cannot think the clause of your excellency's instructions, which we have recited, to be so foreign to the matter of fees, as your excellency says it is; for the enforcing the payment of fees by any authority but that of the assembly's, is taking away a man's goods otherwise than by established or known laws, except the act of a governor and council be a law, which we think is not, nor never intended by the queen it should; nor do we think, by the instructions your excellency mentions, you are to establish fees; but only to regulate those already appointed, and to take care that no exaction was used; but if it did, your excellency has convinced the world, that you do not think yourself bound by the queen's instructions, but where the law binds also.

"As in the case of Ormston, where nothing could be more positive than her majesty's directions; yet your excellency did not think yourself ministerial, or by not complying with her majesty's orders, that you accused the best of queens, with commanding her governor to do a thing which was not warranted by law; nor never inquired, whether the refusing obedience to her commands, was a fit return for the many favours she had bestowed upon you; but governed yourself in that singular instance as near as you could by the law. The seventh clause was not put in to arraign the queen's express commands to your excellency; but to complain of the great hardships her majesty's subjects lay under, by your excellency's putting the records there mentioned, into the hands of Peter Sonmans, who is not the proprietors' recorder, nor had no express command from the queen to put the books into his hands; and may in part answer the challenge made by your excellency in the last part of the next foregoing clause; for your excellency had commanded the said records to be put into the hand of Mr. Bass, the queen's secretary; upon which, application was made to her majesty, who was pleased to give an order in favour of the proprietors; and without all peradventure, it was intended they should be in the hands of the proprietors' recorder, which Mr. Thomas Gordon was at that time, and regularly is still, being constituted by the majority of the proprietors in the Eastern division, and by your excellency sworn. Mr. John Barclay was also by your excellency sworn, and a proclamation issued in his favour; since which Mr. Peter Sonmans arrived from England, and upon application to your excellency, was by your excellency admitted receiver-general of the quit-rents, and the proprietors' records by your excellency put into his hands; which, with submission, we think could not be done regularly by your excellency. For in the first place, they were constituted by the majority of the proprietors, whose servants they were, and to whom they were accountable, and to none else.

"2. These places were the properties of Mr. Thomas Gordon and Mr. John Barclay; and to deprive them of them, without due course of law, is what

your excellency has no authority to do, nor can aave.

"3. Whether they were made by the greater or lesser part of the proprietors, your excellency was no ways concerned, nor had any right of determining in the favour of either one or other, the law being open to any who thought themselves aggrieved.

"4. Those books and records were the properties of the general proprietors; and if your excellency can dispossess any proprietor of them (for Thomas Gordon was a proprietor), and put them into the hands of another, you may by the same rule dispossess any one of their goods, and give them to who you think fit, and any proprietor of their property, and give it to which of the proprietors you think fit, as is actually done by your excellency in the case of Sonmans; and was attempted with the same violence in favour of Mr. Bass. It will not be a sufficient answer to this, to say, Sonmans was proprietors' agent; which whether he was or was not, your excellency had no right to determine to any other purpose but administering an oath to him, after which he was of course to be allowed; and so ought as many agents as the proprietors made, who were not accountable to your excellency for any procedures in the proprietors' affairs, that were not unlawful.

"5. Sonmans neither had, nor pretended to have, at that time (whatever he has done since) any right or colour of right, to be the proprietors' recorder, not any mention being made of it in that very lame commission he had; and were he to have the top of his pretences, it would but to be deputy to a person in England; and whether he has a right or not, is a great question, and regularly only determinable at the common law; but your excellency's shorter method of procedure saves disputes of that kind. If this be acting according to established and known laws, not repugnant to, but as agreeable as may be, to the laws of England; if this be administering those laws for the preservation and protection of the people, we would be very gladly informed, what perverting of them can be; as to the matter of fact, we aver it to be truth, that Mr. Sonmans did not reside in the province, had not given security for the keeping of those records, as by the queen is positively directed, they were carried out of the Eastern division, and were produced at the supreme court at Burlington at the time of our complaint.

"Those things, and that gentleman's character, are so well known, that it is needless to offer any thing else in justification of that reasonable request we made, that they might be so kept as her majesty's subjects might have recourse to them, and in the hands of such of whose fidelity there is no reason to doubt.

"These, may it please your excellency, were the grievances we complained of; and they were but a small number of many we could with equal justice remonstrate; and which, notwithstanding those soft, cool, and considerate terms of false, scandalous, and malicious, and other bitter invectives which your excellency so often uses to the representative body of a country; we are still of opinion, they are not imaginary, but real grievances, not false, but God knows too true; and which it was our duty, in discharge of the trust reposed in us, to get redressed.

"Our sad experience has convinced us, that our endeavours have not met with a success answerable

to what might reasonably be our expectations and that instead of redressing the grievances of the country, their number is increased. Before we enumerated those grievances of a higher nature, and attended with worse consequences, we first said, the treatment the people of New Jersey had received, was very different from what they had reason to expect under the government of a queen deservedly famous for her just, equal and mild administration; that the hardships they endured, were not owing to her majesty, who they were well assured, would by no means make any of her subjects miserable, nor continue their misfortunes were she acquainted with them, and in her power to give them relief; but that the oppressions they groaned under, were the unkind effects of mistaken power; and what these effects were, and who the cause of them, we proceeded to show; and if the instances we there give be true, it will then appear to the world, that the expressions we have used are the softest could be chosen, and very far short of what the nature of the thing could bear, and that these bold accusers are a sort of creatures called honest men, just to the trust reposed in them by the country, who will not suffer their liberties and properties to be torn from them by any man, how great soever, if they can hinder it.

"And that the reasonableness of our complaints may appear the plainer, we shall consider what your excellency has said in answer, and leave it to our superiors, and to all just and impartial men, whether we are not a people the most abused of any of her majesty's subjects.

"As to the first instance, your excellency does acknowledge the fact to be true, and offers the following reasons to justify your conduct to the council of proprietors. The first is, that by her majesty's directions you are to allow of all such agents as the general proprietors shall appoint, such agents qualifying themselves by taking such oaths as the queen is pleased to direct, and no other; that no persons under the name of a council of proprietors, have ever tendered themselves to take such oaths; consequently they are not capable of acting as agents.

"2. That the council of proprietors are a people pretending to act by a power derived from certain persons who have no power to grant, and that this is a truth, viz. that they are a people pretending to act by a power derived from certain persons, who had no power to grant, your excellency is satisfied; besides other reasons, by this in particular, that the assembly have voted to put the records into the hands of Peter Sonmans, to be a grievance; whereas their not qualifying themselves is a greater grievance. To set this matter in a true light, it will not be improper to produce the words of the instructions, which are as follows: "You are to permit the surveyors and other persons appointed by the before-mentioned general proprietors of the soil of that province, for surveying and recording the surveys of lands granted by and held of them, to execute accordingly their respective trusts. And you are likewise to permit, and if need be, to aid and assist such other agent or agents, as shall be appointed by the said proprietors for that end, to collect and receive the quit-rents, which are or shall be due unto them, from the particular possessor of any tracts or parcel of land from time to time; provided always, that such surveyors, agents, or other officers appointed by the said general proprietors, do not only take proper oaths for the due

execution and performance of their respective offices and employments, and give good and sufficient security for their so doing; but that they likewise take the oaths appointed by act of parliament to be taken instead of the oaths of allegiance and supremacy; as also the test, and subscribe the before-mentioned association; all which you are accordingly to require of them, and not otherwise to admit any person into any such office or employment.' After the proprietors had surrendered their power of government, relating to their soil, they were under a necessity of employing persons to survey and record the surveys of lands granted by and held of them; and in the Eastern division, several quit-rents being due to them, there was a necessity of having one or more agents to collect and receive those rents; which persons (because the crown intended that the proprietors by the surrender of their government, should by no means be insecure in their properties) your excellency was directed not only to permit such officers to be and execute their respective trusts, but also to aid and assist them, if need were; and because such offices were places of trust, both with respect to the proprietors and the inhabitants, it was directed, that they should take proper oaths, and give good and sufficient security; and that they who enjoyed those places of trust, might be persons well affected to the present government, there was especial care taken, to direct, that they should take the oaths appointed by act of parliament to be taken, which your excellency was to require of them, and not otherwise to admit them to execute those trusts. From all which we observe, first, that no agents are concerned in that instruction, but such as were to survey and record the surveys of lands, and collect the quit-rents.

"2. That the proprietors were not limited to employ a certain number of agents, but might employ as many as they thought fit; all which your excellency was to aid and assist if need were.

"3. Your excellency was not to expect while they tendered themselves to take the oaths appointed, but to require them to take them, and upon their refusal, not to admit them; for it was impossible they, or any else, should deem themselves bound by the queen's instructions to certain performances, except such instructions had been made public, and they made acquainted with it.

"Now, in the first place, your excellency never published any such instruction, nor ever did require those agents, called the council of proprietors, to comply with it by taking any oaths.

"2. The council of proprietors are not such agents as the instructions mention.

"3. Were that instruction binding, your excellency has by no means complied with it; for the surveyor appointed by the proprietors of the Western division, has several times tendered himself to take and subscribe according to her majesty's directions, and has been refused.

"4. Mr. Sonmans, though a bankrupt, and his powers disputed, was admitted to keep the records of the Eastern division, and that without any security; and persons who were sworn to those places, and employed by proprietors, and a greater number, not only not permitted to act, but deprived of their places (with which your lordship had nothing to do) without a due course of law, forcibly by your lordship's directions.

"Lastly, the council of proprietors are attorneys to private men, for the taking care of their several properties, and are neither concerned in that in-

struction, nor bound by it; if they were, we shall not dispute how far that instruction may be a law to your lordship, but we are sure it is so to nobody else, but where the laws of the land bind without it; and if so, it is no sufficient warrant to destroy any man's property, or deprive him of the use of it, without the judgment of his peers; for your lordship cannot but know—if you do not, the last clause of the petition of right will tell you—that the queen's servants are to serve her according to law, and not otherwise; and every gentleman of the law can inform your excellency, if he pleased, that the queen's authority or warrant produced (if you had done any such thing) cannot justify the commission of an unlawful act, which this certainly must be, except the law provides that no man must make an attorney but with your lordship's approbation. As to the second reason, to use your excellency's expressions, if we could wonder at any thing your excellency has done, it would be at the reason your excellency gives, as much as at the action; it being a plain pretending to a right of judging solely who have a right to their estates, and who not, and according to that judgment to permit them to retain or force them to part with their possessions; for in the first place, that matter was never brought before your lordship, and what information you had (if you had any) was private; and we are told no freeman can be dispossessed of his freehold but by judgment of his peers, or the law of the land; but here is at once a determination that a number of proprietors, nine or above nine-tenths of the whole, have no right to grant, and accordingly they are prohibited taking up or disposing of their lands; for the council of proprietors are all proprietors themselves, except Mr. Morris their president; and we can't see but any freeman, or number of freemen, in the province, may be dispossessed by the same measures; for it is but your lordship's saying, the persons they had their lands from had no right to grant, and then order the possessors to make no further improvements, nor to dispose of any of their lands, and thus conclude them without the tedious formality of the old magna charta way: and who is hardly enough to dispute with a man that commands two provinces?

"2. What your excellency asserts, with relation to the council of proprietors, viz., that they were persons deriving a power from those who had no right to grant, is what your excellency neither did nor could know; that you did not know it, nothing is more plain; because your excellency, some days after your lordship's answer to our remonstrance, summoned some of the council of proprietors before yourself in council, and there asked them the following questions: viz., First, who the late council of proprietors were? Secondly, who were the present council of proprietors? Thirdly, who they derived their powers from? Fourthly, what their powers were? By which it appears, your excellency neither knew who the council of proprietors were, what their powers were, nor who they derived them from; which is very far from knowing whether the persons who gave them those powers had power to grant or not; and that your excellency could not know is as plain; because the deeds of what proprietors are in this country you never did see; and those that are in England you could not see.

"How your excellency is, from our voting the putting the records into Mr. Sonman's hands to be a grievance, satisfied that the persons from whom the council of proprietors derive their power have

no power to grant, is very much beyond our poor capacities to understand, and may perhaps be of the number of those unanswerable objections your lordship tells us of in your answer. To the next clause, your lordship justifies your proceedings with the assembly-men as being your duty, and that what you did was by virtue of the queen's instructions: how far they will justify your excellency's conduct is our next business to speak to; but in the first place we are obliged to your excellency for acknowledging the matter of fact, which, though notoriously known, was omitted to be entered in the journals of this house, by your excellency's faithful servant, Mr. William Anderson, late clerk of this house.

"By the queen's instructions, not the least colour of authority is given to your excellency to be a judge of the qualifications of assembly-men, so as to admit or reject them; which is not only a direct contradiction to the very nature and being of assemblies, but must render the liberties, lives, and properties of the people entirely at your excellency's disposal, which, as her majesty never intended, so without doubt she never did intend by any instruction to make so precarious; and how well she'll be pleased at wresting her instructions to authorize what we are well satisfied she will be very far from countenancing, time may inform us. This house could not be so much wanting to themselves, and the province they represent, as to omit taking notice of a procedure, which tends to destroy the very being of assemblies, by rendering them the tools of a governor's arbitrary pleasure, and the enemies instead of the preservers of the liberties of their country; and we are well assured that nothing your excellency has said, will persuade the world to believe, that your excellency or any other governor has that power you pretend to, or that it can be consistent with the liberties of a free people.

"That there were considerable sums of money raised; that most of them were raised with intent and purpose to give to your lordship, to procure the dissolution of the last assembly, and procure such officers as the contributors should approve of; that in all probability the money so raised was given to your lordship; that the assembly was dissolved; that the contributors were complied with as far as could be; that you did receive from Doctor John Johnston 200*l*. upon the score of the proprietors of the Eastern division of New Jersey, are such notorious truths, that it is a vanity to deny them, and will be believed notwithstanding all the force of evasive arts to persuade to the contrary. And since we have mentioned Doctor Johnston, it is not amiss to inquire whether the services you were to do the proprietors were such as your lordship ought, or ought not to have done; if they were such as you ought to have done, you ought not to have taken money for the doing of them; if they were such as you ought not to have done, much less ought your lordship to have taken money; and had you not been more than ordinarily concerned in those private contributions, without all peradventure would have used all possible endeavours to have detected the thing, and not given those public marks of your favour to the persons most concerned in the persuading and procuring of them.

"As to what relates to the assembly, as your lordship is not accountable to this house for what reasons you dissolved them, neither is this house to your lordship for their proceedings; they acted as became a house of representatives in the affair of Mr. Gordon, and what they did was not without

your lordship's approbation; if that could add any thing to the power they had. As to your excellency's reflections on private men, it is below the representative body of a province to take any further notice of them, than to do that justice to the two worthy members of this house, as to say, they both have and deserve better characters than your excellency gives them; and that the humblest application you can make to her majesty will never induce her to grant you a power to use any means to procure a satisfaction but what the laws allow of. without such application: we concluded by acquainting your excellency, that the way to engage the affections of a people, was to let them be unmolested in the quiet enjoyment of those things which belong to them of right, and should have dated our happiness from your excellency's complying with so reasonable and just a desire; to which your excellency replied, that you could never answer taking advice from men who did not know how to govern themselves, and who have always opposed the service of the queen, and interest and good of their country. We shall wave the admirable coolness of temper, and considerateness of the reflection, and say, your excellency could hardly have used plainer terms, to tell us you will not let us be quiet in the enjoyment of what belongs to us of right; and your excellency's proceedings since that, has effectually convinced the world that we have not put a wrong construction on your excellency's expressions.

"Are not her majesty's loyal subjects hauled to gaols, and there lie without being admitted to bail? and those that are the conditions of their recognisances are, that if your excellency approves not of their being bailed they shall return to their prisons; several of her majesty's good subjects forced to abscond and leave their habitations, being threatened with imprisonment, and no hopes of receiving the benefit of the law; when your excellency's absolute will is the sole measure of it. One minister of the church of England, dragged by a sheriff from Burlington to Amboy, and there kept in custody, without assigning any reason for it, and at last hauled by force into a boat by your excellency, and transported like a malefactor, into another government, and there kept in a garrison a prisoner, and no reason assigned for these violent procedures, but your excellency's pleasure. Another minister of the church of England, laid under a necessity of leaving the province, from the reasonable apprehensions of meeting with the same treatment; no orders of men either sacred or civil, secure in their lives, their liberties, or estates; and where these procedures will end, God only knows.

"If these, and what we have named before, be acts of mercy, gentleness, and good nature; if this be doing for the good, welfare, and prosperity of the people of this province; if this be the administering laws for the protection and preservation of her majesty's subjects, then have we been the most mistaken men in the world, and have had the falsest notion of things; calling that cruelty, oppression, and injustice, which are their direct opposites, and those things slavery, imprisonment, and hardships, which are freedom, liberty, and ease; and must henceforth take France, Denmark, the Muscovian, Ottoman and Eastern empires, to be the best models of a gentle and happy government.

"Your excellency at last endeavours to persuade the country, that the assembly instead of protecting are invading the liberties of the people; and if we might have the liberty of using some of your excel-

lency's cool and considerate terms, perhaps the following instances might justify those expressions; but we leave that to just and impartial men, who no doubt will apply them where they are most due.

"Your excellency asserts in the first place, 'you have presumed to take the queen's subjects into the custody of the serjeant-at-arms, who are not members of your house, which you can't lawfully do, and is a notorious violation of the liberties of the people.' Answer: There is nothing more known, than that the contrary to what your excellency says is true, and hardly a session of parliament but affords multitudes of instances, nay, several instances can be produced during the time of your excellency's being in the house of commons; and what your excellency means by asserting a thing which every body that knows any thing knows is not so, we can't tell.

"Secondly, 'You have taken upon you to administer an oath to one of your members, and have expelled him from the house for refusing to take an oath which you could not legally administer to him; this is most certainly robbing that member of his property, and a most notorious assuming to yourselves a negative voice to the freeholders' election of their representatives, for which there can be no precedent found.' Answer: We never did administer an oath (though we think we have power so to do); what oaths were administered were administered by justices of the peace before us; we expelled that member for several contempts, for which we are not accountable to your excellency, nor nobody else in this province: we might lawfully expel him, and if we had so thought fit, might have rendered him incapable of ever sitting in this house; and of this many precedents may be produced. We are the freeholders' representatives: and how it's possible we should assume a negative voice at the election of ourselves, is what wants a little explanation to make it intelligible.

"Thirdly, 'You have arbitrarily taken upon you to command the high-sheriff of this county, to discharge a prisoner who was in his custody at the suit of one of the queen's subjects; and he has been weak enough to do it, for which he lies liable to be sued for an escape whenever the gentleman thinks fit to do it, and from which you can't protect him; this is a notorious violation of the right of the subject, and a manifest interruption of justice.' Answer: The person we ordered to be discharged, was an evidence attending by order of the house, and under the protection of this house; who were only wanting to themselves in not sending the high-sheriff and lawyers to the same place, for daring to offer so public an affront to the representative body of a country.

"Fourthly, 'You have taken upon you to appoint one of your members to act as clerk of the committee of the whole house, which you have no power to do, &c.' Answer: Your excellency has been so very much mistaken in all the foregoing clauses, that we have great reason to believe you are so in this. This house has always till of late made their own clerks, and your excellency cannot show us any law why we may not do it still, should we think fit to insist on it. We have made no encroachments on her majesty's prerogative royal, nor never intended to do it, but shall to our utmost study to preserve it, and honourably support her government over us, and hope your excellency will think it for the service of the queen to comply with our reasonable desires; which will very much encourage us so to do.

"Divers of the members of this assembly being of the people called Quakers, do assent to the matter and substance, but make some exception to the style.

"By order of the house,
"P. M. Die Veneris, "SAMUEL JENINGS,
24 Octobris, 1707. "Speaker."

Memorial of the West Jersey proprietors residing in England, to the lords commissioners for trade and plantations—The lieutenant-governor, with some of the council, address the queen—The last meeting of assembly under Cornbury's administration—They continue their complaints—Samuel Jenings' death and character.

It being necessary to narrate the foregoing proceedings together, the following memorial has been deferred a little out of course as to strict order of time. The western proprietors residing in England had much resented Lord Cornbury's treatment of the inhabitants, especially in relation to the three members being kept out of the assembly, by which he gained a majority devoted to his measures; and thus they complain.

"To the right honourable the lords commissioners for trade and plantations.

"The humble memorial of the proprietors of the Western division of the province of New Jersey, in America.

"We humbly acknowledge your lordships' great justice, in making the terms of our surrender of government part of the Lord Cornbury's instructions relating to the said province, and heartily wish his excellency had given us occasion of acknowledging his due observation of the instruction, instead of troubling your lordships with a complaint of his breach of them, which we are fully assured, from undoubted testimonies, his excellency has made in the following instances: and though he endeavours to palliate his proceedings there, by frequently and publicly asserting, that your lordships consented to no terms upon our surrender; yet were that as great a truth as it is a mistake, and those instructions had been only of grace and favour, we conceive him to be obliged, and ourselves entitled to his punctual observation of them.

"It is one of the terms consented to by your lordships, and one of his excellency's instructions from your lordships, that the general assembly shall consist of four-and-twenty representatives; two to be chosen by the inhabitants, householders of the city or town of Perth Amboy; two by the inhabitants, householders of the city or town of Burlington; ten to be chosen by the freeholders of the Eastern, and ten by the freeholders of the Western division; in which election, every elector is to have one hundred acres of freehold land in his own right, within the division for which he shall choose; and every person elected is to have one thousand acres of freehold land in his own right, within the division for which he shall be chosen.

"This instruction, which we relied on as the chief security of our estates in that province, his excellency has not only violated, but has totally destroyed that part of our constitution; and in such a manner as will render all assemblies a mere piece of formality, and only the tools of a governor's arbitrary pleasure.

"For setting which proceeding in a due light, we must crave leave to lay before your lordships the account we have received of it from our agent, and other reputable persons of that province.

"An assembly having been called and chosen, in

the year 1703, pursuant to your lordships' instructions, prepared bills for settling the rights of the proprietors and planters, and for raising a revenue of thirteen hundred pounds per annum, for three years (which they knew was the utmost the country could bear), for the support of the government; but his excellency requiring a greater sum, several persons, our constant enemies and invaders of our properties, and who therefore opposed the bill for settling our rights, undertook to procure an assembly more obedient to his excellency's demands; and by that and other arguments, which, out of regard to his honour, we choose to wave the mention of, prevailed upon him to dissolve that assembly, and to call another to sit in November last; the writs were issued, and the election directed to be made, in such haste, that in one of the writs the qualification of the persons to be elected was omitted, and the sheriff of one county not sworn till three days before the election, and many of the towns had not any (much less due) notice of the day of election; but passing by these, and many other illegal artifices used by those undertakers, to obtain an assembly to their own humour, we shall insist only upon one grand instance, which is not to be paralleled in any of her majesty's plantations, and could not have been attempted without his excellency's encouragement, nor put in practice without his concurrence.

"When this assembly was met, and attended his excellency in council, in order to be sworn, Mr. Revell and Mr. Leeds (two of the governor's council, and of the undertakers to procure such an assembly as they had promised), suspecting the strength of their party, objected against three of the members returned, as persons not having each one thousand acres of land, and therefore unqualified to serve in the assembly; though these persons had such estates in land, and were generally known to have so, and at the time of their election had convinced Revell and Leeds, who opposed them under that pretence, of the truth of it; and this objection was not examinable or determinable by his excellency or his council, or otherwise than in the house of representatives, who are the only proper judges of their own members; yet his excellency, upon this bare suggestion of Revell and Leeds, refused to swear these members, and excluded them from sitting to serve their country; this attempt was seconded by another trick of Revell and Leeds, who immediately sent the following note to the house of representatives.

"To the honourable the house of representatives.

"Gentlemen,—We underwritten, supposing we had good reason to charge three of the persons returned to serve as representatives in this general assembly; but upon due consideration find it difficult to come to a true determination thereof, until we can by further inquiry find the truth of what we have been informed of; we therefore humbly desire fourteen days time further, that we may be able more fully to inform this house therein, which we humbly suppose at present cannot reasonably be expected from us; we subscribe ourselves your humble supplicants,

THOMAS REVELL,
DANIEL LEEDS."

"Nov. 15, 1704.

"The counties for which they were chosen to serve, expressed a great dissatisfaction at the exclusion of their members; and these and several other representatives delivered an address to his excellency, for having them admitted to their right; which met with no other reception, than being

called a piece of insolence and ill manners.

"By this exclusion of three members, and the contempt of the address for their admission, the undertakers gained a majority by one in the house of representatives, who adjourned the hearing of this case, until they had reaped the fruits of their iniquity, and accomplished the ends for which it was contrived; for whilst this case was depending, a bill for taking away the qualifications of electors and the elected, and placing the right of choosing and being chosen in the freeholders generally, without any express value of their estates, was prepared and passed, wherein there is this remarkable and self-condemning declaration of his excellency's proceedings, viz. that representatives met in general assembly are and shall be the judges of the qualifications of their own members.

"After this and one other act, which we shall hereafter take notice of in its proper place, were passed, a day of hearing was allowed to the three excluded members, and notice of it given to Revell and Leeds, who would not vouchsafe to appear; but having already obtained their ends, graciously signified by a message, their mistake in their objection to those members.

"The house proceeded in the inquiry, and by deeds and other authentic proofs, was so fully satisfied of the estates of the excluded members, and that Revell and Leeds had been convinced thereof, at the time of their elections, that the house unanimously declared them duly qualified, and sent two of their body to acquaint his excellency of it, and to pray they might be sworn; but his excellency, whether out of a desire of assuming the glory of his arbitrary proceeding wholly to himself, or of making the country sensible that notwithstanding the act so lately passed, declaring the house judges of their own members; he was resolved to exercise that power for the future; or for what other reason we know not,—told those messengers he must be satisfied of their qualifications, as well as the house; and still keeps them out of the assembly.

"This we conceive to be the assuming a negative voice to the freeholders' election of their representatives; and such an invasion of the rights of the assembly, as will, if tolerated or connived at, place the whole legislature in the governor; for if he can, at his pleasure, reject three representatives, he may reject all, and make what laws he thinks fit without the formality of an assembly; but if this notorious violation of our constitution had not been made by him, and the assembly had consisted of its full proportion of duly elected members, we conceive, and are advised, that his excellency had no authority, nor any probable colour from his instructions for passing this act; for though the instruction relating to the election of general assemblies, allows an alteration by act of assembly, of the number of the representatives, and the manner of their being elected, it leaves no power to the general assembly to alter the qualifications of the electors or elected; which was intended to be a standing and unalterable part of the constitution, as most agreeable to the constitution of England, where the electors of knights of the counties must have a certain fixed freehold; and the elected are generally the principal landed men of their respective counties; but the alteration now made was intended to put the election representatives into the hands of the meanest of the people, who being impatient of any superiors, will never fail to choose such from amongst themselves as may oppress us, and destroy our rights

"It is another term of our surrender, and an instruction to his excellency, that no act should be made to lay a tax upon unprofitable lands; but his excellency has encouraged and assented to a bill in this last assembly, for taxing (without distinction) all lands belonging to the inhabitants there, and to all others not inhabiting there who have settled any plantations, either by tenants, servants, or negroes; it is objection enough to this act, that there is no other colony in America wherein uncultivated lands are taxed; and as this act was intended, so none more effectual could have been contrived to prejudice the country in general, or the proprietors in particular; for if any man has a thousand or more acres of land, which he can neither manure nor sell (as most of the first planters have), he must pay a tax for this land which may eat up the greatest part of the profit of what he can and does cultivate, or he must desert the whole; and if we, who have great tracts of land of many thousand acres to sell, let or settle but a few acres to maintain our agents or servants, we must pay a tax for all the residue, which yields us nothing. In consequence of this act several persons who had agreed with our agent for lands, have renounced their bargains, and removed into other countries, where they can purchase great tracts of land, and preserve them for their posterity to settle on; and we, unless relieved from this oppression, must deliver up our lands or our purses. This tax is imposed by the act passed in the assembly for raising a revenue of 2,000*l.* per annum, for two years, for the support of her majesty's government within that province; and we have great reason to believe it to be part of the return promised by the undertakers to his excellency, for his dissolving the former assembly, and curtailing the last of three members.

"It is another term of our surrender, and an instruction to his excellency, that the surveyors and other persons appointed by us, for surveying and recording the surveys of land granted and sold by us, shall be permitted to execute their trusts; but his excellency has taken upon him, even contrary to the advice of his council, to appoint fees for patenting lands, which has created an opinion in the people, that the power of granting lands is in him, has lessened the credit of our title to lands, and encouraged the planters to dispute our right.

"His excellency has ordered all public books, records and papers, to be delivered by our late secretary to Mr. Bass, our great debtor, and therefore our avowed enemy, and has carried our records of deeds and conveyances out of the province; by this method the proprietors of both the divisions are deprived of all means to justify their past administration of the evidences of their grants of lands to the purchasers under them (all the surveys and patents being recorded in those books), and will destroy the office of our register, or at least will disable him to perform his duty in some cases; which by acts of general assembly he is obliged to do.

"It is a further term of our surrender, and instructions to his excellency, that all officers be appointed by advice of the council; but his excellency has constituted several officers without such advice, and particularly a sheriff of Burlington, who was therefore suspended by order of council, and yet continued to act under his lordship's appointment.

"We are further informed, that his excellency hath put several mean and contemptible persons into the commission of the peace, particularly one ***** whom he knew to be under prosecution for

felony; and has given commissions in the militia to others, who have no estate in the province, and therefore are not like to be zealous in the defence of it.

"It is matter of some wonder to us, that after so many acts of despotic power, his excellency did not assume to himself, or obtain from the last assembly, an authority of licencing any persons to purchase lands from the Indians, but condescends to apply to your lordships for an alteration of his instructions in that particular; there wants only the breach of this instruction to complete the ruin of our interests in New Jersey, and we humbly hope your lordships will not enable him to give that finishing stroke. This instruction, founded upon the right which the crown of England claims by the law of nations to all countries discovered by English subjects, was intended to assert that right against the pretences of many planters, who set up the Indians' title in competition with it; and if that right be taken from the grantees of the crown, all patents and grants o. the whole main land of North America, have been only royal frauds under the sanction of the great seal of England, and no man will ever after purchase lands under that title.

"His excellency was lately so fully satisfied of the policy and reasonableness of asserting this right to the crown and its grantees, that in the year 1703 he recommended and assented to an act of assembly, for restraining all persons besides the proprietors from purchasing lands from the Indians under great penalties, and for vacating all such purchases formerly made, unless the purchasers took a fresh grant from the proprietors; of which act we humbly pray your lordships' perusal.

"We are purchasers for ready money, under a grant from King Charles II., and are willing to sell our lands and the Indians' title to it at reasonable rates, according to the goodness of the soil and situation, and ought not to be compelled to accept a quit-rent (much less a quit-rent to be let by other persons than ourselves, as his excellency proposes) instead of selling for ready money; nor ought our properties to be at the disposal of a governor. It is not the want of a power in the planters to purchase lands from the Indians, but the taxing of uncultivated lands, and overturning the constitution for assembly-men, that has occasioned those persons mentioned by his excellency, to remove to Pennsylvania and other colonies.

"May it please your lordships;

"The usage we have received from his excellency is so contrary to the terms of our surrender of government, to the assurances we had from your lordships of the due observance of them, and to the plain instructions given by your lordships to his excellency; that we humbly hope it will not be thought any immodesty or want of duty in us, to protest, as we do protest, against all the proceedings of the last assembly, wherein by the arbitrary exclusion of three members without any just exception, the country was not duly represented, and to beg your lordships' intercession with her majesty, that the acts passed in that assembly may not be confirmed by her royal assent.

"We further pray, that Colonel Lewis Morris, who has been a second time suspended from his place in council, by his excellency, only for using the freedom which every member of the council is entitled to, and ought to exercise, of opposing any bill brought before them, if he conceives it prejudicial to the interest either of the country in general, or of any particular persons, may be restored; and

that your lordships will please to place in the room of such as are dead, some of the persons following, viz., Mr. Miles Foster, Mr. Richard Townley, Mr. Hugh Huddy, Mr. William Hall, and Mr. John Harrison, who are men of known integrity and estates; and as a further security of our estates there, and that no persons may at any time be admitted of the governor's council, or to be in the commission of the peace, or of the militia, but such who have real estates in the province suitable to their stations, and who reside there.

"Signed by Thomas Lane, Paul Dominique, John Bridges, Robert Mitchel, Thomas Burrow, Francis Mitchel, Eben. Jones, Joseph Broosbank, John Norton, J. Bennet, E. Richier, Tho. Skinner, Richard Greenaway, Joseph Collins, Cha. Mitchel, Joseph Micklethwait, Tho. Lewes, Wm. Snelling."

Two days after Lord Cornbury had refused to receive the assembly's reply, he sent for them; and though several important bills were unfinished, adjourned the house to the spring next year. Not receiving the reply in form, he escaped the necessity of attempting to clear up what he could not do with justice or equity. As very glaring facts confirmed the truth of the charges against him, he thought the most effectual way of avoiding them was, to lodge a complaint with the queen; accordingly his adherent the lieutenant-governor Ingoldsby, with some of the council, signed and privately transmitted an address as follows.

"To the queen's most excellent majesty.

"The humble address of the lieutenant-governor and council of Nova Cæsaria or New Jersey, in America.

"May it please your majesty;

"We the lieutenant-governor and council of your majesty's province of Nova Cæsaria or New Jersey, having seriously and deliberately taken into consideration the proceedings of the present assembly or representative body of this province, thought ourselves bound, both in duty and conscience, to testify to your majesty, our dislike and abhorrence of the same; being very sensible, that the unaccountable humours and pernicious designs of some particular men, have put them upon so many irregularities, with intention only to occasion divisions and distractions, to the disturbance of the great and weighty affairs which both your majesty's honour and dignity, as well as the peace and welfare of the country, required. Their high encroachments upon your majesty's prerogative royal; notorious violations of the rights and liberties of the subjects; manifest interruptions of justice, and most unmannerly treatment of his excellency the Lord Cornbury, would have induced us sooner to have discharged our duty to your majesty, in giving a full representation of the unhappy circumstances of this your majesty's province and government; had we not been in hopes that his excellency the Lord Cornbury's full and ample answer to a most scandalous libel, called the remonstrance of the assembly of Nova Cæsaria or New Jersey, which was delivered to the governor by the assembly at Burlington in May last, would have opened the eyes of the assembly, and brought them back to their reason and duty; but finding that those few turbulent and uneasy spirits in the assembly have still been able to influence and amuse the judgments of many well-meaning men in that body, as appears by another late scandalous and infamous libel, called, 'The reply of the house of representatives of the province of New Jersey,

to an answer made by his excellency Edward Viscount Cornbury, governor of the said province, to the humble remonstrance of the aforesaid house: We are now obliged humbly to represent to your majesty the true cause, which we conceive may lead to the remedy of these confusions.

"The first is owing to the turbulent, factious, uneasy, and disloyal principles of two men in that assembly, Mr. Lewis Morris, and Samuel Jennings, a quaker; men notoriously known to be uneasy under all government; men never known to be consistent with themselves; men to whom all the factions and confusions in the government of New Jersey and Pennsylvania for many years are wholly owing; men that have had the confidence to declare in open council, that your majesty's instructions to your governors in these provinces shall not oblige or bind them, nor will they be concluded by them, further than they are warranted by the law, of which also they will be the judges; and this is done by them (as we have all the reason in the world to believe) to encourage not only this government, but also the rest of your governments in America, to throw off your majesty's royal prerogative, and consequently to involve all your dominions in this part of the world, and the honest, good and well-meaning people in them, in confusion, hoping thereby to obtain their wicked purposes.

"The remedy for all these evils, we most humbly propose, is, that your majesty will most graciously please to discountenance those wicked designing men, and show some dislike to this assembly's proceedings, who are resolved neither to support this your majesty's government by a revenue, nor take care to defend it by settling a militia. The last libel, called 'the reply, &c.' came out so suddenly, that as yet we have not had time to answer it in all its particulars; but do assure your majesty it is for the most part false in fact, and that part of it which carries any face of truth, they have been malicious and unjust in not mentioning the whole truth; which would have fully justified my Lord Cornbury's just conduct.

"Thus, having discharged this part of our duty, which we thought at present incumbent upon us, we beg leave to assure your majesty, that whenever we shall see the people of this province labour under any thing like a grievance, we shall, according to our duty, immediately apply to the governor, with our best advice for the redress of it; and we have no reason yet to doubt of a ready compliance in him; we shall not be particular, but crave leave to refer to his excellency's representation of them to the right honourable the lords commissioners for trade and plantations.

"The strenuous asserting of your majesty's prerogative royal, and vindicating the honour of your governor the Lord Cornbury, will, in our humble opinion, be so absolutely necessary at this juncture, that without your so doing, your majesty will find yourself deceived either in expectation of a revenue for support of the government, or militia for its defence.

"In hopes your majesty will take these important things into your consideration, and his excellency the Lord Cornbury, with all the members of your majesty's council, into your royal favour and protection; we shall conclude with our most fervent prayers to the Most High, to lengthen your days, and increase your glories; and that ourselves in particular, and all others in general, who reap the benefit of your majesty's most gentle and happy

government, may be, and ever continue the most loyal and dutiful of subjects to the most glorious and best of queens.

"Richard Ingoldsby, William Pinhorne, R. Mompeson, Thomas Revell, Daniel Leeds, Daniel Coxe, Richard Townley, Robert Quarry, William Sandford."

On the 5th of May, 1708, the assembly met at Burlington. Jennings their speaker being indisposed, Thomas Gordon was chosen to succeed him. They received the speech; and delivered their address the 12th; which containing the old story of grievances, so displeased the governor, that he immediately adjourned them to the September following, to meet at Amboy, but in the interval dissolved them; and being himself soon after superseded, he met them no more; the business of the last session began by his telling them in his speech: "It was the great desire he had to see the service of the queen, and good of the province carried on, supported and provided for, that induced him to call them together; to prepare and pass such laws as were proper; and that he might not be wanting in his duty, he should point out what he thought required their immediate notice; the first was a bill for support of government; that the revenue the queen expected was 1500*l.* per annum, to continue 21 years; next the reviving or re-enacting the militia bill, which was likely soon to expire; that he had every session since he had been governor, recommended the passing a bill or bills for confirming the right and property of the soil of the province to the general proprietors, according to their respective rights and titles; as also to settle and confirm the particular titles and estates of all the inhabitants of the province, and others, claiming under the proprietors; that he was still of opinion, such a bill would best conduce to the improvement, as well as peace and quiet of the province; that he had last year recommended the passing of bills for erecting and repairing prisons and court-houses in the different counties, and the building of bridges in places where they were wanting, by general tax; and as late experience had taught the necessity of settling the qualifications of jurymen, he desired they would prepare bills for these purposes; and revive such of the acts of assembly passed in the time of the proprietary government as would be of use, that they might be presented for the queen's approbation."

The assembly in their address on this occasion, declared, they then were, and always had been ready and desirous to support the government to the utmost of their poor abilities; that they were heartily sorry for the misunderstanding between the governor and them; that about twelve months ago they had humbly represented to him, some of the many grievances their country laboured under; most of which they were sorry to say, yet remained, and daily increased; that they found the queen's good subjects of the province were continually prosecuted by informations, upon frivolous pretences, which rendered that excellent constitution of grand juries useless; and if continued, would put it in the power of an attorney-general to raise his fortune upon the ruin of his country.

That they found it a great charge to the country, that juries and evidences were brought from remote parts of the province, to the supreme courts at Burlington and Amboy: that it was a great grievance that the practice of the law was so precarious, that innocent persons were prosecuted upon inform-

ations, and actions brought against several of the queen's subjects, in which the gentlemen licenced to practise the law were afraid to appear for them; or if they appeared, did not discharge their duty to their clients, for fear of being suspended, without being convicted of any crime deserving it, or reason assigned; as was done at Burlington, in May last, to the damage of many of the queen's good subjects.

That they found the representatives of this her majesty's province so slighted, and their commands so little regarded, that the clerk of the crown had refused to issue a writ for the electing a member wanting in their house; they hoped he would consider, and remove these and many other inconveniences and grievances that the province laboured under; which would enable them to exert the utmost of their abilities, in supporting her majesty's government, and would make them happy under the mild and meek administration of a great and glorious queen; that they doubted not, were her majesty rightly informed of the poverty and circumstances of their country, and that their livelihoods depended upon the seasons of the year; their most gracious sovereign would pity their condition, and never expect the settlement of any support of government, further than from one year to another.

That they found the present militia bill so great a grievance to their country, they could never think of reviving or re-enacting it, as it now was; though they were heartily willing to provide for the defence of their country, which they hoped might be done with greater ease to the people; that they had been, and still were endeavouring to answer her majesty's commands, in confirming the right and property of the soil of the province to the general proprietors, according to their respective rights and titles; and likewise to confirm and settle the particular titles and estates of all the inhabitants, and other purchasers, claiming under the proprietors; but though they had several times met in general assembly, they had not opportunity to perfect it; they acknowledge the favour of being put in mind of providing prisons, court-houses, and bridges, where such were wanting, which they should take into consideration.

That they had a bill for settling the qualifications of juries, prepared last sitting at Amboy, and should now present it; and thanking him for reminding them of reviving their former laws, say, they had before appointed a committee for that end; but were impeded by Bass, the secretary, positively refusing to let them have the perusal of them; and that as they had always used their utmost endeavour in the faithful service of the queen, and for the benefit of the country, so they should still continue to do it with all the dispatch they were capable of.

Here we part with Lord Cornbury's administration. We have in the history of New York witnessed his arbitrary and injudicious conduct in that province, and also had the particulars of his degradation and ultimate departure from the colonies.

We now also part with his opponent S. Jennings; whose indisposition continued about twelve months before his death. His many services have occasioned him to be often mentioned. His religion was that of the quakers; and he was, very young, an approved minister among them. His influence was entirely grounded on reliance on his sincerity, probity, and abilities. It is reported of him, that he was of an obliging, affectionate disposition, yet

of a hasty warm temper; that he, notwithstanding, controlled it with circumspection and prudence, so that few occasions escaped to the disadvantage of his character, or of any cause he engaged in; that he saw the danger to which his natural impetuosity exposed him; knew his preservation lay in a close attention to his cooler prospects, and diligently guarding his failing, experienced the benefit in many trying events; that his integrity and fortitude in all stations were acknowledged; that his judgment was the rule of his conduct, and by what can now be gathered, this seems to have been but seldom injudiciously founded: that alive to the more generous emotions of a mind formed to benevolence and acts of humanity, he was a friend to the wronged and the unhappy; tender, compassionate, disinterested, and with great opportunities left but a small estate; that abhorring oppression in every shape, his whole conduct discovered a will to relieve and befriend mankind, far above the littleness of party or sinister views; that his sentiments of right and liberty were formed on principles adapted to the improvement of a new country, or indeed any country; that he was, notwithstanding all this, sometimes thought pertinacious, but chiefly on account of his political attachments; but in these instances, better knowledge of his principles, and the sincerity with which he acted, totally effaced those impressions, and left him friends where none were expected. Much of his time, as we have seen, was long devoted to the public, and with such a desire to be useful, occasions were not wanting. West Jersey and Pennsylvania (where he resided many years), and New Jersey after the surrender, for near twenty-eight years successively, were repeated witnesses of his conduct in various capacities. Like all philanthropists he met with ingratitude; but although all his endeavours were not successful, he survived personal animosity in a great measure, and lived just long enough to see public affairs emerging from an unpromising state of litigation and controversy to more quiet than had been known for many years. His three daughters (who were all the children he left) intermarried with three brothers of the name of Stephenson, whose posterity long resided in New Jersey and Pennsylvania.

In the latter end of this year (1708) a new assembly was elected; but upon the new governor's arrival it was dissolved.

Lord Lovelace arrives as governor—His death; is succeeded by the Lieutenant-governor Ingoldsby—Arrival of Governor Hunter—The aid for the expedition to Canada—A new assembly chosen.

John Lord Lovelace, baron of Hurley, being appointed to succeed Lord Cornbury, he summoned the council to meet him at Bergen, December 20, 1708, published his commission, and met a new assembly in the spring at Perth Amboy, and informed them by speech:—

"That he was very sensible of great difficulties attending the honourable employment in which her majesty had placed him, and he hoped they would never fail to assist him to serve the queen and her people; that her majesty had shown in the whole course of her reign (a reign glorious beyond example) how much she aimed at the good and prosperity of her people; having with indefatigable pains united her two kingdoms of England and Scotland, and continued the same application to unite the minds of all her subjects; that this was her great care, and ought to be the care of those

whom she deputed to govern the distant provinces, not happy enough by situation to be under her more immediate government; that as he could not set before him a better pattern, he should endeavour to recommend himself to them, by following, as far as he was able, her example; that he should not give them any just cause of uneasiness under his administration, and hoped they would bear with one another; that past differences and animosities ought to be buried in oblivion, and the peace and welfare of the country only pursued by each individual; that her majesty would not be burthensome to her people; but there being an absolute necessity that the government be supported, he was directed to recommend that matter to their consideration; that they knew best what the province could conveniently raise for its support, and the easiest methods of raising it; that the making a law for putting the militia on a better footing than it at present stood, with as much ease to the people as possible, required their consideration; that he should always be ready to give his assent to whatever laws they found necessary for promoting religion and virtue, for the encouragement of trade and industry, and discouragement of vice and profaneness, and for any other matter or thing relating to the good of the province."

The assembly in their turn told the governor by address, that they esteemed it their great happiness that her majesty had placed a person of so much temper and moderation over them, and made no question he would surmount every difficulty with honour and safety.

That her majesty's reign would make a oright leaf in history; that it was the advantage of the present, and would be the admiration of future ages, not more for her success abroad than prudence at home; that though their distance had and might sometimes be disadvantageous to them, yet they experienced the effect of her princely care, in putting an end to the worst administration New Jersey ever knew, by sending him, whose government would always be easy to her majesty's subjects here, and satisfactory to himself, whilst he followed so great and good an example.

That they had no animosities with one another, but firmly agreed to do themselves and their country justice; that they were persuaded none that deserved public censure would have a share in his esteem, and doubted not of meeting with his hearty concurrence in every measure that conducted to peace and good order.

That they should support the government to the utmost of their abilities, and most willingly so at a time when they were freed from bondage and arbitrary encroachments, and were convinced that vice and immorality would no more receive the public countenance and approbation.

They assured him all his reasonable desires would be commands to them; and promised it should be their study to make his administration as easy and happy as they could.

The session lasted a month, in which business went on with unusual smoothness; the assembly obtained from the governor a copy of the address from the lieutenant-governor and council to the queen, in 1707; they thanked him for the favour, and requested he would desire the lieutenant-governor, and all that signed the address, to attend him at such time as he thought fit to appoint, to prove their allegations; and that the house might have leave to be present, and have opportunity of making their

defence, in order to clear themselves from such imputations.

The governor showed a ready inclination to grant this request, and appointed a day for a hearing; but by the artifices of those concerned, it was evaded from time to time: whether they at last gained their point does not appear.

Most of the inhabitants of New Jersey now pleased themselves with the prospect of happy times; with a change of governors followed a change of measures and favourites; impartiality and candour succeeded trick and design; the tools of the former administration having nothing but the protection of that to support them, sunk into neglect.

It had been Lord Cornbury's weakness to encourage men that would flatter his vanity, and bend to his humours and measures—these were sure of his favour; but the case was otherwise now. Such of the former favourites as yet continued in the council, were not without their share of disesteem; even the confidence which had been usually put in that board, on passing the support bill, was discontinued. The assembly declaring to Lovelace, that though they had an entire confidence in his justice and prudence, respecting the disposition of the money for support of government, they "had not that confidence in the gentlemen that were now of her majesty's council;" and that this was the reason they had altered the former method, and therefore requested he would favourably represent it to the queen in their behalf.

The law regulating the qualification of representatives to serve in general assembly was now passed; the substance of this and the additional one passed at a different session, but in the same year, is, that every voter shall have 100 acres of land in his own right, or be worth 50*l.* current money; that the person elected shall have 1,000 acres in his own right, or be worth 500*l.* current money, in personal estate; that the representatives and electors shall be freeholders, and have estates sufficient to qualify him or them in the division where electing or chosen; that the house of representatives shall be judges of the qualification of their members; that the same forfeitures shall attend undue returns as in England; and that no person shall be chosen a representative, who with his family does not reside in the province.

The inhabitants had begun with reason to promise themselves happier times than heretofore, but, to their great disappointment, Lord Lovelace died within a few days afterwards, and the administration devolved on the Lieutenant-governor Ingoldsby, who laid before the assembly the design of the crown, respecting an expedition against Canada, under the Colonels Nicholson and Vetch, and for which they immediately voted 3,000*l.* for the service, by an emission of paper bills of credit, but did not now pass the bill.

The lieutenant-governor adjourned them for a few weeks, and then told them he had given them another opportunity of doing their duty to her majesty, and what their country required at their hands.

That he found in their votes at last sitting a resolve for raising 3,000*l.* for her majesty's service; that this was now become a debt, and they had only to consider of ways and means of raising it; and that a proper application was made for the paying of their quota of men appointed for reducing Canada.

The assembly prepared three bills, one for raising 3,000*l.*, another for enforcing its currency, and a third for the encouragement of volunteers going on

the Canada expedition; these bills having received the governor's assent, the house was adjourned to the 1st of November, to meet at Burlington; in November they met accordingly, but deferred business till December, when they sat ten weeks, passed eighteen bills, were then adjourned, and afterwards prorogued from time to time, till dissolved by Governor Hunter in 1710.

As the accounts of both the expeditions against Canada have been enlarged on sufficiently in the preceding histories, we shall not enter on them here, especially as New Jersey only afforded its aid with the above-mentioned contribution.

Brigadier Hunter arrived governor in the summer of 1710, and called a new assembly on the 6th of December; they chose John Kay, of Gloucester, speaker, and received the governor's speech, which was as follows:

"Gentlemen—I am little used to make speeches, so you shall not be troubled with a long one; if honesty is the best policy, plainness must be the best oratory; so to deal plainly with you, so long as these unchristian divisions which her majesty has thought to deserve her repeated notice, reign amongst you, I shall have small hopes of a happy issue to our meeting.

"This is an evil which every body complains of, but few take the right method to remedy it; let every man begin at home, and weed the rancour out of his own mind, and the work is done at once.

"Leave disputes of property to the laws, and injuries to the avenger of them; and like good subjects and good christians, join hearts and hands for the common good.

"I hope you all agree in the necessity of supporting the government, and will not differ about the means; that it may the better deserve your support, I shall endeavour to square it by the best rule that I know, that is the power from whence it is derived; which all the world must own to be justice and goodness itself.

"There are several matters recommended to you by her majesty, to be passed into laws, which I shall lay before you at proper seasons; and shall heartily concur with you in enacting whatsoever may be requisite for the public peace and welfare, the curbing of vice, and encouraging of virtue.

"If what I have said, or what I can do, may have the blessed effect I wish for, I shall bless the hour that brought me hither; if I am disappointed, I shall pray for that which is to call me back, for all power except that of doing good is but a burthen."

On the reception of this speech, the assembly voted the following address.

"May it please your excellency,

"We sincerely congratulate your accession to the government of this province, and hope the long wished-for time is come, in which the unchristian causes of our divisions will be taken away, which we persuade ourselves you will be as willing as we conceive you are able to do, by divesting a few designing men of that authority, which they use to the worst purposes.

"We have experienced repeated instances of her majesty's care over us; among which one was, the sending the good Lord Lovelace, who put an end to an administration, the then assembly of this province, with great justice stiled the worst New Jersey had ever known; that good man lived long enough to know how much the province had been oppressed, though not to remove the causes. An

other instance of her majesty's royal favour, we esteem, is the sending your excellency to govern us, and we persuade ourselves your conduct will evince it so to be.

"We hope great things from you, and none but what are just; let not ill men be put or continued in power to oppress; let her majesty's subjects enjoy their liberties and properties, according to the laws, and let not those laws be warped to gratify the avarice or resentment of any, and then we may safely leave disputes of property to them; this, we are humbly of opinion, is the greatest honesty, and we make no question you esteem it to be the best policy.

"We always thought it equally reasonable to support a government, and to deny that support to tyranny and oppression; we should be glad our abilities would come up to what we esteem your merits: what we are able to do, shall be sincerely done, and in as agreeable a manner as we are capable; all your desires, which we doubt not will be reasonable, shall be commands to us, who will be always ready to join in any thing that may conduce to the public benefit, and your own; and hope you may never want will and power to punish wickedness and vice, and encourage true religion and virtue; which if you do, we shall esteem you our deliverer, and posterity shall mention your name with honour.

"Divers members of this assembly, being of the people called quakers, concur to the substance of this address, with their usual exception to the stile."

This session continued more than two months; the governor and assembly agreed cordially, but a majority of the council differed from both, notwithstanding an accession of several new members.

Ever since the surrender, the province had been involved in great confusion, on account of the people called quakers being denied to serve on juries, under pretence that an oath was absolutely necessary; the inhabitants in many parts, were chiefly such, and juries could not be got without them; the assembly seeing the confusion that had and would unavoidably follow such refusal, passed a bill for ascertaining the qualification of jurors, and enabling the people called quakers to serve on them, &c. and another respecting the affirmation. The reports of the committee will, among other things, show the conduct of the council on this occasion.

"The house, according to order, resolved itself into a committee of the whole house, to consider further of the papers laid before this house by his excellency; and after some time spent therein, Mr. Speaker resumed the chair, and Doctor Johnston reported from the said committee, that the 43d article of her majesty's instructions being read, requiring an act to be passed, for settling the properties and possessions of all persons concerned in this province; they do think it to be a matter of the greatest concern, for the quieting the minds of the people and making the province happy, and do think it will be to no purpose at present to spend time about such a bill, seeing the council has put them out of all hopes of having any such act to pass.

"Doctor Johnston also reported from the said committee, that the 60th article of her majesty's instructions being read, requiring an act to be passed, for those people that make a religious scruple of swearing, to the like effect of that passed in the 7th and 8th of King William III. in Eng-

land, so far as may be consistent with good order and government; that the house have already sent up such an act to the council for their concurrence, as near to the like effect as the circumstance of this colony will admit; which the council rejected without committing the same.

"And further, that the 94th article of her majesty's instructions being read, requiring an act to be passed ascertaining qualifications of jurors; that the same was included in the bill, entitled, 'An act for ascertaining the qualifications of jurors, and enabling the people called quakers to serve on them, &c.' which the council rejected without committing the same, as is reported before to the 60th article.

"And that he was desired to move, that they might have leave to sit again."

By this report, it seems the assembly had no expectation of obtaining these matters this session; they took into consideration the militia act, passed in Lord Cornbury's time, by which the quakers in many parts of the province had been greatly oppressed; they appointed Doctor Johnston, Isaac Sharp, Jacob Spicer, William Sandford, John Reid, and Robert Wheeler, a committee, "to prepare and bring in a bill, for explaining an act of this province, past in the third year of her majesty Queen Anne, entitled, 'An act for settling the militia of this province, and for relieving persons aggrieved thereby.'"

A bill was brought in, and sundry officers who had been more rigorous in distressing than the law warranted, were sent for, to answer for their conduct at the bar of the house, and ordered to render an account of the goods distrained; this gone through, the bill passed, in which provision was made for the relief of the sufferers; but the council rejected it, as they had done the other bills.

They next took into consideration the address got up by the partisans of Lord Cornbury, which has been already given, and made the following resolutions with regard to it.

"A copy of a paper entitled, 'The humble address of the lieutenant-governor and council of Nova Casaria or New Jersey, in America, to the queen's most excellent majesty; signed by Richard Ingoldsby, William Pinhorne, Roger Mompesson, Thomas Revell, Daniel Leeds, Daniel Coxe, Richard Townly, William Sandford, and Robert Quarry, in the year 1707;' was read in the house; and being taken into consideration, the question was put, whether the said humble address (as it is called) of the lieutenant-governor and council to the queen's most excellent majesty, be a false and scandalous representation of the representative body of this province, or not? it was carried in the affirmative. A motion being made, and the question being put, whether this house do address her majesty for the justification of the proceedings of the representative body of this province, in the present and former assemblies, or not? it was carried in the affirmative.

"A motion being made, and the question being put, whether any person that has signed the above-mentioned false and scandalous representation of the representative body of this province be a fit member to sit in this house, unless he acknowledge his fault to this house, or not? it was carried in the negative.

"Major Sandford, one of the members of this house, having acknowledged that he signed the

above-mentioned address to her majesty, was asked if he would acknowledge his fault to this house for the same? His answer was, he signed it as he was one of her majesty's council, and was only accountable to her majesty for the same; wherefore the question was put, whether Major Sandford be expelled this house for the same, or not? It was carried in the affirmative.

"Ordered, that Major Sandford be expelled this house, for signing a false and scandalous paper, called the humble address of the lieutenant-governor and council to her majesty, in the year 1707; and he is expelled this house accordingly."

Representation of the Assembly to Governor Hunter; and his Answer.

Pursuant to the resolutions of the house, an address was prepared and sent to the queen, and a representation to Governor Hunter. This last is a particular answer to the charges, and was as followeth:

"The humble representation of the general assembly of her majesty's province of New Jersey.

"To his excellency Robert Hunter, Esq., captain-general and governor-in-chief of the provinces of New Jersey and New York, in America, and vice-admiral of the same, &c.

"May it please your excellency;

"When the Lord Lovelace was pleased to let the representative body of this province know, that her majesty desired to be informed of the causes of the differences between the gentlemen of the council and them, nothing could be more satisfactory; because they entirely depended, that a person of so much justice and veracity would put things in their true light; and had he lived long enough to have complied with her majesty's commands, we had not now been under the necessity of laying the following representation before your excellency.

"We are very sorry we have so much reason to say, it was lately our misfortune to be governed by the Lord Cornbury, who treated her majesty's subjects here not as freemen who were to be governed by laws, but as slaves, of whose persons and estates he had the sole power of disposing. Oppression and injustice reigned every where in this poor, and then miserable, colony; and it was criminal to complain or seem any way sensible of these hardships we then suffered; and whatever attempts were made for our relief, not only proved ineffectual, but was termed insolence, and flying in the face of authority. The most violent and imprudent stretches for arbitrary power were stamped with the great name of the queen's prerogative royal; and the instruments and strenuous assertors of that tyranny were the only persons, who in his esteem and their own, were for supporting her majesty's government: bribery, extortion, and a contempt of laws, both human and divine, were the fashionable vices of that time; encouraged by his countenance, but more by his example; and those who could most daringly and with most dexterity trample upon our liberties, had the greatest share both in the government of this province and his favour. This usage we bore with patience a great while, believing that the measures he took proceeded rather from want of information or an erroneous judgment, than the depravity of his nature; but repeated instances soon convinced us of our mistaken notions; and that he was capable of the meanest things, and had sacrificed his own reputation, the laws, and our liberties, to his avarice. No means were left unessayed that gave hopes of gratifying that sordid passion: the

country was filled with prosecutions by informations of the attorney-general, contrary to law: those of her majesty's subjects who are called quakers, were severely harassed, under pretence of refusing obedience to an act of assembly for settling the militia of this province, when neither the letter nor meaning of that act justified the severities used on that account; the measures that were then taken, being chiefly such as the implacable malice of their adversaries suggested. The rights of the general proprietors, which upon the surrender of the government were promised to be preserved inviolable to them, and which her majesty, by her instructions, had taken all possible care to do, were by him invaded in a very high degree; their papers and registers, being the evidences they had to prove their titles to their lands and rents, violently and arbitrarily forced from them, and they inhibited from selling or disposing of those lands; by which means their titles were made precarious, the value of land through the whole province fell very much, and a great stop was put to the settlement and improvement of it: to be short, all ranks and conditions of men grossly abused, and no corner of the country without complaints of the hardships they suffered from the exercise of a despotic and mistaken power. An administration so corrupt, so full of tyranny and oppression in all its parts, induced the assembly to have a regard to the cries of that unhappy country they represented, and to endeavour (if possible) some redress; and accordingly, in a most humble manner, remonstrated to his lordship their grievances, who was of opinion their remonstrance lay open to a very ready answer; but that he might give them no occasion to say he had done it with heat and passion, he took some few days to do it; but with what coolness and temper it was done, those who have seen it can judge; they both lie before your excellency. (No. 1 and 2.) Some time after, the assembly were adjourned; and when we met again, made a reply to that answer, which reply (No. 3) lies before your excellency; but neither the one nor the other procured the desired effects; on the contrary, the number of our grievances was increased, some of the most considerable of our inhabitants deserted the province, and many of those that remained thought themselves unsafe in it; the only hopes they had was the arrival of the Lord Lovelace, which supported their sinking spirits, and gave them an expectation of better days.

"Upon the first sitting of the assembly, after his arrival, he communicated to them a paper, called, 'The address of the lieutenant-governor and council of New Jersey.' It was no surprise to us to find any thing indecent or virulent proceeding from such men; but it was with some concern we beheld what endeavours they had used, to render her most gracious majesty disaffected with her honest and loyal subjects here, by accusations which were not only false, but what they knew to be so at the time of their writing of them, and which we had made appear to be so, had they not used evasions and shifts to avoid coming to the test, in the time of Lord Lovelace, and while the assembly was sitting; then they seemed to be for reconciling matters, and burying every thing in oblivion, in hopes their own deeds of darkness might partake of the same covering; and hoped the sweetness of that noble lord's temper, and inclinations to peace, might secure them from that examine which was necessary to expose them in their true colours; and how much on that occasion they fawned and flattered, appears by an address

of theirs to him, which for the peculiarity of the language (and we might say the unintelligibleness of the terms) ought never to be forgotten. It begins thus: 'Your lordship has not one virtue or more, but a complete accomplishment of all perfections, &c. ;' and at the same time they were deifying him (if such an address could do it) they were 'calling and articling against him, triumphed in his death, and have barbarously treated his memory; and notwithstanding the laws of heaven and nature, (as they are pleased to express themselves) and all the fine things they say of you, added to the justness of your administration, they'll give you the same treatment when they can; the knowledge we have of their practices has made us trespass a little longer on your excellency's patience than we at first designed: but to return to the address, we believe the gentlemen of the council have transmitted something to one of her majesty's secretaries of state, which they called proofs, and with all the secrecy they could, hoping it may obtain at that distance, especially when backed by some whose interest it is, that all they have said be credited. To prevent the ill consequences that may attend the belief of what they have said, or indeed can say, we shall endeavour to prove every article of the said address false; and that the subscribers knew several of them to be so at the time of their signing; what we say is public, not carried on in darkness, to prevent that reply, which the gentlemen concerned to justify themselves, and upon the spot, may make if they can.

"We begin with the title of the address; which is, 'The humble address of the lieutenant-governor and council of Nova Cæsaria or New Jersey in America.'

"This carries a falsehood in the very front of it; for it was no act of council; but signed by some in the Western, and by others in the Eastern division of New Jersey, by one or two in New York, at different times, being privately carried about by a messenger of my Lord Cornbury's; and some were raised out of their beds to sign it; it never passed the council; was never minuted in the council-books, and the lieutenant-governor has several times protested he signed it without ever reading it. The gentleman of the council cannot deny the truth of this; if they do, we can prove it; but to justify themselves, they say it was signed by the lieutenant-governor and the gentlemen of the council, though not in council. So that it's plain they designed to abuse the queen, by giving it the stile of an act of council, which her majesty and every body that reads it would take to be so, when they knew in their consciences it was not so; but that their malice or servile fears induced them to sign it, and may not improperly be called, forging an act of council; it's apparent that Roger Mompesson, Esq. signed it by himself; that it was brought to him as an act of council, and that as such he thought himself obliged to sign it, as by his reasons for signing it appears; which reasons could have had no weight, had he not understood it to be so; for he owns he never examined into the particulars of it.

"The first article is, 'We the lieutenant-governor and council of her majesty's province of Nova Cæsaria or New Jersey, having seriously and deliberately taken into consideration the proceedings of the present assembly or representative body of this province, thought ourselves bound, both in duty and conscience, to testify to your majesty our dislike

and abhorrence of the same.' This is true, if signing any thing without reading or examining into the particulars of it, and by some between sleeping and waking, be arguments of seriousness and deliberation, otherwise not; except by the words 'seriously' and 'deliberately,' be meant, their resolutions on all occasions to do what the Lord Cornbury commanded them; as indeed their signing this address, and their conduct in every other thing, did but too plainly evince, to be the only seriousness and deliberation they were capable of. When Col. Quarry signed that address, we believe he was misled, and depended too much on the credit of others; we must do him the justice to own, that he has of late declined joining with them in many of their hot and rash methods, and behaves himself at present like a man of temper, who intends the service of the queen and good of the country. These addressors tell her majesty, that they were in duty and conscience bound to testify their dislike and abhorrence of the same to her. Had they abhorred falsehood, and discharged their duty as in conscience they were bound to do, in refusing to join with the Lord Cornbury, in all his arbitrary and unjust measures, and particularly in that scandalous address (pardon the expressions), the country would not have had that just cause to complain, as now they have, and in probability always will, while they continue in their present stations. There were no proceedings in that assembly that any honest man had reason to dislike; and their endeavours for the good of the country deserve the highest praise, and ought never to be forgotten by New Jersey.

"The second article is, 'That the unaccountable humours and pernicious designs of some particular men, have put them upon so many irregularities, with intention only to occasion divisions and distractions, to the disturbance of the great and weighty affairs which her majesty's honour and dignity, and the peace and welfare of the country, required.' The so many irregularities are, we suppose, what the Lord Cornbury mentioned in his answer to their remonstrance; which that house replied to; as may be seen in their reply; and whether they were irregularities or no, the world can judge: but be they what they will, the addressors are never able to prove that the unaccountable humours of some particular men put them upon them; they may indeed boldly say they did, and if that will do, they may say again, that it was with intention to occasion divisions, &c. ; but that neither proves that any particular men influenced that assembly, nor that the intentions of doing so were as they say; that being impossible for them to know; and if we may be allowed to know the intentions of that assembly, they were far otherwise than what the addressors represent them to have been.

"The 3d article was, 'That we had highly encroached upon her majesty's prerogative royal.'

"The 4th, 'That we had notoriously violated the rights and liberties of the subject.'

"The 5th, 'That we had manifestly interrupted justice.'

"These three articles are what the Lord Cornbury, in his answer to the remonstrance, charges that assembly with, which are fully answered in the aforesaid reply, and proved to be false charges; and this the addressors knew when they signed the address, if ever they read the reply or address (which is very much to be questioned); and we believe, if the truth were known, notwithstanding

their pretensions to seriousness and deliberation, they had little more hand in it than setting their hands to it, as we shall endeavour to evince. It is undeniably true, that it was signed at different times, and in different places; it then must be true, that it was brought ready drawn to the signers, and it's very probable that they did not read it, certainly not with any consideration. The lieutenant governor, as we observed before, has owned he did not; and the late chief justice, Roger Mompesson, Esq., a man as likely to read and consider as any of them, owns under his hand, he never did examine the particulars of it; which is, in other words, owning he did not read it; and it's not very likely the rest should. These three articles are the very words used by the Lord Cornbury in his answer: the whole address seems to be an abridgement of that answer, several sentences the same, the stile the same, and the same vein of intemperance and ill nature through them both; and in all likelihood done by his lordship, who made the addressors father whatever his lordship was ashamed to own.

"The 6th article is, 'That the remonstrance was a most scandalous libel.'

"The 7th, 'That the Lord Cornbury made a full and ample answer to it.'

"The 8th, 'That the reply of the house of representatives of the province of New Jersey, was a scandalous and infamous libel;' and they add, on that head, 'this last libel came out so suddenly, that they had not time, as yet, to answer it in all its particulars.'

"Certainly it is impossible that ever men in their right wits, after reading such an address, should sign it! Was it ever known, that any book or paper wrote by a house of commons, was called a libel, and a most scandalous and infamous libel? If the gentlemen had intended to show their talents of railing and abusive language; they could hardly have taken a more effectual way, than by that address, which if it prove nothing else, proves them to be very much masters of those qualifications; but we cannot be of opinion, that their calling the remonstrance or reply a libel, proves them to be so; nor had they any reason to expect it would be taken by her majesty, for any thing more than a demonstration of their want of temper; for if those two papers were libels, then the house of representatives might have been punished for them, or at least prosecuted; and if so, any vote, resolve, address or remonstrance that they made, or any other house of representatives could make, would subject the said house of representatives (the authors of them) to the same inconveniency, whenever the gentlemen of the council were pleased to call them so. This is so contrary to the known practice of England, to the laws, to the rights and privileges of the house, that it is a needless labour to prove, either that the gentlemen never read what they signed, or knew what they signed to be false at the time of their signing of it. But to say a little more, the remonstrance and reply are so far from being false, that they are most true. Several of the facts are owned by the Lord Cornbury, and where he either evades or denies them, they are made out in the reply. His bribery was proved by a crowd of evidences in the house; and whatever else is charged upon him he knew to be true; and it is neither in the power of his full and ample answer, nor even of the address itself, to persuade the contrary. The assembly say indeed in their remonstrance, 'Had the affairs of New

York admitted his Lordship oftener to attend those of New Jersey, he had not then been unacquainted with their grievances; and that they were inclined to believe they would not have grown to so great a number.' This, perhaps, may be one of the falsehoods the addressors mean; and truly it ought to be acknowledged, that the then assembly had no reason to believe his Lordship's presence in this province would have any other effect, than the increasing, instead of diminishing their grievances: but when the addressors say, that the 'reply came so suddenly out, that as yet, they had not time to answer it in all its particulars;' they seem to imply, that they had answered it in some of them; which has not been done, no, not as yet, though it has been out above three years. And, 'its coming out so suddenly, &c.' is a great mistake, to say no worse of it; for it had been out above six months before their address was signed. This is another proof that they never read the address before they signed it; or if they did, that they knew what they signed to was false, at the time of their signing.

"The 9th article is, 'That these disturbances are owing wholly to Mr. Lewis Morris and Samuel Jenings, men of turbulent, factious, uneasy and disloyal principles; men notoriously known to be uneasy under all government, and men never known to be consistent with themselves.'

"The 10th article is, 'That to these men are owing all the factions and confusions in the governments of New Jersey and Pennsylvania.'

"These articles are not only the stile of the Lord Cornbury's answer to the remonstrance; but for the most part the very words. If Mr. Morris and Mr. Jenings were such men as the addressors say they are, viz. turbulent and factious, uneasy under all government, and the causers of the factions and confusions of New Jersey and Pennsylvania; then certainly to continue thus turbulent, &c. evinced they were not inconsistent with themselves, but constantly pursued the same measures. This was an expression the Lord Cornbury was very fond of, and very much used, and the addressors here have been but the parrots of his thoughts; and all they have said of these gentlemen (one of whom is in his grave viz. Mr. Jenings) is a notorious abuse; for whatever was done by the assembly (if it's their procedures they call disturbances) was not done either by the influence of Mr. Morris or Mr. Jenings, but from a just sense of their duty, in discharge of the trust reposed in them by the country, and to prevent the ill effects of an arbitrary and unjust use of power, by the Lord Cornbury, so much encouraged by the slavish compliances of the addressors, men never known to be consistent with themselves, nor we fear never will.

"We should not trouble your excellency longer on this head, did we not know this is an article which the addressors think they can justify, and which they suppose will prove a sufficient defence for all they have said; therefore, to put this matter in some measure out of dispute, we say, in the first place, that should they be able to prove what they say in that article, yet it would not justify their other accusations, nor the severe reflections they have unjustly made on the representative body of this province. 2dly, It plainly appears by the journals of the house, that the assembly insisted on the same things when neither Mr. Morris nor Mr. Jenings were among them; and now endeavour to evince to your excellency, that their proceedings were reasonable. 3dly, The disturbances in Jersey

or Pennsylvania, ascribed to Mr. Morris or Mr. Jenings, were no other than the opposition of an unlawful and unjust authority, and that during the proprietors' government, before it was surrendered to the queen; so not a fit matter to have been at that time seriously and deliberately meddled with by the addressors, and could be done with no other intent but to mislead the queen into a belief that Pennsylvania and New Jersey were then disturbed by these gentlemen. 4thly, We do not find that ever Mr. Morris was concerned at all, even during that time, in the Western division of New Jersey or Pennsylvania.

"The 11th article is, 'That this is done with design to throw off the queen's prerogative royal, and consequently to involve all her majesty's dominions in this part of the world, and the honest and good well-meaning men in them, in confusion, hoping thereby to obtain their wicked purposes.'

"It is evident from this article, that the accusations of Mr. Morris and Mr. Jenings were to mislead the queen into such a belief as we have instanced: 1st, from their using the term (is done)—being in the present tense: 2dly, they assigned the reason why it is done, viz., not only to encourage this government, but all the governments in America, to throw off her majesty's prerogative royal, and as a consequence of that, to involve all her dominions in this part of the world, &c., in confusion; which is, in plain English, throwing off our allegiance, and revolting from the crown of England: the addressors, in the first place, suppose all the plantations on the continent of America inclinable to a revolt whenever they have an opportunity; or at least if they don't believe it themselves, would have the queen believe so, and be apprehensive of some danger from it; which, if she had, it's natural enough to suppose such severe methods would have been taken, as would prevent any such thing; so that what the addressors have said, is not only an accusation of all the plantations in America—of want of loyalty and affection to her majesty—but an endeavour to alienate her affections from them. We thank God it has not had the ill effects they intended, and hope no representation founded on the malice of any men, ever will; but that the authors of them may always meet with as little credit as they deserve. Can it be thought, or could the addressors themselves ever seriously and deliberately think, that the province of New Jersey (one of the most inconsiderable of all her majesty's colonies, and the most incapable of making any defence, having no fortification that exceeds a stone house, and of them but very few; a great part of whose people are quakers, who by their principles are against fighting,) would be so unaccountably mad, as to throw off their allegiance (especially to be the first in doing it) and expose themselves to unavoidable ruin and destruction? Whoever can seriously think this, and with deliberation assert it, ought very seriously, and without much deliberation, to be confined to the society of mad-men, as persons that can seriously and deliberately believe and say any thing; which is all we shall say to this ridiculous, as well as malicious charge, and pass to the 12th article; than which nothing more untrue, and knowingly so, could be asserted, as we shall by what follows make out; the article runs thus: 'That the assembly are resolved neither to support the queen's government with a revenue, nor defend it by settling a militia.'

"Now it is plain that this house never did deny to raise a sufficient support for the government, and

took proper care concerning the militia, as by the several acts for those ends does more largely appear; nay, when the expedition against Canada was on foot, we gave 3,000*l.* for that end, over and above the support of government; and the casting vote for the raising that money, and the settling the militia now, was given by Mr. Hugh Middleton, one reputed a quaker; so that it will very easily appear, that accusation of the addressors was not only very untrue, but that they knew it to be so at the time of their signing it; nay more, we shall make it appear, that the gentlemen of the council have used their utmost endeavours to defeat the government of a necessary support, and to frustrate, as much as in them lay, the expedition against Canada; so that the accusation lies most justly against them, and not against us; for the acts for the support of the government, and settling the militia, made in the time of the good Lord Lovelace, were passed by them with the greatest difficulty; and the act for raising 3,000*l.*, towards carrying on the expedition against Canada, was, at their direction, by Elisha Lawrence and Gershom Mott, two of their tools, who were members of this house, (and were not quakers) voted out, and who on the first and second reading voted for it, concealing their design of voting against it, till the time of their voting; and not being quakers, were not suspected of voting against it, otherwise care had been taken to put it out of their power; and to make it appear that it was done with design, by direction of the lieutenant-governor and council, to cast a reflection on the house, and to justify their allegations in their address, even at the expense of defeating the expedition; the Lieutenant-governor Colonel Ingoldsby, though assured by the speaker and other members of the house, that if the house was prorogued but for twenty-four hours, care should be taken the bill should pass; who presently after did, notwithstanding, adjourn the house from the 13th of June to the 28th of July following; a time so long, that if the house and council had been never so willing, the season would by that time have been so far advanced, that it had been of no use then to have raised either men or money towards that expedition, as the lieutenant-governor and council very well knew; and had not the honourable Colonel Nicholson, and Colonel Vetch, in an extraordinary manner, pressed the calling the house sooner than the time appointed, viz., on the 23d day of June, neither money nor men had been raised on that account: this, we think, comes up to a demonstration, that these gentlemen, rather than not gratify their resentments, and give some colour of justifying what they had said, chose to sacrifice the service of the queen, and the common good, on so extraordinary an occasion, to their private piques: and indeed their procedures ever since have confirmed the country in that opinion, and exposed their conduct to a just censure, and showed that they have been so far from 'endeavouring (as they say, in the last article) by application to the governor to remove the grievances, if any were;' that if their best advice was at any time offered, it was rather how to continue and render them more intolerable. We are sorry we have so much reason to say this as we have; but a long and uninterrupted series of despotic and arbitrary government exacts it from us; and which we are sure they will, to their power, continue as long as to the great misfortune of this colony, they remain in any places of public trust.

"To enter into a detail of their several mal-ad-

ministrations, it would take up more time than we can at present spare, and stretch the bounds of this representation to too great a length. We have already laid before your excellency some proofs against Mr. Hall, one of the council, of his extortion, and imprisoning and selling the queen's subjects; who, if they had been guilty of the crimes alleged against them, ought to have been prosecuted accordingly, and not discharged on any hopes of private gain; and if not guilty, ought not to have been laid in prison and in irons, and by those hardships forced to become his servants, rather than endure them. But a man that could, after taking up adrift several casks of flour, deny them to the owner, and sell them, is capable of any thing that is ill; and how fit for so honourable a post as one of her majesty's council, or indeed any other place of trust in this government, is most humbly submitted to your excellency's consideration.

"Were there nothing against Mr. Peter Sonmans but his being indicted for perjury, from which by a packed jury he was cleared, as appears by the memorial (No. 4.), there being but too much reason to believe he was justly accused, it would be no mean reason to lay him aside from her majesty's council; it being some sort of reflection to continue a person even supposed guilty of so heinous a crime in so high a post, which her majesty in a particular manner has endeavoured to secure the honour of, by directing in her instructions, that 'no person necessitous or much in debt shall be of it;' much less a person known to be a bankrupt, as Sonmans is, and who at this time, and for some years past, has lived in open and avowed adultery, in contempt of the laws, which his being in power not only protects him from being punished, but enables him to carry on his wicked designs, by imposing on the honest and simple people, who suspect no trick from a person of his rank; as appears by the depositions relating to the Amboy petition against Doctor Johnston and Mr. Reid; and to stretch and warp the laws to the manifest prejudice, ruin, and undoing of many of her majesty's subjects, whose complaints from the several parts of the province, (so unfortunate as to be under his direction,) we make no doubt have long ere this reached your excellency's ears; and which, we persuade ourselves, will, when your excellency is satisfied with the truth of them, have their proper effects.

"The courts of law in which the gentlemen of the council were judges, instead of being a protection and security to her majesty's subjects, of their liberties and properties, in disputes that came before them, became the chief invaders and destroyers of them both; and what should have been the greatest benefit, proved the greatest grievance, as we shall instance in a few of the many things we could: And first, notwithstanding her majesty, for the ease of her subjects here, has been pleased to appoint the supreme court of this province to be held alternately at Amboy in the Eastern, and Burlington in the Western division of this province; yet the causes of one division are tried in the other, and juries and evidences carried for that end, at the great and needless charge of those concerned, as well as great expense and loss of time to the people in general, who can receive no benefit by the courts being held alternately, if the ends for which they are so held, be not answered, and causes tried in the same division to which they do belong; besides, it is a practice of very mischievous consequence, making the people entirely depend on and

be subject to the judges of the said court, who can by that method lay any persons they do not like, under the necessity of being at the before-mentioned charge, and make them that way sensible of their resentments; which, as we have instanced, they have been too ready and willing on all occasions to do. Secondly, the writ of habeas corpus, the undoubted right, as well as great privilege of the subject, was by William Pinhorne, Esq., second judge of the supreme court, denied to Thomas Gordon, Esq., then speaker of the assembly; and, who notwithstanding the station he was in, was kept fifteen hours a prisoner, until he applied by the said Pinhorne's son, an attorney-at-law, and then, and not before, he was admitted to bail; which fact, as well as other things, may appear by the said Gordon's case (No. 6.), now laid before your excellency. The proceedings against a person in that station, and at that time, made it but too evidently appear, that the said Pinhorne would not stick to join with the Lord Cornbury in the most daring and violent measures, to subvert the liberties of this country; and cannot be looked on by this house, or any succeeding assembly, duly considering the procedure and the address above mentioned, afterwards signed by him, but as a person ready and willing on any occasion to attempt upon their liberties, and overthrow them if he can; and how safe we can think ourselves while he continues in power to hurt, is most humbly submitted.

"Many persons prosecuted upon informations, have been, at their excessive charge, forced to attend court after court, and not brought to trial, when there was no evidence to ground such informations on; but they kept prisoners, in hopes that some might be in time procured; and two of them, to wit, David Johnston and his wife, after some weeks' imprisonment, not admitted to bail till they entered into a recognisance, the condition of which was, 'That if the Lord Cornbury was dissatisfied with admitting them to bail, upon notice thereof signified to them, they should return to their imprisonment;' his lordship was dissatisfied, and Leeds and Revell, who took the recognisance, sent their orders to them to return according to the condition of it.

"Actions have been suffered to continue, after the persons in whose names they were brought, have in open court disavowed them, declaring they had never given orders for any such actions to be brought.

"Actions upon frivolous pretences have been postponed, and the trials delayed to serve particular persons, when the juries and evidences were all ready, and attending on the trials.

"Though it be the right of the subject, by proper writs, to remove actions from any inferior to a superior court; yet at the court of sessions held at Burlington, in December 1709, Col. Daniel Cox, Col. Hugh Huddy, Col. Thomas Revell, and Daniel Leeds, Esq., justices of the said county, did reject a writ of certiorari, obtained by Mr. George Willocks, and allowed by Roger Mompesson, chief justice, and committed said Willocks till he entered into recognisance, to appear at the next court of oyer and terminer.

"The case of Peter Blackfield, who, by a mistake or design, was divested of his estate, and ruined, is so well known to your excellency, that we need say nothing more about it.

"The people called quakers, who are by her majesty admitted to places of the most considerable trust within this province, are sometimes admitted

to be evidences; as one Mr. Beaks, a quaker, was in a capital case against one Thomas Bates, at a court of oyer and terminer, held by Justice Mompesson, Col. Cox, Col. Huddy, and others; on which evidence he was condemned to be executed; and sometimes they have been refused to be jurors or evidences, either in civil or criminal cases; so that their safety, or receiving the benefit of her majesty's favour, seems not to depend on the laws, or her directions, but the humours and caprices of the gentlemen who were judges of the courts. We, with all humanity, take leave to inform your excellency, that the Western division was settled by those people, who combated with all the inconveniences attending a new settlement; and with great difficulty and charge have, from a wilderness, improved it to be what you now see it is; there are great numbers of them in it, and should they not be admitted as evidences or jurors, they would be very unsafe; for it is in the power of ill men to come into their religious assemblies, and murder as many as they please, and with impunity, though looked on by hundreds of quakers; or break open their houses and rob with safety: and the encouragement the gentlemen of the council have given to the meanest of the people, to abuse them, confirms us in the opinion, that there wants not those who have will enough to perpetrate the greatest mischiefs on that people, when they can escape the punishment due to their crimes.

"The procedure of the whole body of the council, in relation to Mr. Barclay, is a demonstration of their arbitrariness and partiality, as by his case, now laid before your excellency, will more fully appear. When he produced a commission before them, from the proprietors in England, which superseded that lame one given to Mr. Sonmans; they (as appears by an order of council) took the said commission from him; than which nothing could be more arbitrary and unjust; for that commission was the property of Mr. Barclay, and he had the right of executing the powers of it; and if any persons were aggrieved, or the commission not good, the law was open to dispute it; and a copy of it sent to the queen would have answered all the just ends that sending the original could do. It was indeed a short way of determining in favour of Peter Sonmans, and putting it out of the power of Mr. Barclay to right himself during that administration. The gentlemen may call this a strenuous asserting of the queen's prerogative royal; but we can call it by no other name than an open robbery, committed in their judicial capacity, under a pretence of authority; than which nothing could be worse, or of more pernicious consequence.

"To conclude, all persons not friends to the gentlemen of the council, or some of them, were sure in any trial at law to suffer; every thing was done in favour of these that were: justice was banished, and trick and partiality substituted in its place; no man was secure in his liberty or estate; but both subjected to the caprices of an inconsiderate party of men in power, who seemed to study nothing more than to make them as precarious as possible. Your excellency's coming, has put a check to that violent torrent of injustice and oppression, that bore down every thing before it; and we hope, that during your administration, ill men will not have authority to hurt, nor their representations gain any credit with a person so able to discern the motives of them; which are no other than the gratification of their own resentments, even at the price of the

public safety, as we have in great measure already proved; and their proceedings now do plainly confirm what we have offered: for what can be the intent of rejecting our bills without committing of them, but to irritate us to that degree, that nothing might be done, either towards the support of the government, or the settling of a militia, that they might have wherewithal to justify themselves in what they have said of us? What was the cause of their rejecting the bill for preventing of corruption in courts of justice, but the consciousness of their own crimes, and the fears they had of that examine, which must necessarily have exposed their conduct to a due censure? What was it that made them throw out the bill against bankrupts (though made by her majesty's express direction), and profess themselves against any bill whatsoever on that head, but the dread they had of feeling the just consequences of it themselves? Nay, one of them, William Pinborne, Esq., by name, was pleased to say, it was with horror and amazement he beheld a bill with that title; we are not so fond of the bill as it was drawn, but that we would have readily joined with the council in any reasonable amendments, had they offered them; but we think no honest man could be against a bill that makes the estates of persons becoming bankrupts, liable to pay their just debts; and we hope New Jersey won't long be a sanctuary for such. The bill, entitled, 'An act for enabling persons aggrieved by an act for settling the militia of this province,' was, to make the distresses unreasonably and illegally made on pretence of the militia act, returnable to the owners, and to punish the persons that did it; but this they will not pass, knowing that so just an act would be attended with consequences they can by no means bear; the instruments of that oppression being to be protected by them at any rate, and nothing to be heard against them, because they were officers of the government, though their practices were never so unreasonable or unjust, and her majesty's subjects left remediless, and must patiently sit down, after having their houses and plantations plundered, and their persons abused by a crew of needy and mercenary men, under pretence of law; but it was such persons as were useful to them, and such they must, for their own safety, protect. It is for this reason they combine together to secure, as far as they are able, Jeremiah Bass, their clerk, the secretary of this province, and prothonotary of the supreme court; in all these offices his pen is to be directed by them; they dread an honest man in these offices. How he has behaved himself, is in some measure known to your excellency, especially in the case of Dennis Linch, the Maidenhead people, and Peter Blackfield; the two last are notorious malversations in his office, and appear under his hand, and by the minute books of the supreme court; and it is no excuse in him, when men are turned out of their estates and ruined, to say, it was a mistake; if such an excuse would do, it is very easily made on any occasion; and in this province can be safe when such a person continues in offices of so great trust. All the original copies of the laws passed in the time of the just Lord Lovelace, are somehow or other made away with. Bass offers to purge himself by his oath, that he has them not, nor knows any thing of them; and it may be so, for aught we know; but in this province where he is known, it is also known, that few men ever believed his common conversation, and several juries have refused to credit his oaths; he corroborates what he says with

the evidence of Peter Sonmans, one of the council, a person once indicted for perjury; and how he was cleared, the aforesaid memorial makes out; so that we do not think him a person of sufficient credit to determine that point. It is certain that the secretary's office is the place those laws ought to be in, and he ought not on any pretence to have parted with them out of the province. It is certain the lieutenant-governor ought, within three months after the passing of them, to have sent copies of them to the lords commissioners for trade and plantations, and duplicates of them by the next conveyance after; and this under pain of her majesty's highest displeasure, and the forfeiture of that year's salary, on which he should on any pretence whatsoever omit the doing of it: how comes it then about that neither the secretary Bass, nor Mr. Cockrill, private secretary to the Lord Lovelace, and who lived six months after his master's death, was never examined about them? Mr. Cockrill could have cleared up that matter while alive, if the lieutenant-governor could be thought so grossly to neglect what he knew to be his duty; why did not Mr. Bass apply to him in all that time for those laws? If he had parted with them, as he pretends, so much against his will, it was very natural to suppose he would have used the utmost application to get them again; yet no one inquiry is said to be made after them, either by Bass or the lieutenant-governor, of the Lady Lovelace, who staid in New York long after the death of her lord, or of his secretary; nor no noise at all made about them till this time, so long after the arrival of your excellency: can any body think it was the interest of either the Lord or Lady Lovelace, or his secretary, or any of his lordship's friends, to destroy a law which gave the Lord Lovelace 800*l.*, and without which he could not have it? But it does appear to be the interest of the lieutenant-governor and his friends to destroy it; for they had got an act passed, which took from the Lord Lovelace 330*l.* of that money, and gave it to the lieutenant-governor; and 270*l.* more of it was given to him for the support of the government. Had he sent the act made in favour of the Lord Lovelace to the queen for her approbation or disallowance, and her majesty had approved of it, as in all probability she would have done, then the act made in Colonel Ingoldsby's favour had been void; but had the other gone home first, there was an expectation it might pass, the queen knowing no more about the first act, than that a vote had passed in favour of the Lord Lovelace.

"And to make it plainly appear, that Colonel Ingoldsby and the gentlemen of the council were apprehensive of the danger of sending those acts to England, to the act we have now past, for making the printed copies as effectual as if the originals were in the secretary's office, that your excellency may be enabled to transmit them to her majesty, they have added a providing clause, that the act made in Col. Ingoldsby's time (which takes that money from the Lord Lovelace) shall not by this act we have past, be made void in the whole or any part thereof, but continue in full force and virtue as if this act had never been made. This amendment they insist on, though they knew, and do know, we will never agree to a clause so foreign to the title and intent of the bill; but this is done by them with design that the bill shall not pass, by which means her majesty will be without authentic copies of the acts during that good lord's administration; and they hope will confirm the acts past in Colonel

Ingoldsby's time. What we have said on this head, shows very plainly who are the persons that ought, with most reason to be charged, with the making away those original laws.

"We are concerned we have so much reason to expose a number of persons, combined to do New Jersey all the hurt that lies in their power. Her majesty has been graciously pleased to remove Col. Richard Ingoldsby from being lieutenant-governor, and we cannot sufficiently express our gratitude for so singular a favour; and especially for appointing your excellency to be our governor. We have all the reason in the world to be well assured, you will not forget that you are her subject, but will take care that justice be duly administered to the rest of her subjects here; which can never be done while William Pinhorne, Roger Mompesson, Daniel Cox, Richard Townley, Peter Sonmans, Hugh Huddy, and William Hall, or Jeremiah Bass, Esqrs., continue in places of trust within this province; nor can we think our liberties or properties safe while they do; but if they are continued, must with our families desert the province, and seek some safer place of abode. We shall wait till your excellency can transmit accounts of the state of this colony to her majesty, and assure you that we will on all occasions very readily, to our power, comply with her majesty's directions, and be wanting in nothing that may conduce to make your administration happy, both to yourself and us.

"Signed by order of the house of representatives,

"WILLIAM BRADFORD, Clerk."

"Die Veneris, a. m. 9 Feb. 1710."

This representation was received kindly by the governor; he answered, "that her majesty had given him directions to endeavour to reconcile the differences that were in this province; but if he could not, that he should make a just representation to her; and that he did not doubt, but that upon the representation he should make, her majesty would take such measures as should give a general satisfaction."

The governor accordingly backing the remonstrance to the queen, got all the counsellors removed that were pointed out by the assembly, as the cause of their grievances, and their places supplied by others. The business of this session being finished, the governor prorogued the house.

A session of general assembly—A second expedition to Canada—Meeting of a New Assembly—Last session in Hunter's time—An act passed for running the division line between East and West Jersey—William Burnet arrives as governor—Is succeeded by John Montgomerie, Esq.—Lewis Morris appointed Governor, separate from New York—Affairs until the revolution.

Governor Hunter convened the assembly in the summer, 1711, and opened business, with telling them, "That her majesty's instructions which he was commanded to communicate, would discover the reason of his calling them together at this time; and that he doubted not the matters therein contained would be agreeable to them, and the success profitable.

"That the fleet and forces destined for the reduction of Canada were arrived in good health and condition, and would proceed in a little time; that what was required on their parts, was the levying in each division 180 effective private men, besides officers, and to provide for their encouragement, pay, and provisions, as well as transportation over

the lakes, and other incidental charges attending the service."

The assembly resolved to encourage this expedition, by raising to the value of 12,500 ounces of plate, in bills of credit, to be sunk, together with the former 3000*l.*, by a subsequent tax; and provided bills for raising volunteers to go on the expedition, and for remitting the money.

The governor passed the bills, and dismissed them with thanks, for the cheerful dispatch they had given.

This was the second expedition against Canada, the particulars of which have been fully given in the preceding histories.

In 1712 died Thomas Gardiner, of Burlington, several times mentioned before; he was well acquainted with public business, a good surveyor, and useful member of society; several years one of the council, treasurer of the Western division, and the first speaker of assembly after the union of the governments of East and West Jersey.

The 7th of December, 1713, the governor called the assembly, and next day informed them, that he was glad to see them after so long an absence, and believed they were not sorry to meet him in so good company; that the tender regard her majesty had to their quiet, in particular at a time when she had blessed the world with a general peace, called for their pious endeavours, and could not fail of meeting the returns due from the most grateful people, to the best and most indulgent princes; that he was persuaded the efforts of such as had been removed from places of trust by the queen, at their request, would be too impotent to destroy the peace, by breaking that mutual confidence, or disturbing that harmony, that then subsisted between the several branches of the legislature; that full of this confidence, he recommended to their immediate care, the providing for past arrears, and future support of her majesty's government, the discountenancing vice and immorality, the improvement of trade and encouragement for planting and peopling the province; that this could not be better effected than by a law to affirm and ascertain the respective properties of the proprietors and people, if they thought it practicable.

That the gentlemen of the present council, having no views or interests differing from theirs, if they would agree to frequent and amicable conferences with them, or a number of them, upon all matters under deliberation, it would save much time and effectually disappoint all contrivances of their enemies; "Who in return for their being at present no counsellors, had ridiculously endeavoured to persuade some that they were no assembly."

The assembly replied, "That they were indeed glad to meet him in such good company; and as the persons who had hitherto obstructed the welfare of their country, were removed, they presumed on his favour oftener than heretofore; they acknowledged themselves under the greatest obligations to the best of queens, and hoped their actions would demonstrate they were not ungrateful."

Among other bills passed this session, was that entitled, "An act that the solemn affirmation and declaration of the people called quakers, shall be accepted instead of an oath in the usual form, and for qualifying and enabling the said people to serve as jurors, and to execute any office or place of trust or profit within this province."

This bill was introduced on the governor's communicating to the house the queen's instruction on

that head, after it was fully adjusted by the council and assembly; the second enacting clause was thought to be designedly left out by the secretary, who had it to engross, and it so passed the council without being perceived; but on reading it again in the assembly it was discovered, and the secretary making his acknowledgment at the bar of the house, it passed over. This act continued till the year 1732, and then was supplied by another.

Other laws were also passed; and this session concluded to mutual satisfaction.

"I thank you," says the governor in his concluding speech to the house, "for what has been done this sessions for the support of this her majesty's government, and do not doubt, but that you will receive ample thanks from those who sent you, for the many good laws that have been passed; some things that in their nature were acts of favour, I have agreed that they should be made acts of assembly, that your share may be greater in the grateful acknowledgment of your country."

"I hope my conduct has convinced the world, (I cannot suppose you want any further conviction) that I have no other view than the peace and prosperity of this province; if such a few are enemies to both, are not to be reduced by reason, I shall take the next best and most effectual measure to do it."

The government was conducted in so quiet a manner that we find no public transactions to notice, until the year 1716, when Governor Hunter met a new assembly at Perth Amboy, in the spring, who chose Colonel Daniel Cox, speaker; being presented and accepted, the governor by speech informed them,

"That the dissolution of one assembly by the demise of the late queen, of another by the arrival of a new patent from the present king, (George I.) constituting him governor of the province, and of a third by reason of a circumstance well known, together with the long sessions at York, and his necessary attendance on the service of the frontiers, had been the occasion of putting off their meeting till now; that on his part he brought with him a firm purpose for the advantage of the subject and service of the crown; which, (says he) 'I have ever pursued, and now bid a fair defiance to the most malicious to assign one single instance in which I have acted counter to what I now profess, notwithstanding the false and groundless accusations and insinuations to the contrary, from two persons on the other side, who pretended to have been instructed from this; which though they met with that contempt at home they deserved, I could not without injustice to myself let pass unmentioned here.'"

The assembly being now convened at Amboy, when it ought in turn to have been at Burlington, were determined to remonstrate against the infringement of the usual custom of alternately meeting at each of those places, and accordingly represented to the governor, that in the year 1709, an act was passed, entitled, "An act for ascertaining the place of the sitting of the representatives, to meet in general assembly;" that in March, 1710, the aforesaid act was confirmed, finally enacted and ratified by her late majesty, with the advice of her privy-council, and transmitted to him (the governor) by the lords commissioners for trade and plantations, the 16th of said month.

That as they found themselves entirely inclinable to pay all due regard and obedience to his

majesty's and the governor's commands, so they could not but think it their duty to maintain the known established laws of the province.

And as that law had the royal sanction, and had gone through all the usual forms both here and in Great Britain, necessary to the confirming and perpetuating of it, they were of opinion it was still in force.

The governor replied, That his majesty's instructions, which were laws to him, having restored that affair to the just and equal footing upon which it was put by, and at the time of the surrender of the government by the proprietors, he could not give his consent to any alteration, or give way to any thing that might elude the intent and purpose of that instruction without giving juster grounds of complaint against him than he had hitherto given; and that he had reasons of great weight, which made it impracticable for him to hold either council or assembly at Burlington at this time.

The dispute being principally founded on the new commission to the governor, upon the accession of King George I. to the throne; the assembly thought proper to let it drop, and pursue what was before them at the place where they were then convened: matters however did not proceed agreeably; the speaker disliked the governor, and influenced many of the members: and the governor perceiving that there was no prospect of their answering the design of their meeting at that time, prorogued them.

He summoned them to meet again at Amboy on the 14th of May, when only nine members appearing, they waited five days, and then presented an address, requesting the governor would take such methods as he should see meet, to cause the absent members to attend the service; he sent warrants to several of them, commanding their attendance, as they would answer the contrary at their peril; four presently appeared, and there being now thirteen met, the governor sent for them, and recommended their meeting at the house and choosing a speaker, (for their speaker was absent among the rest) in order to enable themselves to send their serjeant-at-arms for those that were still absent.

The thirteen met the 21st, but the speaker being still absent, they proceeded to a new choice, and placed John Kinsey in the chair.

This done, and the new speaker presented, the governor delivered the following speech:

"Gentlemen,

"The last time you were here upon the like occasion, I told you, that I thought fit to approve of whatever choice you thought fit to make of a speaker. I now tell you that I heartily approve of the worthy choice you have made.

"As the conduct of that gentleman who last filled the chair, sufficiently convinced you of a combination between him and his associates, to defeat all the purposes of your present meeting; I hope, and cannot doubt but it will open the eyes of all such as by his and their evil acts, and sinistrous practices, have been misled and imposed upon; so that for the future, here, they will not find it so easy a matter to disturb the peace of the country.

"I must refer you to what I said at the opening of the assembly; but harvest drawing near, I am afraid you'll hardly have time for more business than what is absolutely and immediately requisite; that is the support of the government, and the public credit; you know that the date of the currency of your bills of credit is near expiring, so there will be wanting a new law to remedy the evil that must

attend the leaving the country without a currency for ordinary uses, as well as trade.

"ROBERT HUNTER."

The house then examined into the conduct of their late speaker, and the absent members, who on the question were all at the different times severally expelled for "contempt of authority and neglect of the service of their country," and writs issued for new elections.

The 8th of next month, soon after the speaker's exclusion, but before the other members were expelled, the assembly presented their address as follows:

"May it please your excellency,

"Your administration has been a continued series of justice and moderation, and from your past conduct we dare assure ourselves of a continuation of it, and we will not be wanting in our endeavours to make suitable returns, both in providing a handsome support of the government, and of such a continuance as may demonstrate to you and the world, the sense we have of our duty and your worth.

"The gentleman, our late speaker, has added this one instance of folly to his past demeanour, to convince us and the world, that in all stations, whether of a counsellor, a private man, or a representative, his study has been to disturb the quiet and tranquillity of this province, and act in contempt of laws and government: we are sensible of the effects it has had, and may have on the public peace; and our expulsion of him, we hope, evinces that we are not the partisans of his heat and disaffection to the present government. We are very sorry he has been capable to influence so many into a combination with him, to make effectual his ill purposes; but we hope it is rather the effect of weakness than malice, and that their eyes are now so much opened that they'll return to their duty, and join with us in providing for the public credit, and whatever else may make this province happy, and your excellency easy."

Next the assembly resolved, "That the late members whom they had expelled, should not sit as members of the house if they should be returned on a new election, during this sessions of assembly."

Notwithstanding this resolve, several of the same members were returned; but refused seats in the house, and the electors obliged to choose over again.

The governor then prorogued them to the 3d of October. In November the same house met at Crosswicks, the small-pox being at Burlington; the governor opened the business of this session by telling them, That supporting government and public credit, required their immediate deliberation; that they knew the funds for the first had expired fifteen months ago, and that the other had suffered much by the obstinacy of some in refusing the payment of taxes, or remissness in others in collecting or putting the laws in execution, sufficient (if duly executed) to have answered the end, and in a great measure prevented or remedied that evil; that he doubted not they were now met with a good disposition, as well as in full freedom, all clogs and bars being removed, to pursue to effect the good ends of their meeting, and to make good their engagements and promises in several addresses; that the true interest of the people and government were the same, to wit, a government of laws; that no other deserved the name; that this was never separated or separable but in imagination by men of craft

such as were either abettors of lawless power on the one hand, or confusion and anarchy on the other; that the first was not the case of this province, and we had well-grounded hopes that all endeavours towards the latter were ceased.

This session proved long and fruitful, continuing above two months; and sixteen public and private bills received the governor's assent.

In 1718 died Samuel Smith, one of the members of assembly for Burlington; he had sought happiness in obscurity, but being against his inclination called to this and other public stations, he passed through them with a clear reputation. In private life he was inoffensive, benevolent, and respected.

This year was remarkable for an uncommon storm of hail: which fell larger than had been remembered before in the provinces, and killed many wild pigeons, and other birds, and did considerable damage.

(1719.) In the spring Governor Hunter again met the assembly at Perth Amboy; but, at the desire of the members, their private affairs interfering, they were adjourned to the winter, when meeting, he represented,

"That the revenue was some time since expired; that when this came under consideration, he desired an augmentation of the officers' salaries; that in former acts they were so scanty and so retrenched from what they had been, that the officers were not enabled to perform their respective duties.

"That the assembly of New York had passed an act for running the division line betwixt this province; and that upon supposition, that another for the same purpose would be passed here; that the justice due to the proprietors and the disturbances among the people, made such a law immediately necessary; that he had formerly recommended their providing for an agent at the court of Great Britain, and now repeated it; that the lords commissioners for trade had in several of their letters complained of the want of one; that this was the only province in his majesty's dominions that had none; that by means of this omission their business in England stood still; that that could not be delayed without danger or loss to the public, since his administration had been negotiated by persons employed by him, at his own very great expense, which he hoped they would consider; that as to projects of trade, he had no reason to change his opinion since they last met; that to this subject he referred them on what he then spoke."

The assembly said in their address, "That they were not insensible the present circumstances of the government as well as of the country, made their meeting necessary, notwithstanding the rigour of the season; that they were not unmindful that the revenue was expired, nor of their duty in a reasonable support; that they were willing to pass an act for running the division line betwixt this province and New York; but conceived the expense of that affair belonged to the proprietors of the contested lands; that they were very sensible an agent for the province at the court of Great Britain was very necessary, but were sorry the circumstances of the province were such, that they could not make a suitable provision for so useful an officer; and that they would readily come into any measures that might be effectual to promote the trade and prosperity of the province."

This session produced eleven public and private bills; among them was one for running and ascertaining the division line betwixt New Jersey and

New York; but this act was never put in execution further than fixing the north partition point; this was done by indenture made the 25th of July, 1719, between R. Walter, Isaac Hicks and Allane Jarrat, surveyor-general, on the part of New York; John Johnston and George Willocks, on behalf of East Jersey; Joseph Kirkbride and John Reading, on behalf of West Jersey; and James Alexander, surveyor-general, on behalf of both East and West Jersey: these commissioners and surveyors duly authorized, met at the place, and after many observations of the latitude, unanimously, by the deed aforesaid, fixed the north partition point on the northernmost branch of Delaware; which they found to be that branch called the Fish Kill. This done, the commissioners for West Jersey thought they were not further concerned; the others, though both greatly interested in having it settled, left it in uncertainty till 1764, when by acts of assembly of both colonies, it was referred to be finally settled and determined by commissioners to be appointed by the crown. Another act also passed for running and ascertaining the line of division between East and West Jersey.

The beginning of the summer this year (1719) afforded a fair prospect of a plentiful harvest, and much was expected from a great crop in the ground; but an unseasonable quantity of rain coming on, it proved very bad, and many lost their corn entirely; it was long called the wet harvest.

(1720.) We are now come to the end of Governor Hunter's administration, who resigned in favour of William Burnet (son of the celebrated bishop), and returned to England; he had a ready art at procuring money, few loved it more; and this foible it is said drew him into schemes, gaming, and considerable losses. His address here was engaging and successful, he assented to most of the laws the people wanted, and filled the offices with men of character. He had before, so early as the year 1705, been appointed lieutenant-governor of Virginia, under George earl of Orkney, and was on his voyage thither taken prisoner to France.

The assembly at the sessions last mentioned, fixed for salary and incidental charges 600*l.* per annum; for two years this had been the accustomed support, since the surrender, except once in Lord Cornbury's time; 500*l.* was provided in the succeeding administrations, till Lewis Morris, in 1738, became governor of New Jersey, separate from New York; when it was augmented to 1000*l.* per annum, and 60*l.* house-rent, with 500*l.* addition the first year, for expenses attending his voyage, &c.

Governor Burnet met the assembly soon after his arrival, but little business was then thought necessary, nor did they very well agree; that house had been continued a long time, and were now dissolved, and writs issued for a new election.

The members returned were convened early in the spring 1721; they chose Dr. John Johnston, speaker.

The governor opened the assembly with the following speech:

"Gentlemen,

"The choice which the country has made of you to represent them, gives me a happy opportunity of knowing their sentiments; now when they have been fully informed of mine in the most public manner, I have no reason to doubt, that after so much time given them to weigh and consider every particular, you bring along with you their hearty resolutions to support his majesty's government, in

such an ample and honourable manner as will become you to offer, and me to accept; and in doing this, I must recommend to you not to think of me, so much as of the inferior officers of this government, who want your care more, and whose salaries have hitherto amounted to a very small share of the public expense. I cannot neglect this occasion of congratulating you upon the treasures lately discovered in the bowels of the earth, which cannot fail of circulating for the general good, the increase of trade, and the raising the value of estates; and now you are just beginning to taste of new blessings, I cannot but remind you of those which you have so long enjoyed, and without which all other advantages would but have increased your sufferings, under a Popish king and a French government.

"You can ascribe your deliverance from these to nothing but the glorious revolution, begun by King William III., of immortal memory, and completed by the happy accession of his present majesty, King George, to the throne of Great Britain, and his entire success against his rebellious subjects at home, and all his enemies abroad.

"To this remarkable deliverance, by an overruling hand of Providence, you owe the preservation of your laws and liberties, the secure enjoyment of your property, and a free exercise of religion, according to the dictates of your conscience. These invaluable blessings are so visible among us, and the misery of countries where tyranny and persecution prevail, so well known, that I need not mention them, to raise in your minds the highest sense of your obligations to serve God, to honour the king, and love your country. "W. BURNET."

The assembly presented the following address:—

"May it please your excellency;

"We gladly embrace this opportunity to assure your excellency, that our sentiments and those we represent, are one and the same, cheerfully to demonstrate our loyalty to our sovereign King George, and submission to his substitute, and readiness to support his government over us in all its branches, in the most honourable manner the circumstances of this province will allow; which we hope your excellency will accept of, though it fall short of what the dignity of his majesty's governor and the inferior officers of the government might expect, were the province in a more flourishing condition.

"We thankfully acknowledge your excellency's congratulation, and doubt not when the imaginary treasures (except Mr. Schuyler's) become real, the country will not be wanting in their duty to his majesty, in making your excellency and the officers of the government partakers of the advantage.

"We doubt not but your excellency will extend your goodness to countenance any proposal that may tend to the public utility.

"We hope your excellency will excuse us in falling short of words, to express our thankful acknowledgements to God Almighty and those under him, who have been instruments in working deliverance to that glorious nation to which we belong, from popery, tyranny, and arbitrary power, wishing it may always be supplied with great and good men, that will endeavour their utmost to maintain his majesty's royal authority, and assert and defend the laws, liberties, and properties of the people, against all foreign and domestic invaders.

"We beg your excellency to believe the sincerity of our thoughts, that there are none of his majesty's subjects that entertain hearts more loyal and affectionate, and desire more to testify their duty,

gratitude, and obedience to their sovereign King George, his issue, and magistrates in their respective degrees, than do the representatives of his majesty's province of New Jersey.

"JOHN JOHNSTON, Speaker."

Sundry bills were prepared this sessions; among these, one had a title too singular to be omitted, "An act against denying the divinity of our Saviour Jesus Christ, the doctrine of the blessed Trinity, the truth of the Holy Scriptures, and spreading atheistical books." Assemblies in the colonies have rarely troubled themselves with these subjects, perhaps never before or since; it probably arose from the governor's motion, who had a turn that way, and had himself written a book to unfold some part of the apocalypse; the bill was however rejected on the second reading in the assembly. The sessions continued near two months, the support was settled at 500*l.* a-year, for five years; the governor after passing that, and several other bills, dismissed the house with the following speech:

"Gentlemen,—I have so many reasons to thank you for your proceedings in this affair, that should I mention them all, time would not suffice me; two I cannot but acknowledge in a most particular manner; the acts for the cheerful and honourable support, and for the security of his majesty's government in this province.

"I cannot but say, that I look upon the latter as the noblest present of the two; as I think honour always more than riches. The world will now see the true cause of our misunderstandings in the last assembly, and that we met in the innocence and simplicity of our hearts; that the enemy had sown such seeds of dissension among us, that defeated all our good purposes, and made us part with a wrong notion of one another.

"It has pleased God now to discover the truth, and no man in his sober senses can doubt that the hand of Joab was then busy, as it is now certain that it has at this time.

"It is a peculiar honour to me to be thus justified in all my conduct by the public act of the whole legislature; and God knows my heart, that I am not fond of power, that I abhor all thoughts of revenge, and that I study to keep a conscience void of offence towards God and towards man.

"After the publication of the acts, I desire you to return to your house, and after having entered this speech in your minutes, to adjourn yourselves to the 1st day of October next; that though it is not probable we should meet so soon, it may not be out of our power if occasion should be.

"May 5, 1722.

"W. BURNET."

Governor Burnet, after this, continued to reside over New York and New Jersey till 1727; when he was removed to Boston, and succeeded by John Montgomerie, Esq.

In 1727 the following act was passed, which though but short, was ultimately found to be of great importance.

"An act for the limitation of actions, and for avoiding suits in law.

"For quieting men's estates and avoiding of suits: Be it enacted by the governor, council, and general assembly of this province, and it is hereby enacted by the authority of the same, That all the statutes now in force, in that part of Great Britain, called England, concerning the limitation of actions, real and personal, shall, and are hereby declared to be in force in this province from the publication hereof, as fully and effectually as if every of them were

herein at length repeated and enacted; any law, usage, or custom to the contrary in any wise notwithstanding."

The following extracts from the proceedings of the house of assembly of the colony of New Jersey, show the first steps towards getting a separate governor appointed.

"Die Jovis, 9th of January, 1728. A motion being made, whether the having a distinct governor for New Jersey be, in the opinion of the house, for the advantage of the province, or not? A debate arising thereon, and the question being put, the previous vote was demanded, whether that question be now put or not? It was carried in the affirmative: and then the question was put, whether the having a distinct governor for New Jersey be, in the opinion of the house, for the advantage of the province, or not? It was carried in the affirmative. Then the house adjourned till three o'clock, P. M.

"Three o'clock, P. M., the house met according to adjournment. Resolved, *nemine contradicente*, that the house will enter into consideration, what may be the most effectual method for obtaining a distinct governor for this province hereafter; and it is ordered, that Mr. Kinsey, Mr. Stacy, Mr. Lambert, Mr. Eaton, Mr. Sonmans, and Mr. Bonnell, wait on his excellency and council, with this and the last resolve, and desire their concurrence therein, and a conference touching the manner most likely to effect it; and withal, to signify to the governor and that board, that it is in nowise the intention of this house to give him the least uneasiness (were it in their power) during the time he may continue in commission; but only to take such measures as may best conduce to the end aforesaid, when his commission may determine by the king's pleasure or otherwise; and thus they conceive a duty incumbent upon them. Then the house adjourned till to-morrow, nine o'clock, A. M.

"To the king's most excellent majesty.

"The humble petition of the representatives of the province of New Jersey, in America, in general assembly convened.

"Most gracious sovereign,

"We, your majesty's most loyal and dutiful subjects, the representatives of your province of New Jersey, in general assembly convened, by the early care your majesty has been pleased to show for the general benefit of all your people, are animated to believe, that nothing which may contribute to the advantage and prosperity of this, (though small and distant) part of your dominions, will be denied us; we therefore beg leave thus to approach your royal presence, in discharge of that duty we owe to your majesty and to our country, in the most humble manner here to represent:

"That the inhabitants of this colony (formerly a proprietary government), since the surrender thereof to the crown, have always been under the same governor with your majesty's province of New York; that we humbly apprehend it would much more conduce to the benefit of this province, and no prejudice to that of New York, were their governors, as are the governments, distinct.

"It is a peculiar happiness many of our fellow subjects enjoy, to be near your royal person, and to partake of the immediate influence of so good a government; but since our distance deprives us of that great benefit, it might (we humbly conceive) in some degree be recompensed, by having a person clothed with your majesty's authority constantly residing amongst us. This we cannot expect while

under the same governor with New York; that government necessarily taking up so much of our governor's time, that but a small part of it can fall to our share; and his residence being chiefly there, renders applications to him from hence, on ordinary occasions, difficult, and in extraordinary cases (however willing) he may be unable to relieve until the affairs of that province will permit his coming into New Jersey.

"Under the like difficulties, (and for the like reason) we have laboured in respect to our principal officers, who have formerly been inhabitants of that colony; which not only renders them less useful in their several stations, but by spending their salaries there, drained us of money, which would otherwise have circulated amongst us.

"Our having the same governor with the colony of New York at first, was (as we humbly conceive) because this province was then in its infancy, the inhabitants few, and it might justly have been thought too heavy a burthen to maintain a governor of our own; but since we are now much more numerous, and are as able and willing to support one, as divers of our neighbouring colonies, who enjoy that benefit; we are humbly of opinion, the granting this colony such a governor, might tend to increase our wealth, and put us in a condition to emulate our neighbours in trade and navigation.

"We entreat your majesty to believe, that nothing we here say proceeds from any dissatisfaction to our present governor; on the contrary, we are well pleased with his government, and desire it may continue during your royal pleasure; but all we humbly ask, is, that when your majesty shall think fit to put a period to his government, you will then graciously condescend to bestow a distinct governor on this your colony of New Jersey.

"That your majesty may long live to enjoy the crown you wear with ease and delight, exceeding in honour your illustrious ancestors; that when you part with an earthly diadem, it may be to receive a crown more permanent and glorious, and that Great Britain, and these your dominions, may be always happy in a sovereign, whose virtues are so conspicuous (as in duty we are bound), shall be the prayers, may it please your majesty,

"Your majesty's most dutiful and most loyal subjects.

"By order of the house,

"JOHN KINSEY, jun., Speaker."

"Divers of the members of this assembly being of the people called quakers, concur to the matter and substance of this address, but make some exception to the stile."

This petition proceeding in the usual routine to the lords of trade, they made, after a considerable delay, the following report upon it.

"To the right honourable the lords of the committee of his majesty's most honourable privy council.

"My Lords,—We have considered the humble petitions of the president and council, the speaker, and several members of the assembly, of his majesty's province of New Jersey; of the grand jury of the said province, and Mr. Richard Partridge, agent for New Jersey; together with two other papers annexed to the last-mentioned petition; all of them referred to us by your lordships on the 24th day of May last; humbly praying, for the reasons contained, that when his majesty shall nominate a governor for the province of New York, the province of New Jersey may not be included in his commis-

sion, but that his majesty would be graciously pleased to appoint a separate governor for the said province of New Jersey.

"We have considered the reasons given by the petitioners for this separation, and upon the best information we have been able to procure, we take leave to acquaint your lordships, that the allegations of the several petitions appear to be of great consequence; and we cannot doubt but that a separate governor, whom the province is willing to support, would be a means to give a quicker dispatch to their public affairs, to increase their trade and number of people, and very much advance the interest of the province.

"Wherefore we are humbly of opinion, that his majesty may be graciously pleased to comply with the prayer of these petitions.

"We are, my lords, your lordship's most obedient and most humble servants,

"T. PELHAM,

"ORL. BRIDGMAN,

"JA. BEUDENELL."

"Whitehall,
Aug. 5, 1736."

In 1731 Governor Montgomerie had died; to him

had succeeded William Cosby, Esq., who continued until his death in 1731; and then the government had devolved on the president of the council, John Anderson, Esq., who also died two weeks after his assumption of the government. He was succeeded by John Hamilton, Esq., who governed two years; until, after much delay, the wishes of the province were gratified by the granting a separate commission to Lewis Morris, Esq., who in 1738 was appointed governor of New Jersey only, and a separate governor was allowed to New York. This was the last public transaction of any great importance, until the revolutionary war. The seclusion from the Indian frontier, and the thriving nature of the colony, caused public affairs to proceed very calmly; and this province, therefore, furnishes no further materials for history, until it took its share in the great contest for national independence. At the time we leave it, it possessed a population of about 40,000 souls; and a general desire for mental improvement had manifested itself in the foundation of a college, called Nassau Hall, at Princeton.

CONNECTICUT.

The patent of Connecticut—The discovery of Connecticut river—Description of other rivers—Plymouth and Dutch houses—Prospects of trade upon the river.

The great Plymouth company (of which a sufficient account has already been given) wished to make grants of their lands as fast as they could find purchasers; and the persecution of the non-conformists was so severe in England, that men of fortune, as well as others, were anxious to provide, for themselves and their friends, a retreat in America.

On the 19th of March, 1631, Robert earl of Warwick, president of the council of Plymouth, under his hand and seal, granted and confirmed to the Honourable William Viscount Say and Seal, Robert Lord Brook, Robert Lord Rich, Charles Fienes, Esq. Sir Nathaniel Rich, Sir Richard Saltonstall, and others, to the number of eleven, and to their heirs, assigns, and associates, for ever, "All that part of New England, in America, which lies and extends itself from a river there, called Narraganset river, the space of forty leagues upon a straight line near the sea-shore, towards the south-west, west and by south, or west as the coast lieth towards Virginia, accounting three English miles to the league, and all and singular the lands and hereditaments whatsoever, lying and being within the bounds aforesaid, north and south in latitude and breadth, and in length and longitude of, and within all the breadth aforesaid, throughout all the main lands there, from the Western ocean to the south seas; and all lands, grounds, soil, wood and wood-lands, ground, havens, ports, creeks and rivers, waters, fishings and hereditaments whatsoever, lying within the said space, and every part and parcel thereof; and also, all islands lying in America aforesaid, in the said seas, or either of them, on the western or eastern coasts, or parts of

the said tracts of land, by these presents to be given or granted." The council of Plymouth, the preceding year, 1630, granted this whole tract to the Earl of Warwick, and it had been confirmed to him by a patent from King Charles I.

This is the original patent of Connecticut. The settlers of the two colonies of Connecticut and New Haven were the patentees of Viscount Say and Seal, Lord Brook, and their associates, to whom the patent was originally given.

President Clap describes the extent of the tract, conveyed by this patent, in the words following: "All that part of New England which lies west from Narraganset river, a hundred and twenty miles on the sea-coast; and from thence, in latitude and breadth aforesaid, to the South sea. This grant extends from Point Judith to New York; and from thence, in a west line to the south sea: and if we take Narraganset river in its whole length, this tract will extend as far north as Worcester: it comprehends the whole of the colony of Connecticut, and much more." Neal, Douglass, Hutchinson, and all ancient historians and writers, have represented all the New England grants as extending west from the Atlantic ocean to the south sea. Indeed the words of the patent are most express, declaring its extent to be south-west or west, towards Virginia, to be in length and longitude throughout all the main lands to the South sea.

And from this construction of the patents, congress have taken a formal surrender of the unappropriated western lands from particular states, and from Connecticut no less than from others.

The first discovery of Connecticut was of its principal river and the fine meadows lying upon its bank. Whether the Dutch at New Netherlands, or the people of New Plymouth, were the first discoverers of the river, is not certain. Both the English

and Dutch claimed to be the first discoverers, and both purchased and made a settlement of the lands upon it nearly at the same time.

In 1631, Wahquimacut, a sachem upon the river Connecticut, made a journey to Plymouth and Boston, earnestly soliciting the governors of each of the colonies to send men to make settlements upon the river. He represented the exceeding fruitfulness of the country, and promised that he would supply the English, if they would make a settlement there, with corn annually, and give them eighty beaver skins. He urged that two men might be sent to view the country. Had this invitation been accepted, it might have prevented the Dutch claim to any part of the lands upon the river, and opened an extensive trade, in hemp, furs, and deer skins, with all the Indians upon it, and far into Canada.

The governor of Massachusetts treated the sachem and his company with generosity, but paid no further attention to his proposal. Mr. Winslow, the governor of Plymouth, judged it worthy of more attention. It seems, that soon after he went to Connecticut, and discovered the river and the adjacent parts. The commissioners of the united colonies, in their declaration against the Dutch, in 1653, say, "Mr. Winslow, one of the commissioners for Plymouth, discovered the fresh river when the Dutch had neither trading-house nor any pretence to a foot of land there."

It very soon appeared that the earnestness with which the Indian sachem solicited the English to make settlements on the river, originated in the distressed state of the river Indians. Pekoa, at that time the great sachem of the Pequims, or Pequots, was conquering them, and driving their sachems from that part of the country. The Indian king imagined that, if he could persuade the English to make settlements there, they would defend him from his too powerful enemies.

(1632.) The next year, the people of New Plymouth made more particular discoveries upon the river, and found a place near the mouth of the little river, in Windsor, at which they judged a trading-house might be erected, which would be advantageous to the colony.

The Indians represented that the river Connecticut extended so far north, and so near the great lake, that they passed their canoes from the lake into it; and that from the great swamps about the lake came most of the beaver in which they traded.

One of the branches of Onion river, in Vermont, is within ten miles of Connecticut river. This was anciently called the French river. The French and Indians from Canada came by this river, and from this into Connecticut, when they made their attacks on the northern frontiers of New England and Connecticut.

Connecticut river has its source in that grand ridge of mountains which divides the waters of New England and Canada, and extends north-easterly to the gulf of St. Lawrence. The source of its highest branch is in about 45 degrees and a half, or 46 degrees of north latitude. Where it enters New England, in 45 degrees of north latitude, it is ten rods in breadth, and in running sixty miles further, it becomes twenty-four rods wide. It forms the boundary line between New Hampshire and Vermont about two hundred miles. Thence running through the states of Massachusetts and Connecticut, it disembogues its waters into Long Island sound, between Saybrook and Lyme. It runs with a gentle

flow, as its course is between three and four hundred miles. Its breadth through Connecticut, as a medium, is between a hundred rods and half a mile. In the high spring floods it overflows its banks, and in some places is nearly two miles in breadth. As its banks are generally low, it forms and fertilises a vast tract of the finest meadow; in which a stone is scarcely to be found. The general course of this beautiful river, above, and between the states of New Hampshire and Vermont, is nearly south-west. At a small distance from its mouth is a bar of sand, apparently formed by the conflux of the river and tide. Upon this there are but ten feet of water at full tide. The bar is at such a distance from the mouth of the river, that the greatest floods do not increase the depth of the water. This is some obstruction to navigation, but any vessel, which can pass the bar, may proceed without obstruction as far as Middletown, thirty miles from the sound; and vessels of eighty, and a hundred tons, go up to Hartford, fifty miles from the river's mouth. By means of locks and cuts, at the falls, it is now navigable for boats, more than three hundred miles.

In Connecticut there is one exception to the lowness of the river's banks. About three miles below Middletown the river makes its way through two mountains, by which its breadth is contracted to about forty rods. This occasions the waters, sometimes, in the spring floods, to rise, even at Hartford, twenty feet above the common surface of the river. This, for the length of its course, its gentle flow, its excellent waters, the rich and extensive meadows which it forms, and the immense quantities of fish, with which it abounds, is one of the finest rivers in New England.

None of the ancient adventurers, who discovered the great continent of North America, or New England, made any discovery of this river; and it does not appear that it was known to any civilized nation, until some years after the settlement of the English and Dutch, at Plymouth and New Netherlands.

From this fine river, which the Indians called Quonehtacut, or Connecticut, (in English, the long river,) the colony originally took its name; and it may be accounted one of the principal sources of its wealth.

The Housatonick and the little or Farmington river, westward of it, and Pequot river, now called the Thames, on the east, are also considerable sources of its prosperity. The Housatonick, now commonly called Stratford river, has two principal branches. One rises in Lanesborough, and the other in Windsor, in the county of Berkshire, in Massachusetts. When it enters Connecticut, between Salisbury and Canaan, it is about fifty rods wide, and running through the whole length of the colony, it flows into the sound between Milford and Stratford. It is navigable twelve miles to Derby. Between Milford and Stratford it is about eighty rods wide, and there is about four fathoms of water. Were it not obstructed, by a bar of shells, at the mouth, it would admit large ships. Between Salisbury and Canaan is a cataract where the water of the whole river falls perpendicularly sixty feet. The fall produces a perfectly white sheet of water and various rainbows.

The Naugatuck, or Waterbury river, is another considerable branch of the Housatonick. Its source is in Torrington, and running through Harwinton, Plymouth and Waterbury, it empties itself into the Housatonick at Derby.

The little, or Farmington river rises in Becket, in Massachusetts, crosses the boundary line between the colonies at Hartland, and passing through Berkhemsted and New Hartford, runs south below the centre of Farmington; then, making a remarkable turn, it runs back nearly a north course twelve or fourteen miles into Simsbury, where it turns easterly, and running into Windsor, discharges its waters into Connecticut river nearly in the centre of the town. This formerly was replenished with all kinds of fish in as great a profusion as Connecticut. The numerous dams, which more lately have been erected upon it, have very greatly obstructed their passage.

Pequot river, or the Thames, empties into the sound at New London. It is navigable fourteen miles to Norwich landing. Here it loses its name, and branches into Shetucket on the east, and Norwich, or little river, on the west. About a mile from the mouth of the little river is a romantic cataract.

The Shetucket, which name it bears as far only as the southern boundary of Windham, is formed by the Willamantick and Quenibaug rivers. The Willamantick has its source in Massachusetts, enters Connecticut at Stafford, and is the boundary line between Tolland and Willington, Coventry and Mansfield, and passing by Windham, loses itself in the Shetucket. Quenibaug rises in Brimfield, in Massachusetts, and passing through Sturbridge and Dudley, crosses the line between that state and Connecticut, at Thompson; and dividing Pomfret from Killingly, Canterbury from Plainfield, and Lisbon from Preston, flows into the Shetucket.

The colony is watered and fertilized by numerous other rivers, of less extent and utility.

As the people of Plymouth had explored Connecticut river, and fixed upon a place convenient for building and commerce, and found the original proprietors of the soil desirous of their making settlements among them, they judged it an affair worthy of public and immediate attention.

In July, 1633, Mr. Winslow and Mr. Bradford therefore made a journey to Boston, to confer with Governor Winthrop and his council, on the subject. Governor Winslow and Mr. Bradford proposed it to them, to join with Plymouth, in a trade to Connecticut for hemp and beaver, and to erect a house for the purposes of commerce. It was represented as necessary, to prevent the Dutch from taking possession of that fine country, who, it was reported, were about to build upon the river; but Governor Winthrop declined the motion: objecting that it was not proper to make a plantation there, because there were three or four thousand warlike Indians upon the river; and because the bar at the mouth of it was such, that small pinnaces only could enter it at high water; and because that, seven months in the year, no vessels could go into it, by reason of the ice, and the violence of the stream.

The Plymouth people therefore determined to undertake the enterprise at their own risk. Preparations were made for erecting a trading-house, and establishing a small company upon the river. In the mean time, the master of a vessel from Massachusetts, who was trading at New Netherlands, showed to Walter Van Twiller, the Dutch governor, the commission which the English had to trade and settle in New England; and that his majesty the king of England had granted all these parts to his own subjects. He therefore desired that the Dutch would not build at Connecticut. This appears to

have been done at the direction of Governor Winthrop; for, in consequence of it, the Dutch governor wrote a very complaisant letter to him, in which he represented, that the lords, the States-general, had granted the same country to the West India company. He requested, therefore, that the English would make no settlements at Connecticut, until the affair should be determined between the court of England and the States-general. This appears to have been a piece of policy in the Dutch governor to keep the English still, until the Dutch had got a firm footing upon the river.

Several vessels, this year, went into Connecticut river to trade. John Oldham, from Dorchester, and three men with him, also travelled through the wilderness to Connecticut, to view the country and trade with the Indians. The sachem upon the river made him most welcome, and gave him a present in beaver. He found that the Indian hemp grew spontaneously in the meadows, in great abundance: and he purchased a quantity of it; which upon trial, appeared much to exceed the hemp which grew in England.

William Holmes, of Plymouth, with his company, having prepared the frame of a house, with boards and materials for covering it immediately, put them on board a vessel, and sailed for Connecticut. Holmes had a commission from the governor of Plymouth, and a chosen company, to accomplish his design. When he came into the river, he found that the Dutch had got in before him, made a light fort, and planted two pieces of cannon; this was erected at the place since called Hartford. The Dutch forbid Holmes' going up the river, stood by their cannon, ordered him to strike his colours, or they would fire upon him: but he was a man of spirit, assured them that he had a commission from the governor of Plymouth to go up the river, and that he must obey his orders: they poured out their threats, but he proceeded, and landing on the west side of the river, erected his house (October 1633) a little below the mouth of the little river, in Windsor. The house was covered with the utmost dispatch, and fortified with palisadoes. The sachems, who were the original owners of the soil, had been driven from this part of the country, by the Pequots; and were now carried home on board Holmes' vessel. Of them the Plymouth people purchased the land, on which they erected their house. This, Governor Wolcott says, was the first house erected in Connecticut. The Dutch, about the same time, erected a trading-house at Hartford.

It was with great difficulty that Holmes and his company erected and fortified their house, and kept it afterwards. The Pequot Indians were offended at their bringing home the original proprietors, and the Dutch that they had settled there, and were about to rival them in trade, and in the possession of those excellent lands upon the river: they were obliged therefore to combat both, and to keep a constant watch upon them.

The Dutch, before the Plymouth people took possession of the river, had invited them, in an amicable manner, to trade at Connecticut; but when they were apprised that they were making preparations for a settlement there, they repented of the invitation, and spared no exertions to prevent them.

On the 8th of June, 1634, the Dutch had sent Jacob Van Curter, to purchase lands upon the Connecticut. He made a purchase of about twenty acres at Hartford, of Nepquash, a Pequot leader. Of this the Dutch took possession in October, and

on the 25th of the month, Curter protested against William Holmes, the builder of the Plymouth house. Some time afterwards, the Dutch governor, Walter Van Twiller, of fort Amsterdam, dispatched a reinforcement to Connecticut, designing to drive Holmes and his company from the river. A band of seventy men, under arms, with banners displayed, assaulted the Plymouth house, but they found it so well fortified, and the men who kept it so vigilant and determined, that it could not be taken without bloodshed: they therefore came to a parley, and finally returned in peace.

The people of New Plymouth had carried on a trade upon Connecticut river for nearly two years before they erected a trading-house. They found the country to be excellent, and the trade profitable; but that, were there a house and company to receive the commodities which were brought down from the inland country, the profits would be much greater. The country abounded with beaver. The Dutch purchased not less than ten thousand skins annually. Plymouth and Massachusetts people sometimes sent, in a single ship, for England, a thousand pounds sterling worth of otter and beaver skins. The extent of Connecticut river, the numerous Indians upon it, and the easy communication which they had with the lakes, and natives of Canada, gave an extensive opening for a trade in furs, skins, corn, hemp, and all kinds of commodities which the country afforded.

This was a year of great sickness at Plymouth. They lost twenty of their people. Some of them were their principal and most useful inhabitants.

The state of the country of Connecticut when the settlement of the colony commenced—Its trees and fruits—Its animals—Number, situation, genius, manners, arms, utensils, and wars of the Indians.

When the English became first acquainted with that tract comprised within the settled part of Connecticut, it was a vast wilderness. Except in places where the timber had been destroyed, and its growth prevented by frequent fires, the groves were thick and lofty. The Indians so often burned the country, to take deer and other wild game, that in many of the plain, dry parts of it, there was but little small timber. Where lands were thus burned there grew bent grass, or as some called it, thatch, two, three, and four feet high, according to the strength of the land. This, with other combustible matter, which the fields and groves produced, when dry, in the spring and fall, burned with violence and killed all the small trees. The large ones escaped, and generally grew to a notable height and magnitude. In this manner the natives so thinned the groves, that they were able to plant their corn and obtain a crop.

The constant fall of foliage, with the numerous kinds of weeds and wild grass, which annually died and putrified on the lands, yielded a constant manure, and exceedingly enriched them. Vegetation was rapid, and all the natural productions of the country luxuriant.

It abounded with the finest oaks of all kinds, with chestnut, walnut, and wild cherry trees, with all kinds of maple, beech, birch, ash, and elm. The butternut tree, buttonwood, basswood, poplar, and sassafras trees, were to be found generally upon all tracts in Connecticut. White, yellow, and pitch pine, white and red cedar, hemlock and spruce, grew plentifully in many places. In the north and north-western part of the colony were excellent groves of pine, with spruce and fir trees. The white wood

tree also, notable for its height and magnitude making excellent boards and clapboards, was the natural growth of the country. In some towns white wood trees have grown in great abundance. All other kinds of small trees, of less utility, common to New England, flourished in Connecticut.

The country abounded with a great variety of wild fruit. In the groves were walnuts, chestnuts, butternuts, hazelnuts and acorns in great abundance. Wild cherries, currants and plums, were natural productions. In the low lands, on the banks of the rivers, by the brooks and gutters, there was a variety and plenty of grapes. The country also abounded with an almost endless variety of esculent and medicinal berries, herbs and roots. Among the principal and most delicious of these were strawberries, blackberries of various kinds, raspberries, dewberries, whortleberries, bilberries, blueberries and mulberries. Cranberries also grew plentifully in the meadows, which when well prepared furnish a rich and excellent sauce. Juniperberries, barberries and bayberries, which are of the medicinal kind, grow spontaneously in Connecticut. The latter is an excellent and useful berry, producing a most valuable tallow. It is of a beautiful green, and has a fine perfume. Beside these, there was a profusion of various other kinds of berries of less consideration. Some even of these, however, are very useful in various kinds of dyes and in certain medicinal applications.

The earth spontaneously produced ground nuts, artichokes, wild leeks, onions, garlics, turnips, wild pease, plantain, radish, and other esculent roots and herbs.

Among the principal medicinal vegetables of Connecticut are the blood root, seneca snake root, liquorice root, dragon root, pleuris root, spikenard, elecampane, solomon's seal, sarsaparilla, senna, bittersweet, ginseng, angelica, masterwort, motherwort, lungwort, consumption root, great and small canker weed, high and low centaury, sweet and blue flag, elder, maidenhair, pennyroyal, celandine, mallow, marsh mallow, slippery elm, adder's tongue and rattle-snake weed. Indeed a great proportion of the roots and plants of the country, with the bark, buds and roots of many of the trees, are used medicinally. There is a great variety of plants and flowers, the names and virtues of which are not known.

The country was no less productive of animals than of natural fruit. In the groves there were plenty of deer, moose, fat bears, turkeys, herons, partridges, quails, pigeons, and other wild game, which were excellent for food. There were such incredible numbers of pigeons in New England, when the English became first acquainted with it, as filled them with a kind of astonishment. Such numerous and extensive flocks would be seen flying for some hours, in the morning, that they would obscure the light. An American historian writes, "It passeth credit, if but the truth were written."

Connecticut abounded in furs. Here were otters, beaver, the black, grey, and red fox, the racoon, mink, musk-rat, and various other animals, of the fur kind. The wolf, wild cat, and other animals, common in New England, were equally so in Connecticut. Wolves were numerous in all parts of New England, when the settlements commenced, and did great damage to the planters, killing their sheep, calves, and young cattle.

The country afforded an almost incredible plenty of water-fowl, namely, wild geese, and ducks of all kinds, wigeons, sheldraps, broadbills, and teal of

various sorts, which were both wholesome and palatable.

There was also a great variety, and an abundance of fish. Connecticut river, in particular, was noted for excellent salmon.

As Connecticut abounded in wild animals, so it did also with wild and savage men. In no part of New England were the Indians so numerous, in proportion to the extent of territory, as in Connecticut. The sea-coast, harbours, bays, numerous ponds and streams, with which the country abounded, the almost incredible plenty of fish and fowl which it afforded, were exceedingly adapted to their convenience and mode of living. Its fertility and the excellence of its waters, naturally collected them in great numbers to this tract. Neither wars, nor sickness, had so depopulated this as they had some other parts of New England.

From the accounts given of the Connecticut Indians, they cannot be estimated at less than twelve or sixteen thousand. They might possibly amount to twenty. They could muster, at least, three or four thousand warriors. It was supposed, in 1633, that the River Indians only could bring this number into the field. These were principally included within the ancient limits of Windsor, Hartford, Weathersfield, and Middletown. Within the town of Windsor only, there were ten distinct tribes, or sovereignties. About the year 1670, their bowmen were reckoned at two thousand. At that time, it was the general opinion, that there were nineteen Indians, in that town, to one Englishman. There was a great body of them in the centre of the town. They had a large fort a little north of the plat on which the first meeting-house was erected. On the east side of the river, on the upper branches of the Podunk, they were very numerous. There were also a great number in Hartford. Besides those on the west side of the river, there was a distinct tribe in East Hartford. These were principally situated upon the Podunk, from the northern boundary of Hartford, to its mouth, where it flows into the Connecticut. Totanimo, their first sachem with whom the English had any acquaintance, commanded two hundred bowmen. These were called the Podunk Indians.

At Mattabesick, now Middletown, was the great sachem Sowheag. His fort, or castle, was on the high ground, facing the river, and the adjacent country, on both sides of the river, was his sachemdom. This was extensive, comprehending the ancient boundaries of Weathersfield, then called Pyquaug, as well as Middletown. Sequin was sagamore at Pyquaug, under Sowheag, when the English began their settlements. On the east side of the river, in the tract since called Chatham, was a considerable clan, called the Wongung Indians. At Machemoodus, now called East Haddam, was a numerous tribe, famous for their pawaws, and worshipping of evil spirits. South of these in the easternmost part of Lyme, were the western Nehanticks. These were confederate with the Pequots. South and east of them, from Connecticut river to the eastern boundary line of the colony, and north-east or north, to its northern boundary line, lay the Pequot and Mohegan country. This tract was nearly thirty miles square, including the counties of New London, Windham, and the principal part of the county of Tolland.

Historians have treated of the Pequots and Moheagans as two distinct tribes, and have described the Pequot country as lying principally within the

three towns of New London, Groton, and Stonington. All the tract above this, as far north and east as has been described, they have represented as the Mohegan country. Most of the towns in this tract, if not all of them, hold their lands by virtue of deeds from Uncas, or his successors, the Mohegan sachems. It is, however, much to be doubted whether the Moheagans were a distinct nation from the Pequots. They appear to have been a part of the same nation, named from the place of their situation. Uncas was evidently of the royal line of the Pequots, both by his father and mother; and his wife was daughter of Tatobam, one of the Pequot sachems. He appears to have been a leader, or petty sachem, under Sassacus, the great prince of the nation. When the English first came to Connecticut, he was in a state of rebellion against him, in consequence of some misunderstanding between them; and of little power or consequence among the Indians.

The Pequots were by far the most warlike nation in Connecticut, or even in New England. The tradition is, that they were originally an inland tribe; but, by their prowess, came down and settled themselves in that fine country along the sea-coast, from Nehantick to Narraganset bay. When the English began their settlements at Connecticut, Sassacus had twenty-six sachems, or principal war-captains, under him. The next to himself, in dignity, was Mononottoh. The chief seat of these Indians was at New London and Groton. New London was their principal harbour, and called Pequot harbour. They had another small harbour at the mouth of Mystic river. Their principal fort was on a commanding and most beautiful eminence, in the town of Groton, a few miles south-easterly from fort Griswold. It commanded one of the finest prospects of the sound and the adjacent country which is to be found upon the coast. This was the royal fortress, where the chief sachem had his residence. He had another fort near Mystic river, a few miles to the eastward of this, called Mystic fort. This was also erected upon a beautiful hill, or eminence, gradually descending towards the south and south-east. The Pequots, Moheagans, and Nehanticks, could, doubtless, muster a thousand bowmen. The Pequots only were estimated at seven hundred warriors. Upon the lowest computation we therefore find at least three thousand warriors on the river Connecticut, and in the eastern part of the colony. If we reckon every third person a bowman, as some have imagined, then the whole number of Indians, in the town and tract mentioned, would be nine thousand; but if there were but one to four or five, as is most probable, then there were twelve or fifteen thousand.

West of Connecticut river and the towns upon it, there were not only scattered families in almost every part, but, in several places, great bodies of Indians. At Simsbury and New Hartford they were numerous; and upon those fine meadows, formed by the meanders of the little river at Tuxis, now Farmington, and the lands adjacent, was another very large clan. There was a small tribe at Guilford, under the sachem squaw, or queen, of Menunkatuck. At Branford and East Haven there was another. They had a famous burying-ground at East Haven, which they visited and kept up with much ceremony for many years after the settlement of New Haven. At Milford, Derby, Stratford, Norwalk, Stamford, and Greenwich, their numbers were formidable. At Milford, the Indian name of which

was Wopowage, there were great numbers; not only in the centre of the town, but south of it, at Milford point. On the west part of the town was another party. They had a strong fortress, with flankers at the four corners, about half a mile north of Stratford ferry. This was built as a defence against the Mohawks. At Turkey hill, in the north-west part of Milford, there was another large settlement.

In Derby there were two large clans. And there was one at Paususset. This last clan erected a strong fort against the Mohawks, situated on the bank of the river, nearly a mile above Derby ferry.

At the falls of Naugatuck river, four or five miles above, was another tribe. At Stratford, the Indians were equally, if not more numerous. In that part of the town only which is comprised within the limits of Huntington, their warriors, after the English had knowledge of them, were estimated at three hundred; and, before this time, they had been much wasted by the Mohawks.

The Indians at Stamford and Greenwich, and in that vicinity, probably were not inferior in numbers to those at Stratford. There were two or three tribes of Indians in Stamford when the English began the settlement of the town. In Norwalk were two petty sachemdoms; so that within these towns there was a large and dangerous body of savages. These, with the natives between them and Hudson's river, gave extreme trouble to the Dutch. The Norwalk and Stamford Indians gave great alarm, and occasioned much expense to the English, after they made settlements in that part of the colony. In the town of Woodbury there were also great numbers of Indians. The most numerous body of them was in that part of the town, since named South Britain.

It would doubtless be a moderate computation to reckon all these different clans at a thousand warriors, or four or five thousand people. There must, therefore, have been sixteen, and it may be, twenty thousand Indians in Connecticut when the settlement of it commenced.

East of Connecticut were the Narraganset Indians: these were a numerous and powerful body. When the English settled Plymouth, their fighting men were reckoned at three or four thousand. Fifty years after this time, they were estimated at two thousand. The Pequots and Narragansets maintained perpetual war, and kept up an implacable animosity between them. The Narragansets were the only Indians in the vicinity of the Pequots which they had not conquered. To these their very name was dreadful. They said Sassacus was "all one God; no man could kill him."

On the north-easterly and northern part of the colony were the Nipmuck Indians. Their principal seat was about the great ponds in Oxford, in Massachusetts, but their territory extended southward into Connecticut more than twenty miles. This was called the Wabbequasset and Whetstone country; and sometimes, the Moheagan conquered country, as Uncas had conquered and added it to his sachemdom.

The Connecticut, and indeed all the New England Indians, were large, straight, well-proportioned men. Their bodies were firm and active, capable of enduring the greatest fatigues and hardships. Their passive courage was almost incredible. When tortured in the most cruel manner, though flayed alive, though burnt with fire, cut or torn limb from limb, they would not groan, or show any signs of

distress; and in some instances they would glory over their tormentors, saying that their hearts would never be soft until they were cold, and representing their torments as sweet as Englishmen's sugar. When travelling in summer, or winter, they regarded neither heat nor cold. They were exceedingly light of foot, and would travel or run a very great distance in a day. Mr. Williams says, "I have known them run between eighty and a hundred miles in a summer's day, and back again within two days." As they were accustomed to the woods, they ran in them nearly as well as on plain ground. They were exceedingly quick-sighted, to discover their enemy, or their game, and equally artful to conceal themselves. Their features were tolerably regular. Their faces were generally full as broad as those of the English, but flatter; they have a small, dark-coloured good eye, coarse black hair, and a fine white set of teeth. The Indian children, when born, are nearly as white as the English children; but as they grow up, their skin grows darker, and becomes nearly of a copper colour. The shapes both of the men and women, especially the latter, are excellent. A crooked Indian is rarely if ever to be seen.

The Indians in general were quick of apprehension, ingenious, and when pleased, nothing could exceed their courtesy and friendship. Gravity and eloquence distinguished them in council, address and bravery in war. They were not more easily provoked than the English; but when once they had received an injury, it was never forgotten. In anger they were not, like the English, talkative and boisterous, but sullen and revengeful. Indeed, when they were exasperated, nothing could exceed their revenge and cruelty. When they have fallen into the power of an enemy, they have not been known to beg for life, nor even to accept it when offered them. They have seemed rather to court death. They were exceedingly improvident. If they had a supply for the present, they gave themselves no trouble for the future. The men declined all labour, and spent their time in hunting, fishing, shooting, and warlike exercises. They were excellent marksmen, and rarely missed their game, whether running or flying.

They imposed all the drudgery upon their women, who gathered and brought home their wood, planted, dressed, and gathered in their corn; bore home the venison, fish, and fowl which the men took in hunting; and when they travelled, carried the children, packs, and provisions; they submitted patiently to such treatment, considering it as the hard lot of the women, and repaid the ungenerous usage with smiles and good humour. The Indian men cared little for their children when young, and were supposed at certain times to sacrifice them to the devil.

The Indian women were strong and masculine; and as they were more inured to exercise and hardship than the men, were even more firm and capable of fatigue and suffering than they. They endured the pains of child-bearing without a groan. It was not uncommon for them, soon after labour, to take their children upon their backs and travel as they had done before.

The clothing of the Indians in New England was the skins of wild beasts. The men threw a light mantle of skins over them, and wore a small flap, but were not very punctilious. The women wore much more modest; and wore a coat of skins girt about their loins, which reached down to their hams, which they never put off in company. If the hus-

band chose to sell his wife's beaver petticoat, she could not be persuaded to part with it, until he had provided another of some sort.

In the winter, their blanket of skins, which hung loose in the summer, was tied or wrapped more closely about them. The old men in the severe seasons also wore a sort of trowsers made of skins, and fastened to their girdles. They wore shoes without heels, which they called mockasins. These were made generally of moose hide, but sometimes of buck-skin. They were shaped entirely to the foot, gathered at the toes and round the ankles, and made fast with strings.

Their ornaments were pendants in their ears and nose, carved of bone, shells, and stone. These were in the form of birds, beasts, and fishes. They also wore belts of wampompeag upon their arms, over their shoulders and about their loins. They cut their hair into various antic forms and stuck them with feathers. They also, by incisions into which they conveyed a black or blue unchangeable dye, made on their cheeks, arms, and other parts of their bodies, the figures of moose, deer, bears, wolves, hawks, eagles, and all such living creatures as were most agreeable to their fancies. These pictures were indelible, and lasted during life. The sachems, on great days, when they designed to show themselves in the full splendour of majesty, not only covered themselves with mantles of moose, or deer skins, with various embroideries of white beads, and with paintings of different kinds; but they wore the skin of a bear, wild cat, or some terrible creature, upon their shoulders and arms. They had also necklaces of fish-bones, and painting themselves in a frightful manner, made a most ferocious and horrible appearance. The warriors who, on public occasions, dressed themselves in the most wild and terrific forms, were considered as the best men.

The Indian houses or wigwams were, at best, but poor smoky cells. They were constructed generally like arbours of small young trees, bent and twisted together, and so curiously covered with mats or bark, that they were tolerably dry and warm. The Indians made their fire in the centre of the house, and there was an opening at the top which emitted the smoke. For the convenience of wood and water, these huts were commonly erected in groves, near some river or spring. When the wood failed, the family removed to another place.

They lived in a miserable manner: their food was coarse and simple, without any kind of seasoning: they had neither spice, salt, bread, nor butter, cheese, nor milk; and they drank nothing better than water: they fed on the flesh and entrails of moose, deer, bears, and all kinds of wild beasts and fowls; on fish, eels, and creeping things. In the hunting and fishing seasons, they had venison, moose, fat bears, racoons, geese, turkeys, ducks, and fish of all kinds. In the summer, they had green corn, beans, squashes, and the various fruits which the country naturally produced. In the winter they subsisted on corn, beans, fish, nuts, groundnuts, acorns, and the very gleanings of the grove.

They had no set meals, but like other wild creatures, ate when they were hungry, and could find any thing to satisfy the cravings of nature. Some times they had little or nothing for several days; but when they had provisions, they fasted. If they fasted for some time, they were sure at the next meal to make up for all they had lost before. They had but little food from the earth, except what it spontaneously produced. Indian corn, beans and

squashes were the only eatables for which they laboured. The earth was both their seat and their table. With trenchers, knives, and napkins, they had no acquaintance.

Their household furniture was of small value. Their best bed was a mat or skin; they had neither chair nor stool. They ever sat upon the ground, commonly with their elbows upon their knees: this is the manner in which their great warriors and counsellors now sit, even in the most public treaties with the English. A few wooden and stone vessels and instruments serve all the purposes of domestic life. They had no steel nor iron instrument. Their knife was a sharp stone, shell, or kind of reed, which they sharpened in such a manner, as to cut their hair, make their bows and arrows, and serve for all the purposes of a knife. They had axes of stone, somewhat similar in shape to ours; but with this difference, that they were made with a neck instead of an eye, and fastened with a withe, like a blacksmith's chisel. They had mortars and stone pestles, and chisels; and great numbers of these have been found in the country, and kept by the people as curiosities. They dressed their corn with a clamshell, or with a stick, made flat and sharp at one end. These were all the utensils which they had, either for domestic use, or for husbandry.

Their arts and manufactures were confined to a very narrow compass. Their only weapons were bows and arrows, the tomahawk and the wooden sword or spear. Their bows were of the common construction: their bowstrings were made of the sinews of deer, or of the Indian hemp. Their arrows were constructed of young elder-sticks, or of other straight sticks and reeds; and were headed with a sharp flinty stone, or with bones. The arrow was cleft at one end, and the stone or bone was put in and fastened with a small cord. The tomahawk was a stick of two or three feet in length, with a knob at one end: sometimes it was a stone hatchet, or a stick, with a piece of deer's horn at one end, in the form of a pick-axe. Their spear was a straight piece of wood, sharpened at one end, and hardened in the fire, or headed with bone or stone.

With respect to navigation, they had made no improvements beyond the construction and management of the hollow trough or canoe. They made their canoes of the chestnut, whitewood, and pine trees. As these grew straight to a great length, and were exceedingly large as well as tall, they constructed some, which would carry sixty or eighty men: these were first rates; but commonly they were not more than twenty feet in length, and two in breadth. The Pequots had many of these, in which they passed over to the Islands for plunder.

The construction of these, with such miserable tools as the Indians possessed, was a great curiosity. When they had found a tree to their purpose, to fell it they made a fire at the root, and kept burning it and cutting it with their stone axe, until it fell; then they kindled a fire at such a distance from the butt as they chose, and burned it off again. By burning and working with their axe, and scraping with sharp stones and shells, they made it hollow and smooth. In the same manner they shaped the ends, and finished it.

They constructed nets, twenty and thirty feet in length, for fishing; especially for the purpose of catching sturgeon: which were wrought with cords of Indian hemp, twisted by the hands of the women.

They had also hooks made of flexible bones, which they used for fishing.

With respect to religion and morals, the Indians in New England were in the most deplorable condition. They believed, according to the most received accounts, that there was a great Spirit, or God, whom they called Kitchtan. They imagined that he dwelt far away in the south-west, and that he was a good God. But they worshipped a great variety of other gods. They paid homage to the fire and water, thunder and lightning, and to whatever they imagined to be superior to themselves, or capable of doing them an injury. They paid their principal homage to Hobbamock; who they imagined was an evil spirit and did them mischief; and so, from fear, they worshipped him, to keep him in good humour. They appeared to have no idea of a Sabbath, and not to regard any particular day more than another. But in times of uncommon distress, by reason of pestilence, war, or famine, and upon occasion of great victories and triumph, and after the in-gathering of the fruits, they assembled in great numbers, for the celebration of their superstitious rites. The whole country, men, women and children, came together upon these solemnities. The manner of their devotion was, to kindle large fires in their wigwams, or more commonly in the open fields, and to sing and dance round them in a wild and violent manner. Sometimes they would all shout aloud, with the most antic and hideous notes. They made rattles of shells, which they shook, in a wild and violent manner, to fill up the confused noise. After the English settled in Connecticut, and they could purchase kettles of brass, they used to strain skins over them, and beat upon them, to augment their wretched music. They often continued these wild and tumultuous exercises incessantly, for four or five hours, until they were worn down and spent with fatigue. Their priests, or powaws, who led in these exercises, were dressed in the most odd and surprising manner, with skins of odious and frightful creatures about their heads and bodies: they sometimes sang, and then broke forth into strong invocations, with starts and strange motions and passions: when they paused, the other Indians groaned, making wild and doleful sounds. At these times, they sacrificed their skins, Indian money, and the best of their treasures. These were taken by the powaws, and all cast into the fires and consumed together. After the English came into the country, and they had hatchets and kettles, they sacrificed them in the same manner. The English were also persuaded that they sometimes sacrificed their children, as well as their most valuable commodities. No Indians in Connecticut were more noted for these superstitions than those of Wopowage and Machemoodus. Milford people observing an Indian child, nearly at one of these times of their devotion, dressed in an extraordinary manner, with all kinds of Indian finery, had the curiosity to inquire what could be the reason. The Indians answered, that it was to be sacrificed, and the people supposed that it was given to the devil. The evil spirit, which the New England Indians called Hobbamock, the Virginia Indians called Okee. So deluded were these unhappy people, that they believed these barbarous sacrifices to be absolutely necessary; and imagined that unless they appeased and conciliated their gods in this manner, they would neither suffer them to have peace, nor harvests, fish, venison, fat bears, nor turkeys; but would visit them with a general destruction.

With respect to morals, they were indeed miserably depraved. Mr. Williams and Mr. Callender, who, at an early period, were acquainted with the Indians in Rhode Island, Mr. Hooker, and others, have represented them as sunk into the lowest state of moral turpitude, and as the very dregs of human nature. Though the character which they gave them was, in some respects, exaggerated and absurd, yet it cannot be denied that they were worshippers of evil spirits, liars, thieves, and murderers. They certainly were insidious and revengeful, almost without a parallel; and they wallowed in gross sensualities. Great pains were taken with the Narraganset and Connecticut Indians, to civilize them, and teach them Christianity; but the sachems rejected the Gospel with indignation and contempt. They would not suffer it to be preached to their subjects. Indeed, both made it a public interest to oppose its propagation among them. Their policy, religion, and manners were directly opposed to its pure doctrines and morals.

The manner of their courtship and marriages manifested their impurity. When a young Indian wished for marriage, he presented the girl with whom he was enamoured, with bracelets, belts, and chains of wampum. If she received his presents, they cohabited together for a time, upon trial, and if they were pleased with each other, they were joined in marriage; but if, after a few weeks, they were not suited, the man, leaving his presents, quitted the girl, and sought another mistress, and she another lover. In this manner they courted, until two met who were agreeable to each other. Before marriage the consent of the sachem was obtained, and he always joined the hands of the young pair in wedlock.

The Indians, although they indulged in other intercourse, had one wife, who was the governess of the family, and whom they generally kept during life. In cases of adultery, the husband either put away the guilty wife, or satisfied himself by the infliction of some severe punishment. Husbands and wives, parents and children, lived together in the same wigwams, without any different apartment, and made no great privacy of such actions as the chaster animals keep from open view.

The Indian government, generally, was absolute monarchy. The will of the sachem was his law. The lives and interests of his subjects were at his disposal. But in all important affairs, he consulted his counsellors. When they had given their opinions, they deferred the decision of every matter to him. Whatever his determinations were, they applauded his wisdom, and without hesitation obeyed his commands. In council, the deportment of the sachems was grave and majestic to admiration. They appeared to be men of great discernment and policy. Their speeches were cautious and politic. The conduct of their counsellors and servants was profoundly respectful and submissive.

The counsellors of the Indian kings in New England were termed the paniese. These were not only the wisest, but largest and bravest men to be found among their subjects. They were the immediate guard of their respective sachems, who made neither war nor peace, nor attempted any weighty affair, without their advice. In war, and all great enterprises, dangers, and sufferings, these discovered a boldness and firmness of mind exceeding all the other warriors.

To preserve this order among the Indians, great pains were taken. The stoutest and most promising

boys were chosen, and trained up with peculiar care, in the observation of certain Indian rites and customs. They were kept from all delicious meats, trained to coarse fare, and made to drink the juice of bitter herbs, until it occasioned violent vomitings. They were beaten over their legs and shins with sticks, and made to run through brambles and thickets, to make them hardy, and, as the Indians said, to render them more acceptable to Hobbamocho.

These paniese, or ministers of state, were in league with the priests, or powaws. To keep the people in awe, they pretended, as well as the priests, to have converse with the invisible world, and that Hobbamocho often appeared to them.

Among the Connecticut Indians, and among all the Indians in New England, the crown was hereditary, always descending to the eldest son. When there was no male issue, the crown descended to the female. The blood-royal was held in such veneration, that no one was considered as heir to the crown but such as were royally descended on both sides. When a female acceded to the crown, she was called the sunk squaw, or queen squaw. There were many petty sachems, tributary to other princes, on whom they were dependant for protection, and without whose consent they made neither peace, war, nor alliances with other nations.

The revenues of the crown consisted in the contributions of the people. They carried corn, and the first fruits of their harvest of all kinds, beans, squashes, roots, berries, and nuts, and presented them to their sachem. They made him presents of flesh, fish, fowl, moose, bear, deer, beaver, and other skins. One of the paniese was commonly appointed to receive the tribute. When the Indians brought it, he gave notice to his sachem, who went out to them, and by good words and some small gifts, expressed his gratitude. By these contributions, his table was supplied; so that he kept open house for all strangers and travellers. Besides, the prince claimed an absolute sovereignty over the seas within his dominion. Whatever was stranded on the coast, all wrecks and whales floating on the sea, and taken, were his. In war, the spoils of the enemy, and all the women and royalties of the prince conquered, belonged to him who made the conquest.

The sachem was not only examiner, judge, and executioner, in all criminal cases, but in all matters of justice between one man and another. In cases of dishonesty, the Indians proportioned the punishment to the number of times in which the delinquent had been found guilty. For the first offence, he was reproached for his villany in the most disgraceful manner; for the second, he was beaten with a cudgel upon his naked back. If he still persisted in his dishonest practices, and was found guilty a third time, he was sure, besides a sound drubbing, to have his nose slit, that all men might know and avoid him. Murder was, in all cases, punished with death. The sachem whipped the delinquent and slit his nose, in cases which required these punishments; and he killed the murderer, unless he were at a great distance. In this case, in which execution could not be done with his own hands, he sent his knife, by which it was effected. The Indians would not receive any punishment which was not capital, from the hands of any except their sachems. They would neither be beaten, whipped, nor slit by an officer: but their prince might inflict these punishments to the greatest extremity, and they would neither run, cry, nor flinch. Indeed, neither

the crimes nor the punishments are esteemed so infamous, among the Indians, as to groan or shrink under suffering. The sachems were so absolute in their government, that they contemned the limited authority of the English governors.

The Indians had no kind of coin; but they had a sort of money, which they called wampum, or wampumpeag, which, as has been observed before, consisted of small beads, most curiously wrought out of shells, and perforated in the centre, so that they might be strung on belts, in chains and bracelets. These were of several sorts. The Indians in Connecticut, and in New England in general, made black, blue, and white wampum. Six of the white beads passed for a penny, and three of the black or blue ones for the same. The five nations made another sort, which were of a purple colour. The white beads were wrought out of the inside of the great conches, and the purple out of the inside of the muscle shell. They were made perfectly smooth, and the perforation was done in the neatest manner. Indeed, considering that the Indians had neither knife, drill, nor any steel or iron instrument, the workmanship was admirable. After the English settled in Connecticut, the Indians strung these beads on belts of cloth in a very curious manner. The squaws made caps of cloth rising to a peak over the top of the head, and the fore part was beautified with wampum, curiously wrought upon them. The six nations now weave and string them in broad belts, which they give in their treaties, as a confirmation of their speeches and the seals of their friendship.

The Indians of Connecticut and New England, although consisting of a great number of different nations and clans, appear all to have spoken radically the same language.

The Indians in Connecticut, and in all parts of New England, made great lamentations at the burial of their dead. Their manner of burial was to dig holes in the ground with stakes, which were made broad and sharpened at one end. Sticks were laid across the bottom, and the corpse, which was previously wrapped in skins and mats, was let down upon them. The arms, treasures, utensils, paint, and ornaments of the dead, were buried with them, and a mound of earth was raised upon the whole. In some instances the Indians appear to have used a kind of embalming, by wrapping the corpse in large quantities of a strong scented red powder. In some parts of New England, the dead were buried in a sitting posture with their faces towards the east. The women on these occasions painted their faces with oil and charcoal, and while the burial was performing, they, with the relatives of the dead, made the most hideous shrieks, howlings, and lamentations. Their mourning continued, by turns, at night and in the morning, for several days. During this term all the relatives united in bewailing the dead.

When the English began the settlement of Connecticut, all the Indians both east and west of Connecticut river, were tributaries, except the Pequots, and some few tribes which were in alliance with them. The Pequots had spread their conquests over all that part of the state east of the river. They had also subjugated the Indians on the sea-coast, as far eastward as Guilford. Uncas therefore, after the Pequots were conquered, extended his claims as far as Hammonasset, in the eastern part of that township. The Indians in these parts were therefore tributaries to the Pequots.

The Mohawks had not only carried their conquests

as far southward as Virginia, but eastward, as far as Connecticut river. The Indians therefore, in the western parts of Connecticut, were their tributaries. Two old Mohawks, every year or two, might be seen issuing their orders and collecting their tribute, with as much authority and haughtiness as a Roman dictator.

It is indeed difficult to describe the dread of this terrible nation, which had fallen on all the Indians in the western parts of Connecticut. If they neglected to pay their tribute, the Mohawks would come down against them, plunder, destroy, and carry them captive at pleasure; and when they made their appearance in the country, the Connecticut Indians would instantly raise a cry from hill to hill, a Mohawk! a Mohawk! and fly without attempting the least resistance. The Mohawks would cry out, in the most terrible manner, in their language, importing "We are come, we are come, to suck your blood." When the Connecticut Indians could not escape to their forts, they would immediately flee to the English houses for shelter, and sometimes the Mohawks would pursue them so closely as to enter with them, and kill them in the presence of the family. If there was time to shut the doors they never entered by force, nor did they, upon any occasion, do the least injury to the English. When they came into this part of the country for war, they used their utmost art to keep themselves undiscovered. They would conceal themselves in swamps and thickets, watching their opportunity, and then on a sudden rise upon their enemies and kill or capture them, before they had time to make any resistance.

About the time when the settlement of New Haven commenced, or not many years after, they came into Connecticut, and surprised the Indian fort at Pausgusset. To prevent the Connecticut Indians from discovering them, and that not so much as a track of them might be seen, they marched in the most secret manner, and when they came near the fort travelled wholly in the river. Secreting themselves near the fort, they watched their opportunity, and suddenly attacking it, with their dreadful yellings and violence, they soon took it by force, and killed and captured whom they pleased. Having plundered and destroyed, at their pleasure, they returned to their strong holds west of Albany.

The Indians in Connecticut who were slaughtered and oppressed, either by the Pequots or Mohawks, were generally friendly to the settlement of the English among them; as they expected, by their means, to be defended against their terrible and cruel oppressors. They also found themselves benefited by trading with them; thus furnishing themselves with knives, hatchets, axes, hoes, kettles and various instruments and utensils which they prized; and they found a much better market for their furs, corn, poultry, and all their vendible commodities. The English were also careful to treat them with justice and humanity, and to make such presents to their sachems and great captains as should keep them in good humour. By these means the English lived in tolerable peace with all the Indians in Connecticut, except the Pequots, for about forty years.

The Indians, at their first settlement, performed many acts of kindness towards them. They instructed them in the manner of planting and dressing the Indian corn: carried them upon their backs through rivers and waters; gave them much useful information respecting the country, and when the

English or their children were lost in the woods, and were in danger of perishing with hunger or cold, they conducted them to their wigwams, fed them, and restored them to their families and parents; they often also supplied them with corn, when suffering from famine.

The people at Dorchester, Watertown and Newtown, finding themselves straitened in the Massachusetts, determine to remove to Connecticut—Debates in Massachusetts relative to their removal—The general court at first prohibit it, but afterwards give its consent—The people remove and settle the towns of Windsor, Hartford and Weathersfield—Hardships and losses of the first winters.

(1634.) Such numbers were constantly emigrating to New England, in consequence of the persecution of the puritans in England, that the people at Dorchester, Watertown and Newtown, in Massachusetts, began to be much straitened by the accession of new planters. By those who had been at Connecticut, they had received intelligence of the excellent meadows upon the river, and they therefore determined to remove, and once more brave the dangers and hardships of making new settlements.

Upon application to the general court for the enlargement of their boundaries, or for liberty to remove, they, at first, obtained consent for the latter. However, when it was afterwards discovered that their determination was to plant a new colony at Connecticut, there arose a strong opposition; so that when the court convened in September, there was a warm debate on the subject, and a great division between the houses. Indeed, the whole colony was affected with the dispute.

Mr. Hooker (a clergyman who had left England from persecution,) took up the affair and pleaded for the people. He urged, that they were so straitened for accommodations for their cattle, that they could not support the ministry, neither receive, nor assist any more of their friends who might come over to them. He insisted that the planting of towns so near together was a fundamental error in their policy. He pleaded the fertility and happy accommodations of Connecticut: urged that settlements upon the river were necessary to prevent the Dutch and others from possessing themselves of so fruitful and important a part of the country; and that the minds of the people were strongly inclined to plant themselves there.

On the other side it was insisted, that in point of conscience they ought not to depart, as they were united to the Massachusetts as one body, and bound by oath to seek the good of that commonwealth; and that on principles of policy it could not, by any means, be granted: and it was further pleaded, that as the settlements in the Massachusetts were new and weak, they were in danger of an assault from their enemies: that the departure of Mr. Hooker and the people of those towns would not only draw off many from the Massachusetts, but prevent others from settling in the colony. Besides, it was said, according to Scriptural phrase, that the removing of a candlestick was a great judgment; and that by suffering it they should expose their brethren to great danger, both from the Dutch and Indians. Indeed, it was affirmed that they might be accommodated by the enlargements offered them by the other towns. After a long and warm debate, the governor, two assistants, and a majority of the representatives, were for granting

liberty for Mr. Hooker and the people to transplant themselves to Connecticut. The deputy-governor, however, and six of the assistants were in the negative, and so no vote could be obtained. This made a considerable ferment, not only in the general court, but in the colony; so that Mr. Cotton was desired to preach on the subject to quiet the court and the people of the colony.

Individuals, however, were determined to prosecute the business, and made preparations effectually to carry it into execution; and it appears that some of the Watertown people went this year (1634) to Connecticut, and erected a few huts at Pyquag, now Weathersfield, in which a small number of men made a shift to winter: at least this is the tradition, and the Rev. Mr. Meeks, of Weathersfield, in his manuscript says, Weathersfield is the oldest town on the river.

(1635.) While the colonists were thus prosecuting the business of settlement in New England, the Right Honourable James, Marquis of Hamilton, obtained a grant from the council of Plymouth, April 20th, 1635, of all that tract of country which lies between Connecticut river and Narraganset river and harbour, and from the mouths of each of the said rivers northward 60 miles into the country. However, by reason of its interference with the grant to the Lord Say and Seal, Lord Brook, &c., or for some other reason, the deed was never executed. The Marquis made no settlement upon the land, and the claim became obsolete.

The next May (1635), the Newtown people, determining to settle at Connecticut, renewed their application to the general court, and obtained liberty to remove to any place which they should choose, with this proviso, that they should continue under the jurisdiction of the Massachusetts; and consequently a number of Mr. Warham's people went this summer into Connecticut, and made preparations to bring their families, and make a permanent settlement on the river. The Watertown people gradually removed, and prosecuted their settlement at Weathersfield. At the same time, the planters at Newtown began to make preparations for removing to Hartford the next spring. Meanwhile, twenty men arrived in Massachusetts, sent over by Sir Richard Saltonstall, to take possession of a great quantity of land in Connecticut, and to make settlements under the patent of Lord Say and Seal, with whom he was a principal associate. The vessel in which they came over, on her return to England, in the fall, was cast away on the isle Sable.

As the Dorchester men had now set down at Connecticut, near the Plymouth trading-house, Governor Bradford wrote to them, complaining of their conduct, as injurious to the people of Plymouth, who had made a fair purchase of the Indians, and taken a prior possession.

The Dutch also, alarmed by the settlements making in Connecticut, wrote to Holland for instructions and aid, to drive the English from their settlements upon the river.

The people at Connecticut having made such preparations as were judged necessary to effect a permanent settlement, began to remove their families and property. On the 15th of October, 1635, about sixty men, women, and children, with their horses, cattle, and swine, commenced their journey from the Massachusetts, through the wilderness, to Connecticut river. After a tedious and difficult journey, through swamps and rivers, over mountains and rough ground, which were passed with great

difficulty and fatigue, they arrived safely at the places of their respective destination. They were so long on their journey, and so much time and pains were spent in passing the river, and in getting their cattle over, that, after all their exertions, winter came upon them before they were prepared, which was the occasion of much distress and damage.

Nearly at the same time, Mr. John Winthrop, son of Governor Winthrop, of Massachusetts, arrived at Boston, with a commission from Lord Say and Seal, Lord Brook, and other noblemen and gentlemen interested in the Connecticut patent, to erect a fort at the mouth of Connecticut river; and their lordships sent over men, ordnance, ammunition, and 2,000*l.* sterling, for the accomplishment of their design.

Mr. Winthrop was directed, by his commission, immediately on his arrival, to repair to Connecticut, with fifty able men, and to erect the fortifications, and to build houses for the garrison, and others who might choose to go to settle in Connecticut. They were first to build houses for their then present accommodation, and after that, such as should be suitable for the reception of persons of property; the latter were to be erected within the fort, and it was required that the planters, at the beginning, should settle themselves near the mouth of the river, and set down in bodies, that they might be in a situation for intrenching and defending themselves. The commission made provision for the reservation of a thousand or fifteen hundred acres of good land, for the maintenance of the fort, as nearly adjoining to it as might be convenient.

Mr. Winthrop, having intelligence that the Dutch were preparing to take possession of the mouth of the river, as soon as he could engage twenty men, and furnish them with provisions, dispatched them in a small vessel, of about thirty tons, to prevent their getting the command of the river, and to accomplish the service to which he had been appointed. A few days after the party, sent by Mr. Winthrop, arrived at the mouth of the river, a Dutch vessel appeared off the harbour, from New Netherlands, sent on purpose to take possession of the entrance of the river, and to erect fortifications; but the English had, by this time, mounted two pieces of cannon, and prevented their landing, and thus preserved to themselves this fine tract of country.

Mr. Winthrop was appointed governor of the river Connecticut, and the parts adjacent, for the term of one year. He erected a fort, built houses, and made a settlement, according to his instructions. One David Gardiner, an expert engineer, assisted in the work, planned the fortifications, and was appointed lieutenant of the fort. Mr. Davenport also, and others, who afterwards settled New Haven, were active in this affair, and hired Gardiner in behalf of their lordships.

As the settlement of the three towns on Connecticut river was begun before the arrival of Mr. Winthrop, and the design of their lordships to make plantations upon it was known, it was agreed that the settlers on the river should either remove, upon full satisfaction made, by their lordships, or else sufficient room should be found for them and their companies at some other place.

The winter set in this year much sooner than usual, and the weather was stormy and severe. By the 15th of November, Connecticut river was frozen over, and the snow was so deep, and the season so tempestuous, that a considerable number of the cattle, which had been driven on from the Massa-

chusetts, could not be brought across the river. The people had so little time to prepare their huts and houses, and to erect sheds and shelters for their cattle, that the sufferings of man and beast were extreme. Indeed, the hardships and distresses of the first planters of Connecticut scarcely admit of a description. To carry much provision or furniture through a pathless wilderness, was impracticable. Their principal provisions and household furniture were, therefore, put on board several small vessels, which, by reason of delays and the tempestuousness of the season, were either cast away or did not arrive. Several vessels were wrecked on the coasts of New England, by the violence of the storms. Two shallops laden with goods, from Boston to Connecticut, in October, were cast away on Brown's island, near the Gurnet's nose; and the men, with every thing on board, were lost. A vessel, with six of the Connecticut people on board, which sailed from the river for Boston, early in November, was, about the middle of the month, cast away in Manamet bay. The men got on shore, and, after wandering ten days in deep snow and a severe season, without meeting with any human being, arrived, nearly spent with cold and fatigue, at New Plymouth.

By the latter end of November, or beginning of December, provisions generally failed in the settlements on the river. Some of the settlers driven by hunger, attempted their way, in this severe season, through the wilderness, from Connecticut to Massachusetts; but of thirteen, in one company, who made this attempt, one, in passing the rivers, fell through the ice, and was drowned; and the other twelve were ten days on their journey, and would all have perished, had it not been for the assistance of the Indians. Indeed, such was the distress in general that, by the 3d and 4th of December, a considerable part of the new settlers were obliged to abandon their habitations. Seventy persons, men, women, and children, were necessitated, in the extremity of winter, to go down to the mouth of the river, to meet their provisions, as the only expedient to preserve their lives. Not meeting with the vessels which they expected, they all went on board the Rebecca, a vessel of about sixty tons; which two days before was frozen in twenty miles up the river; but by the falling of a small rain and the influence of the tide, the ice became so broken, and was so far removed, that they made a shift to get out; the vessel ran, however, upon the bar, and the people were forced to unlade it to get it off: it was then reladen, and in five days reached Boston.

The people who kept their stations on the river suffered in an extreme degree. After all the help they were able to obtain by hunting, and from the Indians, they were obliged to subsist on acorns, malt, and grains. Numbers of the cattle, which could not be got over the river before winter, lived through without any thing but what they found in the woods and meadows. They wintered as well, or better, than those which were brought over, and for which all the provision was made, and pains taken, of which the owners were capable. However, a great number of cattle perished. The Dorchester, or Windsor people lost, in this single article, about 200*l.* sterling, and their other losses were very considerable.

It is difficult to describe, or even to conceive, the apprehensions and distresses of a people, in these circumstances: all the horrors of a dreary wilderness spread themselves around them. They were encompassed with numerous fierce and cruel tribes

of wild and savage men, who could have easily destroyed them in their feeble and distressed condition. They had neither bread for themselves, nor children; neither habitations nor clothing convenient for them. Whatever emergency might happen, they were cut off, both by land and water, from any succour or retreat.

For a few years after the settlements on the river commenced, they bore the same name with the towns in the Massachusetts, whence the first settlers came.

(1636.) The Connecticut planters at first settled under the general government of the Massachusetts, but they held courts of their own, which consisted of two principal men from each town; and, on great and extraordinary occasions, these were joined with committees, as they were called, consisting of three men from each town. These courts had power to transact all the common affairs of the colony, and with their committees, had the power of making war and peace, and treaties of alliance and friendship with the natives within the colony.

The first court in Connecticut was holden at Newtown, April 26th, 1636. It consisted of Roger Ludlow, Esq., Mr. John Steel, Mr. William Swain, Mr. William Phelps, Mr. William Westwood, and Mr. Andrew Ward. Mr. Ludlow had been one of the magistrates of Massachusetts in 1630, and in 1631 had been chosen lieutenant-governor of that colony. At this court it was ordered, that the inhabitants should not sell arms nor ammunition to the Indians. Various other affairs were also transacted relative to the good order, settlement, and defence of these infant towns.

Several of the principal gentlemen interested in the settlement of Connecticut, Mr. John Haynes, who at this time was governor of Massachusetts, Mr. Henry Wolcott, Mr. Wells, the ministers of the churches, and others, had not yet removed into the colony. As soon as the spring advanced, and the travelling would admit, the hardy men began to return from the Massachusetts to their habitations on the river. No sooner was the grass sufficiently grown, that cattle could live in the woods, and obstructions removed from the river, so that vessels could go up with provisions and furniture, than the people began to return in large companies to Connecticut; and many who had not removed the last year, prepared, with all convenient dispatch, for a journey to the new settlements upon the river.

About the beginning of June, Mr. Hooker, Mr. Stone, and about a hundred men, women, and children took their departure from Cambridge, and travelled more than a hundred miles, through a trackless wilderness, to Hartford. They had no guide but their compass; made their way over mountains, through swamps, thickets, and rivers, which were not passable but with great difficulty. They drove with them 160 head of cattle, and by the way subsisted on the milk of their cows. Mrs. Hooker was borne through the wilderness upon a litter. The people generally carried their packs, arms, and some utensils. They were nearly a fortnight on their journey. This adventure was the more remarkable, as many of this company were persons of property, who had lived in England in luxury and affluence, and were entire strangers to fatigue and danger.

The removal of Dorchester people to Windsor is said to have been disagreeable to their ministers; but, as their whole church and congregation removed, it was necessary that they should go with them. However, Mr. Maverick died in March,

before preparations were made for his removal. He expired in the 60th year of his age. He was characterized as a man of great meekness, and as laborious and faithful in promoting the welfare both of the church and commonwealth. Mr. Warham removed to Windsor in September, but he did not judge it expedient to bring his family until better accommodations could be made for their reception. Soon after the removal of Mr. Warham from Dorchester, a new church was gathered in that town, and Mr. Mather was ordained their pastor, Mr. Phillips, pastor of the church at Watertown, did not remove to Weathersfield. Whether it was against his inclination, or whether the people did not invite him, does not appear. They chose Mr. Henry Smith for their minister, who came from England in office.

The colony of New Plymouth professed themselves to be greatly aggrieved at the conduct of the Dorchester people, in settling on the lands, where they had made a purchase, and where they had defended themselves and that part of the country against the Dutch. They represented that it had been a great injury to them that the Dutch and Indians had given them so much trouble as they had done, but that it was still more grievous to be supplanted by their professed friends. Mr. Winslow of Plymouth made a journey to Boston, in the spring, before Governor Haynes and some other principal characters removed to Connecticut, with a view to obtain compensation for the injury done to the Plymouth men, who had built the trading-house upon the river. The Plymouth people demanded a sixteenth part of the lands and 100 pounds as a compensation; but the Dorchester people would not comply with their demands. There however appeared to be so much justice in making them some compensation for the purchase they had made, and the good services which they had done, that sometime after, the freeholders of Windsor gave them fifty pounds, forty acres of meadow, and a large tract of upland for their satisfaction.

At a court holden at Dorchester, it was ordered, that every town should keep a watch, and be well supplied with ammunition. The constables were directed to warn the watches in their turns, and to make it their care that they should be kept according to the direction of the court. They also were required to take care that the inhabitants were well furnished with arms and ammunition, and kept in a constant state of defence. And at a third court, therefore, holden at Watertown, an order was given, that the inhabitants of the several towns should train once a month, and the officers were authorized to train those who appeared very unskilful more frequently, as circumstances should require. The courts were holden at each town by rotation, according to its turn.

A settlement was made, this year, at Springfield, by Mr. Pyncheon and his company from Roxbury. This for about two years was united in government with the towns in Connecticut. In November, Mr. Pyncheon for the first time appears among the members of the court.

All the powers of government, for nearly three years, seem to have been in the magistrates, of whom two were appointed in each town. These gave all orders, and directed all the affairs of the plantation. The freemen appear to have had no voice in making the laws, or in any part of the government, except in some instances of general and uncommon concern. In these instances, com-

mittees were sent from the several towns. Juries were employed in jury cases, from the first settlement of the colony.

This was a summer and year of great and various labours, demanding the utmost exertion and diligence. Many of the planters had to remove themselves and effects from a distant colony. At the same time, it was absolutely necessary that they should obtain a tolerable harvest to prevent the recurrence of the distresses and losses of the preceding year. It was of equal importance to the planters, not only to make roads for their particular convenience, but from town to town; that on any emergency they might immediately assist each other. But it was with great difficulty that these purposes could be at first accomplished. The planters had not been accustomed to felling the groves, to clearing and cultivating new lands. They were strangers in the country, and knew not what kinds of grain would be most congenial with the soil, and produce the greatest profits, nor had they any experience how the ground must be cultivated that it might yield a plentiful crop. They had few oxen, or instruments for husbandry. Every thing was to be prepared, or brought from a great distance, and procured at a dear rate. Besides all these labours and difficulties, much time was taken up in constant watchings, trainings, and preparations for the defence of themselves and children. The Pequots had, already, murdered a number of the English; some of the Indians, in Connecticut, were their allies; and they had maintained a great influence over them all. They were a treacherous and designing people; so that there could be no safety but in a constant preparation for any emergency.

Some of the principal characters, who undertook this great work of settling Connecticut, and were the civil and religious fathers of the colony, were Mr. Haynes, Mr. Ludlow, Mr. Hooker, Mr. Warham, Mr. Hopkins, Mr. Wells, Mr. Willis, Mr. Whiting, Mr. Wolcott, Mr. Phelps, Mr. Webster, and Captain Mason. These were of the first class of settlers, and all, except the ministers, were chosen magistrates or governors of the colony. Mr. Swain, Mr. Talcott, Mr. Steel, Mr. Mitchell, and others, were from Boston. Mr. John Haynes, Mr. Hooker, Mr. Hopkins, Mr. Stone, Mr. George Wyllys, Mr. Wells, Mr. Whiting, Mr. Thomas Webster, and Mr. John Talcott, were all of Hartford. Mr. Ludlow, Mr. Henry Wolcott, Mr. Warham, Mr. William Phelps, and Captain John Mason, were some of the principal planters of Windsor. Mr. William Swain, Mr. Thurston Rayner, Mr. Henry Smith, Mr. Andrew Ward, Mr. Mitchell, and Mr. John Deming, were some of the chief men who settled the town of Weathersfield. These were the civil and religious fathers of the colony. They formed its free and happy constitution, were its legislators, and some of the chief pillars of the church and commonwealth. They, with many others of the same excellent character, employed their abilities and their estates for the prosperity of the colony.

While the three plantations on the river were making the utmost exertions for a permanent settlement, Mr. Winthrop was no less active, in erecting fortifications and convenient buildings at its entrance. Though he had, the last year, sent on one company after another, yet the season was so far advanced, and the winter set in so early, and with such severity, that little more could be done than just to keep the station. When the spring

advanced, the works were, therefore, urged on with eagerness. Mr. Winthrop and his people were induced, not only in faithfulness to their trust, but from fears of a visit from the Dutch, and from the state of that warlike people, the Pequots in the vicinity, to hasten and complete them with the utmost dispatch. A good fort was erected, and a number of houses were built. Some cattle were brought from the Massachusetts for the use of the garrison. Small parcels of ground were improved, and preparations made for a comfortable subsistence and good defence.

There were, at the close of this year, about two hundred and fifty men in the three towns on the river, and there were twenty men in the garrison, at the entrance of it, under the command of Lieutenant Gardiner. The whole consisted, probably, of about eight hundred persons, or of a hundred and sixty or seventy families.

The war with the Pequots—Their defeat—A second expedition against them conjointly with Massachusetts—The great swamp fight—The Pequots subdued—The survivors incorporated with the Moheagans and Narragansets, and their name extinguished.

(1634.) The Indians in general were jealous of the English, from the first settlement of New England, and wished to drive them from the country; but various circumstances combined to frustrate their designs. And it was nearly sixteen years before they commenced open hostilities upon their English neighbours. But no sooner had the latter begun to trade and make settlements at Connecticut, than the warlike Pequots or Pequods, began to assault them.

In 1634 a number of Indians, who were not native Pequots, but a tribe in confederacy with them, murdered a Captain Stone and a Captain Norton, with their whole crew, consisting of eight men; and afterwards plundered and sunk the vessel.

The November following, the Pequots sent a messenger to Boston, to desire peace with the English; and made an offer of a great quantity of beaver skins and wampumpeag, to persuade the governor to enter into a league with them. The governor replied, that the Pequots must send men of more importance, and that he would then treat with them. Consequently the Pequots sent two messengers carrying a present, and earnestly soliciting peace: and the governor assured them, that the English were willing to be at peace with them; but insisted, that, as they had murdered Captain Stone and his men, they must deliver up the murderers, and make full compensation. The messengers pretended that Captain Stone had used the Indians ill, and provoked them to kill him: that their sachem, who was concerned in the affair, had been killed by the Dutch, and that the Indians who perpetrated the murder, were all dead but two; and that, if they were guilty, they would desire their sachem to deliver them up to justice. They offered to concede all their right at Connecticut river if the English should desire to settle there; and engaged to assist them as far as was in their power, in making their settlements; and they also promised that they would give the English four hundred fathoms of wampum, forty beaver, and thirty otter skins. After mature deliberation, the governor and his council entered into a treaty with them, on the conditions which they had proposed. The English were to send a vessel with cloths, to trade with them fairly, as with friends and allies.

The reason for their so earnestly soliciting peace

was, that the Narragansets were making war upon them; and the Dutch, to revenge some injuries, had killed one of their sachems, with several of their men, and captured a number more. They artfully suggested to the governor and council of Massachusetts, their desire that they would be mediators between them and the Narragansets; and intimated, that part of the present which they were to send, might be given to them for the purpose of obtaining a reconciliation. Such was their notion of honour, that though they wished for peace with their enemy, yet they would not directly offer any thing for that purpose. This treaty was signed by the parties, (1635,) but hostages were not taken to secure the performance of the articles, and the Pequots never performed one of them: and they afterwards became more hostile than ever.

(1636.) The next year, one John Oldham, who had been trading at Connecticut, being also murdered near Block Island, the governor and council of Massachusetts dispatched Captain Endicott, with ninety volunteers, to avenge these murders and demand reparation. The Narraganset sachems in consequence sent home Mr. Oldham's two boys, and made such satisfaction as the English accepted; but the other Indians would make no compensation; and Captain Endicott was, therefore, instructed to proceed to Block Island, put the men to the sword, and take possession of the island; and only spare the women and children. Then to proceed to the Pequots and demand the surrender of the murderers of Captains Stone and Norton, and of the other Englishmen who were of their company: and also a thousand fathoms of wampum for damages, and a number of their children for hostages, until the murderers should be delivered, and satisfaction made. He sailed from Boston August 25th, and after a slight skirmishing with the Indians, who quickly fled, he ravaged their country, destroying their wigwams, and their corn.

Sassacus and the other leaders of the Pequots were men of daring spirits; who had conquered and governed the nations around them without control. They viewed the English as intruders, who had made settlements in Connecticut without their consent, and brought home the Indian kings whom they had conquered, and restored to them their authority and lands. Excited by these circumstances, and more particularly by Endicott's late expedition, they determined to endeavour to extirpate the English. For this purpose, they conceived the plan of uniting the Indians generally against them; and spared no art to make peace with the Narragansets, who for a time hesitated: but the governor of Massachusetts, to secure them, sent for Miantonimoh, their chief sachem, and entered into a treaty; that there should be a firm peace between them and the English, and their posterity: that neither party should make peace with the Pequots, without the consent of the other: that they should not harbour the Pequots, and that they should return all fugitive servants, and deliver over to the English, or put to death all murderers. The English were to give them notice, when they went out against the Pequots, and they were to furnish them with guides. It was also stipulated, that free trade should be maintained between the parties.

The Pequots now began a series of petty hostilities against the settlers, and continued to harass and distress them for many months; occasional skirmishes taking place when the settlers could come in contact with them.

(1637.) The circumstances of the Connecticut settlers at this time wore a most gloomy aspect. They had sustained great losses in cattle and goods in the preceding years, and even this year they were unfortunate with respect to their cattle. They had no hay but what they cut from the spontaneous productions of an uncultivated country; and to make good English meadows was a work of time. The wild, coarse grass, which the people cut, was often mowed too late, and but poorly made, and they had not always a sufficient quantity even of this: they had no corn, or provender, with which they could feed them; and, amidst the multiplicity of affairs, which, at their first settlement, demanded their attention, they could not provide such shelters for them as were necessary during the long and severe winters of this northern climate. Some of their cattle were lost, and those which lived through the winter were very meagre; provisions were very coarse and scanty; and the people were not only inexperienced in the husbandry of the country, but had not above ten, if so many, ploughs in the whole colony, and were consequently obliged to use hoes, which rendered cultivation exceedingly slow and laborious. Valuable as money was, a good cow could not be purchased under 30*l*.; a pair of bulls or oxen not under 40*l*. A mare from England or Flanders, sold at 30*l*.; and Indian corn at about 5*s*. a bushel: and labour, and other articles bore a proportionable price.

In addition to all these difficulties, an insidious and savage enemy was destroying the lives and property of the colonists, attempting to raise the numerous Indian tribes of the country against them, and threatening the utter ruin of the whole colony. The inhabitants were in a feeble state, and few in number; they wanted all their men at home, to prosecute the necessary business of the plantations, and had not a sufficiency of provisions for themselves; and there would therefore be the greatest difficulty in furnishing a small army with provisions abroad: they could neither hunt, fish, nor cultivate their fields, nor travel at home, or abroad, but at the peril of their lives; they were obliged to keep a constant watch by night and day, to go armed to their daily labours, and to the public worship; and they lay down and rose up in fear and danger: if they had raised a party of men and sent them to fight the enemy on their own ground, it would have rendered the settlements proportionably weak at home.

In this important crisis, a court was summoned at Hartford, on Monday the 1st of May. As they were to deliberate on matters in which the lives of the subjects and the very existence of the colony were concerned, the towns for the first time sent committees. The spirited measures adopted by this court, render the names of the members worthy of perpetuation. The magistrates were Roger Ludlow, Esq., Mr. Welles, Mr. Swain, Mr. Steel, Mr. Phelps, and Mr. Ward. The committees were Mr. Whiting, Mr. Webster, Mr. Williams, Mr. Hull, Mr. Chaplin, Mr. Talcott, Mr. Geffords, Mr. Mitchell, and Mr. Sherman.

The court, on mature deliberation, considering that the Pequots had killed nearly thirty of the English; that they had tortured and insulted their captives in the most horrible manner; that they were attempting to engage all the Indians to unite for the purpose of extirpating the English; and the danger the whole colony was in, unless some decisive blow could be immediately given their enemies, de-

termined that an offensive war should be carried on against them, by the three towns of Windsor, Hartford, and Weathersfield; and they voted that 90 men should be raised forthwith—42 from Hartford, 30 from Windsor, and 18 from Weathersfield. Notwithstanding the necessities and poverty of the people, all necessary supplies were voted for this little army; and no sooner was this resolution adopted, than the people prosecuted the most vigorous measures to carry it into immediate and effectual execution.

The report of the slaughter and horrid cruelties practised by the Pequots against the people of Connecticut, roused the other colonies to unanimous and spirited exertions against the common enemy; and Massachusetts determined to send 200, and Plymouth 40 men, to assist Connecticut in prosecuting the war. Captain Patrick with 40 men was sent forward, before the other troops, from Massachusetts and Plymouth, could be ready to march, with a view that he might seasonably form a junction with the party from Connecticut.

On Wednesday, the 10th of May, the troops from Connecticut fell down the river for the fort at Saybrook. They consisted of 90 Englishmen, and about 70 Moheagan and river Indians; who embarked on board a pink, a pinnace, and a shallop. The Indians were led by Uncas, sachem of the Moheagans, and the whole was commanded by Captain John Mason, who had been bred a soldier in the old countries. The Rev. Mr. Stone, of Hartford, went as chaplain. After a variety of dangers and hardships, this small band of settlers succeeded in dispersing the Pequots; and in about three weeks from the time they embarked at Hartford, they returned again to their respective habitations. They were received with the greatest exultation. As the people had been deeply affected with their danger, and full of anxiety for their friends, while nearly half the effective men in the colony were in service, upon so hazardous an enterprise, the safe return of so many of their children and neighbours filled them with exceeding joy and thankfulness. Few enterprises have ever been achieved with more personal good conduct; by seventy-seven brave men Connecticut was saved, and the most warlike and terrible Indian nation in New England defeated and ruined. The Pequots were, indeed, so panic-struck, that burning their wigwams and destroying their fort, they fled and scattered into various parts of the country. Sassacus, Mononotto, and seventy or eighty of their chief counsellors and warriors, took their route towards Hudson's river.

Just before Captain Mason went out upon the expedition against the Pequots, the Dutch performed a very neighbourly office for Connecticut. Two girls, who had been captured at Weathersfield, had, through the humanity and mediation of Mononotto's squaw, been spared from death, and kindly treated. The Dutch governor, receiving intelligence of their circumstances, determined to redeem them at any rate, and dispatched a sloop to Pequot harbour for that purpose, to make large offers for their redemption, but the Pequots would not accept them; but the Dutch had a number of Pequots on board, and they offered the Pequots six of their own men for the two maids; who were accepted, and the young women were restored. The Massachusetts' government sending some assistance, the war was renewed against the remaining Pequots; and a final victory gained, called "the great swamp fight," near Fairfield

The Pequot women and children, who had been captured, were divided among the troops. Some were carried to Connecticut, and others to the Massachusetts; the latter state sent a number of the women and boys to the West Indies, and sold them for slaves. It was supposed that about seven hundred Pequots were destroyed. The women who were captured, reported that thirteen sachems had been slain, and that thirteen yet survived; among the latter were Sassacus and Mononotto, the two chief sachems; who with about twenty of their best men fled to the Mohawks, and carried off with them wampum to the amount of 500*l*. The Mohawks ultimately surprised and slew them all except Mononotto. The scalp of Sassacus was sent to Connecticut in the autumn, and Mr. Ludlow and several other gentlemen going into Massachusetts, in September, carried a lock of it to Boston as a rare sight, and a sure demonstration of the death of their mortal enemy.

Among the Pequot captives were the wife and children of Mononotto; she was particularly noticed by the English for her great modesty, humanity, and good sense, and made it as her only request, that she might not be injured either as to her offspring or personal honour; and as a requital of her kindness to the captured maids, her life and the lives of her children were not only spared, but they were particularly recommended to the care of Governor Winthrop; who gave charge for their protection and kind treatment.

After the swamp-fight, the Pequots became so weak and scattered, that the Narragansets and Moheagans constantly killed them, and brought in their heads to Windsor and Hartford; and those who survived were so hunted and harassed, that a number of their chief men repaired to the English, at Hartford, for relief; and offered, if their lives might be spared, that they would become the servants of the English, and be disposed of at their pleasure. This was granted, and the court interposed for their protection.

(1638.) Uncas and Miantonimoh, with the Pequots, by the direction of the magistrates of Connecticut, met at Hartford; and it was demanded by them, how many of the Pequots were yet living? they answered, about two hundred, besides women and children. The magistrates then entered into a firm covenant with them, to the following effect: that there should be perpetual peace between Miantonimoh and Uncas, and their respective Indians; and that all past injuries should be remitted, and for ever buried: that if any injuries should be done in future by one party to the other, that they should not immediately revenge it, but appeal to the English to do them justice. It was stipulated, that they should submit to their determination, and that if either party should be obstinate, that then they might enforce submission to their decisions. It was further agreed, that neither the Moheagans, nor Narragansets should conceal, or entertain any of their enemies; but deliver up or destroy all such Indians as had murdered any English man or woman. The English then gave the Pequot Indians to the Narragansets and Moheagans; eighty to Miantonimoh, twenty to Ninigret, and the other hundred to Uncas; to be received and treated as their men. It was also covenanted, that the Pequots should never more inhabit their native country nor be called Pequots, but Narragansets and Moheagans. It was also further stipulated, that neither the Narragansets, nor Moheagans should possess any

part of the Pequot country without the consent of the English. The Pequots were to pay a tribute at Connecticut annually, of a fathom of wampumpeag for every Sannop, of half a fathom for every young man, and of a hand for every male papoose. On these conditions the magistrates, in behalf of the colony, stipulated a firm peace with all the Indians.

The conquest of the Pequots struck all the Indians in New England with terror, and they were possessed with such fear of the displeasure and arms of the English, that they had no open war with them for nearly forty years. This happy event gave great joy to the colonies; and a day of public thanksgiving was appointed.

Effects of the war—Great scarcity—Settlement of New Haven—Plantation covenant—Means for the defence of the colony—Captain Mason made major-general—Civil constitution of Connecticut, formed by voluntary compact—First general election at Connecticut—Governors and magistrates—General rights of the people, and principal laws of the colony Constitution and laws of New Haven—Purchase and settlement of several towns in Connecticut and New Haven.

(1638.) Though the war with the Pequots was now happily terminated, yet the effects of it were severely felt by the inhabitants; and the consequences were, scarcity and a debt, which, in the low state of the colony, it was exceedingly difficult to pay. Almost every article of food or clothing was purchased at the dearest rate; and the planters had not yet reaped any considerable advantage from their farms. Such a proportion of their labourers had been employed in the war, and the country was so uncultivated, that all the provision which had been raised, or imported, was in no measure proportionate to the wants of the people. The winter was uncommonly severe, which increased the distress of the colony. The snow lay from the 4th of November until the 23d of March, and it was, at some times, 3 and 4 feet deep. The court at Connecticut foreseeing that the people would be in great want of bread, contracted with a Mr. Pyncheon for 500 bushels of Indian corn, which he was to purchase of the Indians, and a greater quantity if it could be obtained. The inhabitants were prohibited to bargain for it privately, and limited to certain prices, lest it should raise the price, while he was making the purchase. A committee was also appointed by the court, to send a vessel to Narraganset, to buy of the natives in that quarter. But notwithstanding every precaution which was taken, the scarcity became such, that corn rose to the extraordinary price of twelve shillings by the bushel; and twelve shillings sterling at that time was doubtless equal to eighteen or twenty shillings lawful money. In this distressing situation a committee was sent to an Indian settlement called Pocomtock, since Deerfield, where they purchased such quantities, that the Indians came down to Windsor and Hartford with fifty canoes at one time, laden with Indian corn. The people considered this as a great deliverance; and those who, in England, had fed on the finest wheat, were thankful for such coarse fare as Indian bread, for themselves and children.

In this low state of the colony, the court found it necessary to order the towns immediately to furnish themselves with magazines of powder, lead, and shot, and every man to be completely armed, and furnished with ammunition. The court were also obliged to impose a tax of 550*l*., to be collected im-

mediately, to defray the expenses of the war; and this appears to have been the first public tax in Connecticut. Agawam, since named Springfield, though it sent no men to the war, yet bore its proportion of the expense. The first secretary and treasurer appears to have been Mr. Clement Chaplin; who was authorized to issue his warrants for gathering the tax which had been imposed in the following ratio: Agawam, 86*l*. 16*s*., Windsor, 158*l*. 2*s*., Hartford, 251*l*. 2*s*., and Weathersfield 124*l*.

Captain John Mason was appointed major-general of the militia of Connecticut; and the reverend Mr. Hooker was desired to deliver him the military staff. The general was directed to call out the militia of each town, ten times in a year, to instruct them in military discipline; and received out of the public treasury 40 pounds annually for his services.

As it was of the highest importance to the colony to cultivate peace, and a good understanding with the Indians, laws were enacted to prevent all persons from offering them the least private insult or abuse.

While the planters of Connecticut were thus exerting themselves in prosecuting and regulating the affairs of that colony, another was projected and settled at Quinnipiack, (sometimes spelt Quillipiack, and Quinnepioke,) afterwards called New Haven. On the 26th of July, 1637, Mr. John Davenport, Mr. Samuel Eaton, Theophilus Eaton and Edward Hopkins, Esquires, Mr. Thomas Gregson, and many others of good characters and fortunes, had arrived at Boston. Mr. Davenport had been a famous minister in the city of London, and was a distinguished character for piety, learning, and good conduct. Many of his congregation, on account of the esteem which they had for his person and ministry, followed him into New England. Mr. Eaton and Mr. Hopkins had been merchants in London, possessed great estates, and were men of eminence for their abilities and integrity. The fame of Mr. Davenport, and the reputation and property of the principal gentlemen of this company, made the people of Massachusetts exceedingly desirous of their settlement in their state, and great pains were taken, not only by particular persons and towns, but by the general court, to fix them in the colony. Charlestown made them large offers; and Newberry proposed to give up the whole town to them; and the general court offered them any place which they should choose; but they were determined to plant a distinct colony. By the pursuit of the Pequots to the westward, the Connecticut settlers became acquainted with that fine tract along the shore, from Saybrook to Fairfield, and with its several harbours. It was represented as fruitful, and happily situated for navigation and commerce; and the company therefore projected a settlement in that part of the country.

In the autumn of 1637, Mr. Eaton, and others, who were of the company, made a journey to Connecticut, to explore the lands and harbours on the sea-coast, and pitched upon Quinnipiack for the place of their settlement; where they erected a poor hut, in which a few men subsisted through the winter.

On the 30th of March, 1638, Mr. Davenport, Mr. Prudden, Mr. Samuel Eaton, and Theophilus Eaton, Esq., with the people of their company, sailed from Boston for Quinnipiack; and in about a fortnight arrived at their desired port. On the 18th of April, they kept their first Sabbath in the place.

The people assembled under a large spreading oak, and Mr. Davenport preached to them from the sixth chapter of Matthew.

One of the principal reasons which these colonists assigned for their removing from Massachusetts, was, that they should be more out of the way and trouble of a general governor of New England, who, at this time, was an object of great fear in all the plantations. What foundation there was for the hope of exemption from the control of a general governor, by this removal, had one been sent, does not appear. It is probable that the motive which had the greatest influence with the principal men, was the desire of being at the head of a new government, modelled, both in civil and religious matters, agreeably to their own opinions. It had been an observation of Mr. Davenport's, that whenever a reformation had been effected in the church, in any part of the world, it had rested where it had been left by the reformers. It could not be advanced another step. He was now embarked in a design of forming a civil and religious constitution, as near as possible to Scripture precept and example. The principal gentlemen, who had followed him into America, had the same views. In laying the foundations of a new colony, there was a fair probability that they might accommodate all matters of church and commonwealth to their own feelings and sentiments. But in the Massachusetts, the principal men were fixed in the chief seats of government, which they were likely to keep, and their civil and religious polity was already formed. Besides, the antinomian controversy and sentiments, which had taken such root at Boston, were exceedingly disagreeable to Mr. Davenport, and the principal gentlemen of his company, and he had taken a decided, though prudent part, against them.

Soon after they arrived at Quinnipiack, in the close of a day of fasting and prayer, they entered into what they termed a plantation-covenant. In this they solemnly bound themselves, "That, as in matters that concern the gathering and ordering of a church, so also in all public offices, which concern civil order, as choice of magistrates and officers, making and repealing laws, dividing allotments of inheritance, and all things of like nature, they would, all of them, be ordered by the rules which the Scripture held forth to them." This was adopted as a general agreement, until there should be time for the people to become more intimately acquainted with each other's religious views, sentiments, and moral conduct; which was supposed to be necessary to prepare the way for their covenanting together, as Christians, in church and state.

The aspects of nature on the country, about this time, were very gloomy, and especially unfavourable to new plantations. The spring, after a long and severe winter, was unusually backward. Scarcely any thing grew, for several weeks. The planting season was so cold that the corn rotted in the ground, and the people were obliged to re-plant two or three times. But at length the warm season came on, and vegetation exceeded all their expectations.

On the first of June, between the hours of three and four in the afternoon, there was a great and memorable earthquake throughout New England. It came with a report like continued thunder, or the rattling of numerous coaches upon a paved street. The shock was so great, that in many places, the tops of the chimneys were thrown down, and the pewter fell from the shelves. It shook the waters, and ships in the harbours, and all the adjacent

islands. The duration of the sound and tremour was about four minutes, and the earth was unquiet for nearly twenty days. The weather was clear, the wind westerly, and the course of the earthquake from west to east.

The planters at Quinnipiack determined to make an extensive settlement; and, if possible, to maintain perpetual peace and friendship with the Indians. They, therefore, paid an early attention to the making of such purchases and amicable treaties as might most effectually answer their designs.

On the 24th of November, 1638, Theophilus Eaton, Esq. Mr. Davenport, and other English planters, entered into an agreement with Momauguin, sachem of that part of the country, and his counsellors, respecting the lands. The articles of agreement were to this effect :

“ That Momauguin is the sole sachem of Quinnipiack, and had an absolute power to aliene and dispose of the same. That, in consequence of the protection which he had tasted, by the English, from the Pequots and Mohawks, he yielded up all his right, title, and interest to all the land, rivers, ponds, and trees, with all the liberties and appurtenances belonging to the same, unto Theophilus Eaton, John Davenport, and others, their heirs and assigns for ever. He covenanted, that neither he, nor his Indians, would terrify, nor disturb the English, nor injure them in any of their interests; but that, in every respect, they would keep true faith with them.”

The English covenanted to protect Momauguin and his Indians, when unreasonably assaulted and terrified by other Indians; and that they should always have a sufficient quantity of land to plant on, upon the east side of the harbour, between that and Saybrook fort. They also covenanted, that by way of free and thankful retribution, they gave unto the said sachem, and his council and company, twelve coats of English cloth, twelve alchymy spoons, twelve hatchets, twelve hoes, two dozen of knives, twelve porringers, and four cases of French knives and scissars.

This agreement was signed and legally executed by Momauguin and his council on the one part, and Theophilus Eaton and John Davenport on the other. Thomas Stanton, who was the interpreter, declared in the presence of God, that he had faithfully acquainted the Indians with the said articles, and returned their answers.

In December following, they made another purchase of a large tract, which lay principally north of the former, of Montowese, son of the great sachem at Mattabeseck, ten miles in length, north and south, and thirteen miles in breadth. It extended eight miles east of the river Quinnipiack, and five miles west of it towards Hudson's river, and included all the lands within the ancient limits of the old towns of New Haven, Branford, and Wallingford, and almost the whole contained in the present limits of those towns, and of the towns of East Haven, Woodbridge, Cheshire, Hamden, and North Haven. For this last tract of ten miles north and south, and thirteen east and west, the English gave thirteen coats, and allowed the Indians ground to plant, and liberty to hunt within the lands. These have since been made out of the three old towns.

The New Haven adventurers were the most opulent company which came into New England, and they designed to plant a capital colony. They laid out their town-plat in squares, designing it for a

great and elegant city. In the centre was a large, beautiful square, which was encompassed with others, making nine in the whole.

The first principal settlers were Theophilus Eaton, Esq. Mr. Davenport, Mr. Samuel Eaton, Mr. Thomas Gregson, Mr. Robert Newman, Mr. Matthew Gilbert, Mr. Nathaniel Turner, Mr. Thomas Fugill, Mr. Francis Newman, Mr. Stephen Good-year, and Mr. Joshua Atwater.

Mr. Eaton had been deputy-governor of the East India company, and was three years himself in the East Indies, and had served the company so well, that he received from them presents of great value. He had also been on an embassy from the court of England to the king of Denmark. He was originally a London merchant, who had, for many years, traded to the East Indies, had obtained a great estate, and brought over a large sum of money into New England. Others were merchants of good estates, and they designed to have founded a great trading city.

There appears no act of civil, military, or ecclesiastical authority during the first year; nor is there any appearance that this colony was ever straitened for bread, as the other colonies had been.

Mr. Prudden, and his company, who came with Mr. Davenport, continued the first summer at Quinnipiack, and were making preparations for the settlement of another township.

When Mr. Davenport removed to Quinnipiack, Mr. Hopkins came to Hartford, and soon after incorporated with the settlers at Connecticut.

The inhabitants of the three towns upon Connecticut river, finding themselves without the limits of the Massachusetts' patent, conceived the plan of forming themselves, by voluntary compact, into a distinct commonwealth; and on the 14th of January, 1639, all the free planters convened at Hartford, and, on mature deliberation, adopted a constitution of government. They introduce their constitution, with a declaration, that for the establishment of order and government, they associated, and conjoined themselves to be one public state or commonwealth; and did, for themselves and successors, and such as should be, at any time joined to them, confederate together, to maintain the liberty and purity of the Gospel, which they professed, and the discipline of the churches, according to its institution; and in all civil affairs, to be governed according to such laws as should be made agreeably to the constitution, which they were then about to adopt.

The constitution, which then follows, ordains, that there shall be, annually, two general courts, or assemblies; one on the second Thursday in April, and the other on the second Thursday in September: that the first shall be the court of election, in which shall be annually chosen, at least, six magistrates, and all other public officers. It ordains, that a governor should be chosen, distinct from the six magistrates, for one year, and until another should be chosen and sworn: and that the governor and magistrates should be sworn to a faithful execution of the laws of the colony, and in cases in which there was no express law established, to be governed by the Divine word. Agreeably to the constitution, the choice of these officers was to be made by the whole body of the freemen, convened in general election. It provided, that all persons who had been received as members of the several towns, by a majority of the inhabitants, and had taken the oath of fidelity to the commonwealth,

should be admitted freemen of the colony. It required that the governor and magistrates should be elected by ballot; the governor by the greatest number of votes, and the magistrates by a majority. However, it provided, that if it should so happen at any time that six should not have a majority, that in such case those who had the greatest number of suffrages should stand as duly elected for that year. No person might be governor, unless he were a member of some regular church, and had previously been a magistrate in the colony. Nor could any man be elected to the office more than once in two years. No one could be chosen into the magistracy who was not a freeman of the colony, and had been nominated either by the freemen or the general court. The assembly were authorized to nominate in cases in which they judged it expedient. Neither the governor, nor magistrates, might execute any part of their office until they had been publicly sworn, in the face of the general assembly.

The constitution also ordained, that the several towns should send their respective deputies to the election: and that when it was finished, they should proceed to do any public service, as at any other courts: and that the assembly, in September, should be for the enacting of laws, and other public services. It authorized the governor, either by himself or his secretary, to issue his warrants for calling the assemblies, one month at least, before the time of their appointed meetings. Upon particular emergencies, he might convene them in seventeen days, or even upon shorter notice, stating the reasons in his warrant. Upon the reception of the governor's warrants, in April and September, the constables of the respective towns were obliged to warn all the freemen to elect and send their deputies.

The constitution ordained, that the three towns of Windsor, Hartford, and Weathersfield should each of them send four deputies to every general court; and that the other towns, which should be added to the colony in future, should send such a number as the court should determine, proportionate to the body of their freemen; declared the deputies to be vested with the whole power of the respective towns which they represented; authorized them to meet separately, and determine their own elections, to fine any person who should obtrude himself upon them, when he had not been duly chosen, and to fine any of their members for disorderly conduct, when they were assembled: and it further provided, that in case the governor and the major part of the magistrates should, upon any urgent occasion, neglect or refuse to call an assembly, the freemen should petition them to summon one; and if, upon the petition of a major part of the freemen in the colony, they still refused or neglected, then the constables of the several towns should, upon the petition of the major part of the freemen, convoke an assembly. It also ordained, that when this assembly was convened, it should have power of choosing a moderator; and when it was thus formed, should exercise all the powers of any other general assembly. Particularly it was authorized to call any court, magistrate or any other person before it, and to displace, or inflict penalties according to the nature of the offence.

All general assemblies, called by the governor, were to consist of the governor, four magistrates, and the major part of the deputies. When there was an equal vote, the governor had a casting voice. The constitution also provided, that no general court should be adjourned or dissolved, without the

consent of a major part of the members: and that, whenever a tax was laid upon the inhabitants, the sum to be paid by each town should be determined by a committee, consisting of an equal number from each of the respective towns.

The form of oaths to be administered to the governor and magistrates was also adopted in the general convention of the free planters. Such was the original constitution of Connecticut, which was so sensibly framed, that it has continued with little alteration to the present time.

Agreeably to the constitution, the freemen convened at Hartford, on the second Thursday in April, and elected their officers for the year ensuing. John Haynes, Esq. was chosen governor, and Roger Ludlow, George Wyllys, Edward Hopkins, Thomas Wells, John Webster and William Phelps, Esqs., were chosen magistrates. Mr. Ludlow, the first of the six magistrates, was deputy-governor. Mr. Hopkins was chosen secretary, and Mr. Wells treasurer.

The deputies sent to this first Connecticut general assembly, were Mr. John Steele, Mr. Spencer, Mr. John Pratt, Mr. Edward Stebbins, Mr. Gaylord, Mr. Henry Wolcott, Mr. Stoughton, Mr. Ford, Mr. Thurston Rayner, Mr. James Boosy, Mr. George Hubbard, and Mr. Richard Crab.

The general assembly proceeded as they had leisure, and as occasion required, to enact a system of laws. The laws at first were few, and time was taken to consider and digest them. The first statute in the Connecticut code is a kind of declaration, or bill of rights. It ordains, that no man's life shall be taken away; no man's honour or good name be stained; no man's person shall be arrested, restrained, banished, dismembered, nor anywise punished: That no man shall be deprived of his wife or children; no man's goods or estate shall be taken away from him, nor anywise endangered, under colour of law, or countenance of authority, unless it should be by the virtue of some express law of the colony warranting the same, established by the general court, and sufficiently published; or in case of the defect of such law, in any particular case, by some clear and plain rule of the Word of God, in which the whole court shall concur. It was also ordained, that all persons in the colony, whether inhabitants or not, should enjoy the same law and justice without partiality or delay. These general precepts bore the same aspect, and breathed the same spirit of liberty and safety, with respect to the subjects universally, which is exhibited in the constitution.

The planters of Quinnipiack continued more than a year without any civil or religious constitution, or compact, further than had been expressed in their plantation-covenant.

Meanwhile, Mr. Henry Witfield, William Leet, Esq., Samuel Desborough, Robert Kitchel, William Chittenden, and others, who were part of Mr. Davenport's and Mr. Eaton's company, arrived from England to assist them in their new settlement. These were principally from Kent and Surrey, in the vicinity of London. Mr. Whitfield's people, like Mr. Davenport's, followed him into New England. There were now three ministers, with many of the members of their former churches and congregations, collected in this infant colony, and combined in the same general agreement.

On the 4th of June, all the free planters at Quinnipiack convened in a large barn of Mr. Newman's, and, in a very formal and solemn manner, proceeded to lay the foundations of their civil and religious polity.

Mr. Davenport introduced the business, by a sermon from the words of David, "Wisdom hath builded her house, she hath hewn out her seven pillars." His design was to show, that the church, the house of God, should be formed of seven pillars, or principal brethren, to whom all the other members of the church should be added. After a solemn invocation of the Divine Majesty, he proceeded to represent to the planters, that they were met to consult respecting the settlement of civil government according to the will of God, and for the nomination of persons, who, by universal consent, were in all respects the best qualified for the foundation-work of a church. He enlarged on the great importance of the transactions before them, and desired that no man would give his voice in any matter until he fully understood it; and that all would act without respect to any man, but give their vote in the fear of God. He then proposed a number of questions, in consequence of which the following resolutions were passed.

1. "That the Scriptures hold forth a perfect rule for the direction and government of all men in all duties which they are to perform to God and men, as well in families and commonwealth, as in matters of the church.

2. "That as in matters which concerned the gathering and ordering of a church, so likewise in all public offices which concern civil order, as the choice of magistrates and officers, making and repealing laws, dividing allotments of inheritance, and all things of like nature, they would all be governed by those rules which the Scripture held forth to them.

3. "That all those who had desired to be received as free planters, had settled in the plantation, with a purpose, resolution, and desire that they might be admitted into church fellowship according to Christ.

4. "That all the free planters held themselves bound to establish such civil order as might best conduce to the securing of the purity and peace of the ordinance to themselves and their posterity according to God."

When these resolutions had been passed, and the people had bound themselves to settle civil government according to the Divine word, Mr. Davenport proceeded to represent to them, what men they must choose for civil rulers according to the Divine word, and that they might most effectually secure to them and their posterity a just, free, and peaceable government. Time was then given to discuss and deliberate upon what he had proposed. After full discussion and deliberation, it was determined—

5. "That church members only should be free burgesses; and that they only should choose magistrates among themselves, to have power of transacting all the public civil affairs of the plantation: of making and repealing laws, dividing inheritances, deciding of differences that may arise, and doing all things and businesses of like nature."

That civil officers might be chosen, and government proceed according to these resolutions, it was necessary that a church should be formed. Without this there could be neither freemen nor magistrates. Mr. Davenport therefore proceeded to make proposals relative to the formation of it, in such a manner, that no blemish might be left on the "beginnings of church work." It was then resolved to this effect:

6. "That twelve men should be chosen, that their fitness for the foundation-work might be tried, and

that it should be in the power of those twelve men to choose seven to begin the church."

It was agreed that if seven men could not be found among the twelve qualified for the foundation-work, that such other persons should be taken into the number, upon trial, as should be judged most suitable. The form of a solemn charge, or oath, was drawn up and agreed upon at this meeting to be given to all the freemen.

Further, it was ordered, that all persons, who should be received as free planters of that corporation, should submit to the fundamental agreement above related, and in testimony of their submission should subscribe their names among the freemen. Sixty-three subscribed on the 4th of June, and there were added soon after about fifty other names. After a proper term of trial, Theophilus Eaton, Esq., Mr. John Davenport, Robert Newman, Matthew Gilbert, Thomas Fugill, John Punderson, and Jeremiah Dixon, were chosen for the seven pillars of the church.

October 25th, 1639, the court, as it is termed, consisting of these seven persons only, convened, and after a solemn religious address, they proceeded to form the body of freemen, and to elect their civil officers.

In the first place, all former trust, for managing the public affairs of the plantation, was declared to cease, and be utterly abrogated. Then all those who had been admitted to the church after the gathering of it, in the choice of the seven pillars, and all the members of other approved churches, who desired it, and offered themselves, were admitted members of the court. A solemn charge was then publicly given them, to the same effect as the freemen's charge, or oath, which they had previously adopted. The purport of this was nearly the same with the oath of fidelity, and with the freemen's administered at the present time. Mr. Davenport expounded several Scripture texts to them, describing the character of civil magistrates given in the sacred oracles. To this succeeded the election of officers. Theophilus Eaton, Esq. was chosen governor, Mr. Robert Newman, Mr. Matthew Gilbert, Mr. Nathaniel Turner, and Mr. Thomas Fugill, were chosen magistrates. Mr. Fugill was also chosen secretary, and Robert Seely, marshal.

Mr. Davenport gave Governor Eaton a charge in open court, from Deuteronomy i. 16, 17, "And I charged your judges at that time, saying, Hear the causes between your brethren, and judge righteously between every man and his brother, and the stranger that is with him. Ye shall not respect persons in judgment, but ye shall hear the small as well as the great; ye shall not be afraid of the face of man, for the judgment is God's: and the cause that is too hard for you, bring it unto me and I will hear it."

It was decreed, by the freemen, that there should be a general court annually, in the plantation, on the last week in October, which was ordained a court of election in which all the officers of the colony were to be chosen. This court determined, that the Word of God should be the only rule for ordering the affairs of government in that commonwealth.

This was the original constitution of New Haven. All government was originally in the church, and the members of the church elected the governor, magistrates, and all other officers. The magistrates, at first, were no more than assistants of the governor, and they could not act in every sentence or determination of the court. No deputy governor was chosen, nor

were any laws enacted except the general resolutions which have been noticed; but as the plantation enlarged, and new towns were settled, new orders were given; the general court received a new form, laws were enacted, and the civil polity of this jurisdiction gradually advanced, in its essential parts, to a near resemblance of the government of Connecticut.

While these affairs were transacted at Quinnipiac, or New Haven, plantations commenced at Wopowage and Menunkatuck, now named Milford and Guilford. Wopowage was purchased February 12th, 1639, and Menunkatuck the September following, and both were settled this year. The churches of Mr. Prudden and Mr. Whitfield were formed upon the plan of Mr. Davenport's; each consisting of seven principal men, or pillars; and they appear to have been gathered at the same time. The planters were in the original agreement made in Mr. Newman's barn, on the 4th of June. The principal men or pillars in the town of Wopowage were Mr. Peter Prudden, William Fowler, Edmund Tapp, Zechariah Whitman, Thomas Buckingham, Thomas Welch, and John Astwood. The principal planters of Menunkatuck were Henry Whitfield, Robert Kitchel, William Leet, Samuel Desborough, William Chittenden, John Bishop, and John Calfinge. The lands in Milford and Guilford, as well as in New Haven, were purchased by these principal men, in trust, for all the inhabitants of the respective towns and townships. Every planter, after paying his proportionate part of the expenses, arising from laying out and settling the plantation, drew a lot or lots of land, in proportion to the money or estate which he had expended in the general purchase, and to the number of heads in his family. These principal men were judges in the respective towns, composing a court, to judge between man and man, divide inheritances and punish offences according to the written word, until a body of laws should be established.

Most of the principal settlers of Milford were from Weathersfield. They first purchased of the Indians all that tract which lies between New Haven and Stratford river, and between the sound on the south, and a stream called Two-mile brook on the north, which is the boundary line between Milford and Derby. This tract comprised all the lands within the old township of Milford, and a small part of the township of Woodbridge. The planters made other purchases which included a large tract on the west side of Stratford river, principally in the township of Huntington. In the first township meeting in Milford the number of free planters, or of church members, was forty-four.

It may not be improper here to notice that the word "town" when used of settlements in the United States, is generally synonymous with the English word "township," it including a district round the principal village; which is mostly, but not always, of the same name as the township.

The Indians were so numerous in this plantation, that the English judged it necessary for their own safety, to compass the whole town-plat, including nearly a mile square, with a fortification. It was so closely enclosed with strong palisadoes, as entirely to exclude the Indians from that part of the town.

The purchasers of Guilford agreed with the Indians, that they should move off from the lands which they had purchased; and according to agreement they soon all removed from the plantation.

The number of the first free planters appears to have been about forty. They were all husbandmen

and it was at great expense and trouble that they obtained even a blacksmith to settle in the plantation. As they were from Surrey and Kent, in England, they took much pains to find a tract of land resembling that from which they had removed. They therefore finally pitched upon Guilford, which, toward the sea, where they made the principal settlement, was low, moist, rich land, liberal indeed to the husbandman, especially the great plain south of the town, which had been already cleared and enriched by the natives. The vast quantities of shells and manure, which, in a course of ages, they had brought upon it from the sea, had contributed much to the natural richness of the soil. There were also nearly adjoining to this, several necks, or points of land, near the sea, clear, rich, and fertile, prepared for immediate improvement. These, with the industry of the inhabitants, soon afforded them a comfortable subsistence.

At the same time when these settlements commenced, two new ones were made under the jurisdiction of Connecticut.

Mr. Ludlow, who went with the troops in pursuit of the Pequots, to Sasco, the great swamp in Fairfield, was so pleased with that fine tract of country, that he soon projected the scheme of a settlement in that part of the colony; and this year, he, with a number of others, began a plantation at Unquowa, which was the Indian name of the town. At first there were but about eight or ten families, who, probably, removed from Windsor, with Mr. Ludlow, who was the principal planter. Very soon after, another company came from Watertown and united with Mr. Ludlow and the people from Windsor. A third company removed into the plantation from Concord; so that the inhabitants soon became numerous, and formed themselves into a distinct township, under the jurisdiction of Connecticut. The first adventurers purchased a large tract of land of the natives, and soon after Connecticut obtained charter privileges, the general assembly gave them a patent. The township comprises the four parishes of Fairfield, Green's Farms, Greenfield and Reading; and part of the parish of Stratfield. The lands in this tract are excellent, and at an early period the town became wealthy and respectable.

Settlements commenced the same year at Cupheag and Pughquonnuck, since named Stratford. That part which contains the town-plat, and lies upon the river, was called Cupheag, and the western part, bordering on Fairfield, Pughquonnuck. It appears that settlements were made in both these places at the same time. Mr. Fairchild, who was a principal planter, and the first gentleman in the town vested with civil authority, came directly from England. Mr. John and Mr. William Curtiss and Mr. Samuel Hawley were from Roxbury, and Mr. Joseph Judson and Mr. Timothy Wilcoxson from Concord, in Massachusetts. These were the first principal persons in the town and church of Stratford. A few years after the settlement commenced, Mr. John Birdseye removed from Milford, and became a man of eminence both in the town and church. There were also several of the chief planters from Boston, and Mr. Samuel Wells, with his three sons, John, Thomas and Samuel, from Weathersfield. Mr. Adam Blackman, who had been episcopally ordained in England, and a preacher of some note, first at Leicester, and afterwards in Derbyshire, was their minister, and one of the first planters. It is said that he was fol-

lowed by a number of adherents into this country, to whom he was so dear, that they said to him, in the language of Ruth, "Intreat us not to leave thee, for whither thou goest we will go; thy people shall be our people, and thy God our God." These, doubtless, collected about him in this infant settlement.

The whole township was purchased of the natives, but, at first, Cupheag and Pughquonnuck only; where the settlements began. The purchase was not completed until 1672; and there was a reservation of good lands at Pughquonnuck, Golden-hill, and another place, called Coram, for the improvement of the Indians.

The township is bounded upon the east by the Housatonic, or Stratford river; on the south by the Sound; by Fairfield on the west; and Newtown on the north. It comprises the four parishes of Stratford, Ripton, North Stratford and New Stratford, and a considerable part of Stratfield. The lands in this town, like those in Fairfield, are good, and its situation is exceedingly beautiful and agreeable.

While these plantations were forming in the south-western part of Connecticut, another commenced on the west side of the mouth of Connecticut river. A fort had been built here in 1635 and 1636, and preparations had been made for the reception of persons of property; but the war with the Pequots, the uncultivated state of the country, and the low condition of the colony, prevented people coming from England, to take possession of a township, and make settlements in this tract; and until this time, there had been only a garrison of about twenty men in the place, who had made some small improvement of the lands, and erected a few buildings in the vicinity of the fort. But about Midsummer, Mr. George Fenwick, with his wife and family, arrived in a ship of 250 tons; and another ship came in company with him; both destined to Quinnipiack. Mr. Fenwick and others came over with a view to take possession of a large tract upon the river, in behalf of their lordships, the original patentees, and to plant a town at the mouth of the river. A settlement was soon made, and named Saybrook, in honour of their lordships, Say and Seal and Brook. Mr. Fenwick, Mr. Thomas Peters, (who was the first minister in the plantation,) Captain Gardiner, Thomas Leffingwell, Thomas Tracy, and Captain John Mason, were some of the principal planters; but the names of Huntington, Baldwin, Reynolds, Backus, Bliss, Waterman, Hyde, Post, Smith, and almost all the names afterwards to be found at Norwich, are to be found among the first inhabitants of Saybrook. The government of the town was entirely independent of Connecticut, for nearly ten years, until after the purchase made of Mr. Fenwick in 1644. It was first taxed by the colony in the October session, 1645; and it appears by the tax imposed, that the proportion of the towns of Hartford, Windsor, and Weathersfield, were to this as six to one. The settlement did not increase to any considerable degree until about the year 1646, when Mr. James Fitch, a young gentleman, was ordained to the pastoral care of the church and congregation; and a considerable number of families from Hartford and Windsor removed and made settlements in the township. Its original boundaries extended eastward five miles beyond the river, and from its mouth northward six miles; including a considerable part of the town of Lyme; westward they extended to Hammonasset, the Indian name of the tract comprised in the limits of Killingworth, and north

eight miles from the sea. Mr. Fenwick and Captain Mason were magistrates, and had the principal government of the town.

Great difficulties had arisen the last year between the English at Pyquaug, now Weathersfield, and Sowheag and his Indians. It was discovered that some of the Indians of Pyquaug, under Sowheag, had been aiding the Pequots in the destruction which they had made there the preceding year, and were instrumental in bringing them against the town. Sowheag entertained the murderers and treated the people of Weathersfield with haughtiness and insult. The court at Connecticut, on hearing the differences, determined, that, as the English at Weathersfield had been the aggressors, and gave the first provocation, the injuries which Sowheag had done should be forgiven, and that he should, on his good conduct for the future, be restored to their friendship. Mr. Stone and Mr. Goodwin were appointed a committee to compromise all differences with him. However, as Sowheag could not, by any arguments, or fair means, be persuaded to give up the murderers, but continued his outrages against the English, the court, this year, determined that a hundred men should be sent down to Mattabesec, to take the delinquents by force of arms. The court ordered that their friends at Quinnipiack should be certified of this resolution, that they might adopt the measures necessary for the defence of the plantations. It was also determined to have their advice and consent in an affair of such general concernment.

Governor Eaton and his council fully approved of the design of bringing the delinquents to condign punishment; but they disapproved of the manner proposed by Connecticut. They feared that it would be introductive of a new Indian war; which they represented would greatly endanger the new settlements, and be many ways injurious and distressing; as they wanted peace, and all their men and money, to prosecute the design of planting the country. They also represented that a new war would not only injure the plantations in these respects, but would prevent the coming over of new planters, whom they expected from England; and they were, therefore, determinately against seeking redress by an armed force; and Connecticut, through their influence, receded from the resolution which they had formed with respect to Sowheag and Mattabesec.

Nevertheless, as the Pequots had violated their covenant, and settled at Pawcatuck, in the Pequot country, the court dispatched Major Mason, with forty men, to drive them off, burn their wigwams, and bring away their corn. Uncas, with a hundred men and twenty canoes, assisted in the enterprise. When they arrived at Pawcatuck bay, Major Mason met with three of the Pequot Indians, and sent them to inform the others of the design of his coming, and what he should do, unless they would peaceably desert the place; they promised to give him an immediate answer, but never returned.

The major sailed up a small river, landed, and beset the wigwams so suddenly, that the Indians were unable to carry off either their corn or treasures; and some of the old men had not time to make their escape. As it was now the Indian harvest, he found a great plenty of corn.

While Uncas's Indians were plundering the wigwams, about sixty others came rushing down a hill towards them. The Moheagans stood perfectly still, and spoke not a word, until they came within about thirty yards of them; then, shouting and

yelling, in their terrible manner, they ran to meet them, and fell upon them striking with bows and cutting with knives and hatchets, in their mode of fighting. The Major made a movement to cut off their retreat, which they perceived, and instantly fled; but as it was not desired to kill, or irritate them more than was absolutely necessary, the English did not fire upon them. Seven were captured; and they behaved so outrageously, that it was designed to take off their heads; but one Otash, a Narraganset sachem, brother to Miantonimoh, pleaded that they might be spared, because they were his brother's men, who was a friend to the English. He offered to deliver the heads of so many murderers in lieu of them; and considering that no blood had been shed, and that the proposal tended both to mercy and peace, the request was granted, and they were committed to the care of Uncas until the conditions should be performed.

The light of the next morning no sooner appeared, than it discovered 300 Indians in arms on the opposite side of the creek; who, alarmed at the appearance of the settlers, fled, and secreted themselves behind rocks and trees. The colonists called to them, representing their desire of speaking with them; and Major Mason acquainted them with the Pequots' breach of covenant with the English, as they were not to settle or plant in any part of their country. The Indians replied, that the Pequots were good men, and that they would fight for them, and protect them. Major Mason replied, it was not far to the head of the creek; that he would meet them there, and they might try what they could do at fighting; to which the Indians answered, they would not fight with Englishmen, for they were spirits; but they would fight with Uncas. The Major assured them, that he should spend the day in burning wigwams, and carrying off the corn, and they might fight when they had an opportunity. The colonists beat up their drums, and fired their wigwams; and then loaded their bark with Indian corn; and Uncas's Indians, the twenty canoes in which they passed to Pawcatuck, and thirty more, which they took from the Indians there, with kettles, trays, mats, and other Indian luggage, and returned in safety.

During these transactions in Connecticut, the Dutch, at New Netherlands, were increasing in numbers and strength. A new governor, William Kieft, a man of ability and enterprise, had arrived at their seat of government; and had prohibited the English trade at the fort of Good Hope, in Hartford, and protested against the settlement at Quinnipiack. These circumstances gave some alarm to the settlers in Connecticut; and the court at Hartford appointed a committee to go down to the mouth of the river, to consult with Mr. Fenwick, relative to a general confederation of the colonies, for mutual offence and defence. The Deputy-governor Mr. Ludlow, Mr. Thomas Wells, and Mr. Hooker, went upon this business; and they were also instructed to confer with Mr. Fenwick relative to the patent. The court approved of the conduct of the committee; and with respect to the article of confederation, declared its willingness to enter into a mutual agreement of offence and defence, and of all offices of love between the colonies. Mr. Fenwick was in favour of a union of the New England colonies; but with respect to the patent of the river, it was agreed that the affair should rest until the minds of the noblemen and gentlemen particularly interested could be more fully known.

Governor Haynes and Mr. Wells were appointed to repair to Pughquonnuck, and administer the oath of fidelity to the inhabitants; to admit such of them as were qualified to the privileges of freemen; and to appoint officers for the town, both civil and military; and they were also authorized to invite the freemen to send their deputies to the general courts at Hartford. It was not unusual for the general assembly to fine its members. Mr. Ludlow, the deputy-governor, was fined for absence, and for his conduct at Pughquonnuck; and it was, probably, on account of the displeasure of the court towards him that this committee was appointed.

At an adjourned general assembly, the court incorporated the several towns in the colonies, vesting them with full powers to transact their own affairs. It was enacted, that they should have power to choose, from among themselves, three, five, or seven of their principal men, to be a court for each town. One of the three, five, or seven, was to be chosen moderator. The major part of them, always including him, constituted a quorum. A casting voice was allowed him, in cases in which there was an equal division. He, or any two of the court, were authorized to summon the parties to appear at the time and place appointed, and might grant execution against the party offending. They were authorized to determine all matters of trespass or debt, not exceeding forty shillings. An appeal might be made from this court, at any time before execution was given out; and it was appointed to sit once in two months.

It was ordained, that every town should keep a public ledger, in which every man's house and lands, with the boundaries and quantity, according to the nearest estimation, should be recorded. All lands also granted and measured to any man afterwards, and all bargains and mortgages of lands were to be put on record, and until this was done they were to be of no validity. The towns were also empowered to dispose of their own lands; which was the origin of the privileges of particular towns in Connecticut.

Besides the court in each town, there was the court of magistrates, termed the particular court, which held a session once in three months. To this lay all appeals from the other courts; and in this were tried all criminal causes, and actions of debt exceeding forty shillings, and all titles of land. Indeed, this court possessed all the authority, and did all the business now possessed and done by the county and superior courts; and for a considerable time they were vested with such discretionary powers, as none of the courts at this day would venture to exercise.

Nepaupuck, a famous Pequot chieftain, who had frequently stained his hands in English blood, was condemned by the general court at Quinnipiack, for murder. It appeared, that in the year 1637, he killed John Finch, of Weathersfield, and captured one of Mr. Swain's daughters; and that he had also assisted in killing the three men, who were going down Connecticut river in a shallop. His head was cut off, and set upon a pole in the market-place.

It will, doubtless, hardly be granted, in this enlightened age, that the subjects of princes, killing men by their orders, in war, ought to be treated as murderers; and though the first planters of New England and Connecticut were men of eminent piety and strict morals, yet, like other good men, they were subject to misconception and influence of passion. Their beheading sachems, whom they

took in war, killing the male captives, and enslaving the women and children of the Pequots, after it was finished, was treating them with a cruelty which, on the benevolent principles of Christianity, it will be difficult ever to justify. The executing of all those as murderers who were active in killing any of the English people, and obliging all the Indian nations to bring in such persons, or their heads, was an act of severity unpractised at this day by civilized and christian nations; and the decapitation of their enemies, and the setting their heads upon poles, was a kind of barbarous triumph, too nearly symbolizing with the examples of uncivilized nations. The further we are removed from every resemblance of these, and the more deeply we imbibe those divine precepts, "Love your enemies: Whatsoever ye would that men should do unto you, do ye even so to them," the greater will be our dignity and happiness.

The progress of purchase, settlement, and law, in the colonies of Connecticut and New Haven—The effect of the conquest of the Pequots on the natives, and the manner in which they were treated—Purchases of them—Towns settled—Divisions at Weathersfield occasion the settlement of Stamford—Contests with the Dutch and Indians—Capital laws of Connecticut—The confederation of the United Colonies—Further contests with the Indians—Precautions of the colonies to prevent war—The Dutch apply to New Haven for assistance.

(1640.) Although the conquest of the Pequots extended the claim of Connecticut, to a great proportion of the lands in the settled part of the colony, yet to remove all grounds of complaint or uneasiness, the English planters made fair purchases of almost the whole tract of country within the settled part of Connecticut.

After the conquest of the Pequots, in consequence of the covenant made with Uncas, in 1638, and the gift of a hundred Pequots to him, he became important. A considerable number of Indians collected to him, so that he became one of the principal sachems in Connecticut, and even in New England; and he was able to raise four or five hundred warriors. As the Pequots were now conquered, and as he assisted in the conquest, and was a Pequot himself, he laid claim to all that extensive tract called the Mohegan or Pequot country. Indeed, it seems he claimed, and was allowed to sell some part of that tract which was the principal seat of the Pequots. The sachems in other parts of Connecticut, who had been conquered by the Pequots, and made their allies, or tributaries, considered themselves, by the conquest of this haughty nation, as restored to their former rights. They claimed to be independent sovereigns, and to have a title to all the lands which they had at any time before possessed. The planters, therefore, to show their justice, and to maintain the peace of the country, from time to time, purchased of the respective sachems and their Indians all the lands which they settled, excepting the towns of New London, Groton, and Stonington, which were considered as the peculiar seat of the Pequot nation. The inhabitants of Windsor, Hartford, and Weathersfield, either at the time of their settlement, or soon after, bought all those extensive tracts which they settled, of the native original proprietors of the country. Indeed, Connecticut planters generally made repeated purchases of their lands. The colony not only bought the Mohegan country of Uncas, but afterwards all the particular

towns were purchased again, either of him or his successors, when the settlements in them commenced. Besides, the colony was often obliged to renew its leagues with Uncas and his successors, the Mohegan sachems; and to make new presents and take new deeds, to keep friendship with the Indians and preserve the peace of the country: and was obliged to defend Uncas from his enemies, which was an occasion of no small trouble and expense. The laws obliged the inhabitants of the several towns to reserve to the natives a sufficient quantity of planting ground; and they were allowed to hunt and fish upon all the lands no less than the English.

The colonies made laws for their protection from insult and fraud; and the inhabitants suffered them to erect wigwams, and to live on the very lands which they had purchased of them; and to cut their firewood on their unclosed lands, for more than a whole century after the settlements began. The lands, therefore, though really worth nothing at that time, cost the planters very considerable sums, besides the purchase of their patents and the right of pre-emption.

In purchasing the lands and making settlements, in a wilderness, the first planters of Connecticut expended great estates. It has been the opinion of the best judges, who have had the most perfect acquaintance with the ancient affairs of the colony; that many of the adventurers expended more, in making settlements in Connecticut, than all the lands and buildings were worth, after all the improvements which they had made upon them.

At the general election in Connecticut, this year, Mr. Hopkins was chosen governor, and Mr. Haynes deputy-governor; and Mr. Ludlow was chosen magistrate in the place of Mr. Hopkins. The other magistrates were the same who were elected the last year; and the same governor, deputy-governor and magistrates, who were in office at New Haven the last year, were re-elected for this.

As the colonists, both in Connecticut and New Haven, were the patentees of Lord Say and Seal, Lord Brook, and the other gentlemen interested in the old Connecticut patent, and as that patent covered a large tract of country, both colonies were desirous of securing the native title to the lands, with all convenient dispatch; and several large purchases were made this year both by Connecticut and New Haven.

Connecticut made presents to Uncas, the Mohegan sachem, to his satisfaction, and on the 1st of September, 1640, obtained of him a clear and ample deed of all his lands in Connecticut, except the lands which were then planted. These he reserved for himself and the Mohegans. The same year, Governor Haynes, in behalf of Hartford, made a purchase of Tunxis, including the towns of Farmington and Southington, and extending westward as far as the Mohawk country.

The people of Connecticut, about the same time, purchased Waranoke and soon began a plantation there, since called Westfield. Governor Hopkins erected a trading-house, and had a considerable interest in the plantation.

Mr. Ludlow made a purchase of the eastern part of Norwalk, between Saugatuck and Norwalk rivers; Captain Patrick bought the middle part of the township, and a few families seem to have planted themselves in about the time of these purchases; but it was not properly settled until about the year 1651 when the planters made a purchase of the western part

About the same time, Robert Feaks and Daniel Patrick bought Greenwich, which purchase was made in behalf of New Haven, but through the intrigue of the Dutch governor, and the treachery of the purchasers, the first inhabitants revolted to the Dutch. They were incorporated and vested with town privileges by Peter Stuyvesant, governor of New Netherlands. The inhabitants were driven off by the Indians, in their war with the Dutch, and made no great progress in the settlement until after Connecticut obtained the charter, and they were taken under the jurisdiction of this colony.

Captain Howe and other Englishmen, in behalf of Connecticut, purchased a large tract of the Indians, the original proprietors, on Long Island. This tract extended from the eastern part of Oyster bay to the western part of Howe's or Holmes's bay to the middle of the great plain. It lay on the northern part of the island and extended southward about half its breadth. Settlements were immediately begun upon the lands; and by the year 1642, had made considerable advancement.

New Haven made a purchase of all the lands at Rippowams, of Ponus and Toquamske, the two sachems of that tract, which contained the whole town of Stamford. A reservation of planting ground was made for the Indians.

Another large purchase, sufficient for a number of plantations, was made by Captain Turner, agent for New Haven, on both sides of Delaware bay or river, with a view to trade, and for the settlement of churches. The colony of New Haven erected trading-houses upon the lands, and sent nearly fifty families to make settlements upon them. The settlements were made under the jurisdiction of New Haven, and in close combination with that colony in all their fundamental articles.

It also appears that New Haven, or their confederates, purchased and settled Yennycok, Southhold, on Long Island; and Mr. John Youngs, who had been a minister at Hingham in England, came over, with a considerable part of his church, and here fixed his residence. He gathered his church anew, on the 21st of October, and the planters united themselves with New Haven; however, they soon departed from the rule of appointing none to office, or of admitting none to be freemen, but members of the church. New Haven insisted on this as a fundamental article of their constitution, and they were, therefore, for a time obliged to conform to this law of the jurisdiction. Some of the principal men were the Reverend Mr. Youngs, Mr. William Wells, Mr. Barnabas Horton, Thomas Mapes, John Tuthill and Matthias Corwin.

Laws were enacted, both by Connecticut and New Haven, prohibiting all purchases of the Indians, by private persons, or companies, without the consent of their respective general courts. These were to authorize and direct the manner of every purchase.

The general court, at New Haven, this year, made a grant of Totoket to Mr. Samuel Eaton, brother of Governor Eaton, upon condition of his procuring a number of his friends, from England, to make a settlement in that tract of country.

At this court it was decreed, that the plantation at Quinnipiack should be called New Haven.

(1641.) At the general election, this year, at Hartford, John Haynes, Esq. was chosen governor, and George Wyllys, Esq. deputy-governor. Mr. Hopkins was chosen magistrate, and the other principal officers were re-elected.

The brethren of the church at Weathersfield removed without their pastor, the Rev. Mr. Phillips; and, having no settled minister at first, fell into unhappy contentions and animosities; which continued for a number of years, and divided the inhabitants of the town, as well as the brethren of the church; and they were the means of scattering the inhabitants, and of the formation of new settlements and churches in other places. Great pains were taken, by the ministers on the river, to compose the differences and unite the church and town; but they were unable to effect a union; and Mr. Davenport and some of the brethren of the church at New Haven were sent for, to advise and attempt a reconciliation; who gave advice somewhat different from that which had been given by the ministers and churches on the river; and, it seems, suggested the expediency of one of the parties removing and making a new settlement, if they could not by any means be united among themselves. Some were pleased with the advice, others disliked it, and the parties could not agree which of them should remove. The church, which consisted of seven members only, was divided three against four. The three claimed to be the church, and therefore pleaded, that they ought not to remove, but the four, as they were the majority, insisted that it was their right to stay.

The church at Watertown, as they had not dismissed their brethren at Weathersfield, from their care, judged it their duty to make them a visit, and to attempt to heal the divisions which had sprung up among them. For this benevolent purpose, several of the brethren made a journey to Connecticut; but they succeeded no better in their endeavours than those who had been before them. It now appeared to be the opinion, that it was expedient for one of the parties to remove, but it could not be agreed which of them should be obliged again to make a new settlement. At length a number of principal men, who were the most pleased with the advice of Mr. Davenport and the New Haven brethren, and to whom the government of that colony was most agreeable, determined to remove, and settle in combination with New Haven.

Therefore, Mr. Andrew Ward and Mr. Robert Coe of Weathersfield, in behalf of themselves and about twenty other planters, purchased Rippowams of New Haven; and the whole number obliged themselves to remove, with their families, the next year, before the last November. This spring the settlement commenced. The principal planters were the Rev. Mr. Richard Denton, Mr. Matthew Mitchel, Mr. Thurston Rayner, Mr. Andrew Ward, Mr. Robert Coe, and Mr. Richard Gildersleve. Mr. Denton was among the first planters of the town, and continued their minister about three or four years. After that time he removed with part of his church and congregation to Hempsted; and settled that town about the year 1643 or 1644.

At the general election, this year, (1641,) in New Haven, Theophilus Eaton, Esq. was chosen governor, and Mr. Stephen Goodyear deputy-governor. The magistrates were Mr. Gregson, Mr. Robert Newman, Mr. Matthew Gilbert, and Mr. Wakeman; and Thomas Fugill was appointed secretary, and Mr. Gregson treasurer.

Upon the general election, (1642,) at Hartford, there was a considerable change with respect to civil officers. George Wyllys, Esq. was elected governor, and Roger Ludlow, Esq. deputy-governor.

or. Eight magistrates were chosen for Connecticut. This is the first instance of more than six. The magistrates were John Haynes, Esq. Mr. Phelps, Mr. Webster, Captain Mason, Mr. Wells, Mr. Whiting, Edward Hopkins, Esq. and Mr. William Hopkins.

The Indians were exceedingly troublesome this year; and as it was suspected that they were forming a combination for a general war, all trading with them, in arms or any instruments of iron, was expressly prohibited, both by Connecticut and New Haven. Each colony concerted measures of defence; and a constant watch was kept in all the plantations; and on the Sabbath a strong guard was set at the places of public worship.

At this court, the magistrates were desired to write to the Dutch, and, as far as possible, to prevent their vending arms and ammunition to the natives, and to settle all disputes between them and the colony with respect to claims. But notwithstanding all their endeavours, the Dutch behaved with great insolence, and did much damage to both the English colonies.

The Dutch, at Hartford, gave entertainment to fugitives from the English; helped them when confined to file off their irons; and persuaded servants to run from their masters and then gave them entertainment. They purchased goods which had been stolen from the English, and would not return them, and assisted criminals in breaking gaol.

Besides these misdemeanors at Hartford, the Dutch governor, William Kieft, caused the English settlements on Long Island, which had now advanced, on the lands purchased by Captain Howe, as far as Oyster bay, to be broken up; and some of the English planters were forcibly seized and imprisoned, and others driven from their settlements.

To the colony of New Haven the Dutch were more hostile and injurious. Notwithstanding the fair purchases which that colony had made, by their agents at Delaware, Governor Kieft, without any legal protest or warning, dispatched an armed force, and with great hostility burned the English trading-houses, violently seized and for a time detained their goods, and would not give them time to take an inventory of them; they also took the company's boat, and a number of the English planters, and kept them as prisoners. The damages done the English at Delaware were estimated at a thousand pounds sterling.

The same year the Swedish governor and Dutch agent uniting in a crafty design against Mr. Lambertson, a principal gentleman of New Haven, made an injurious attempt upon his life. They accused him of having joined in a plot with the Indians to cut off the Swedes and Dutch; and attempted, by giving his men strong drink, and by threatenings and allurements, to influence them to bear testimony against him. They proceeded so far as to imprison and try him for treason; and when, notwithstanding these unfair means, and that they were both his accusers and judges, they could not find any evidence against him, they arbitrarily imposed a fine upon him, for trading at Delaware, though within the limits of the purchase and jurisdiction of New Haven.

At another time, when Mr. Lambertson was occasionally at Manhatoes, in the capacity of an agent for New Haven, the Dutch governor, Kieft, by force and threatenings compelled him to give an account of all his beaver, within the limits of New Haven, at Delaware, and to pay an impost upon

the whole. The Dutch did other damages, and insulted the English in various other instances. Both Connecticut and New Haven, from year to year, complained and remonstrated against them, but could obtain no redress.

While the colonies were increasing in numbers and settlements, progress in law and jurisprudence, in the regular establishment of courts and the times of their sessions, was also necessary for the advancement, order and happiness of the respective jurisdictions.

This, so far as the numerous affairs of the colonies would permit, was an object of special attention. The capital laws of Connecticut were, this year, nearly completed and put upon record. The several passages of Scripture on which they were founded were particularly noticed in the statute. They were twelve in number, and to the following effect.

If any man or woman shall have or worship any God but the true God, he shall be put to death. Deut. xiii. 6. xvii. 21. Exodus xxii. 2.

If any person in this colony shall blaspheme the name of God the Father, Son, or Holy Ghost, with direct, express, presumptuous or high-handed blasphemy, or shall curse in like manner, he shall be put to death. Levit. xxiv. 15, 16.

If any man or woman be a witch, that is, hath or consulted with a familiar spirit, they shall be put to death. Exodus xxii. 18. Levit. xx. 22. Deut. xviii. 10, 11.

If any person shall commit wilful murder, upon malice, hatred or cruelty, not in a man's own defence, nor by casualty against his will, he shall be put to death. Exodus xxi. 12, 13, 14. Numbers xxxv. 30, 31.

If any person shall slay another through guile, either by poisoning, or other such devilish practices, he shall be put to death. Exodus xxi. 14.

For the remainder, see Leviticus xx. 11, 12, 13, 14, 15, 16. Also Deut. xxii. 25. Exodus xxi. 16, and Deut. xix. 16, 18, 19.

It was also enacted, that if any person should conspire against the commonwealth, attempt an insurrection, invasion, or rebellion against it, he should be put to death.

Wilful arson, the cursing and smiting of father or mother, and notorious stubbornness in children, after a certain age, were, soon after, made capital offences, by the laws of the colony, and added to the list of the capital laws.

Before this time, incontinence and wanton behaviour had been punished with whipping at the tail of the cart, by fining, or obliging the delinquents to marry, at the discretion of the particular courts.

The general court approved of what the particular courts had done, in these cases, and authorized them in future to punish such delinquents by fines, by committing them to the house of correction, or by corporal punishment, at the discretion of the court.

As some loose persons deserted the English settlements, and lived in a profane manner, a law was enacted, that all persons who should be convicted of this crime should be punished with three years' imprisonment, at least in the house of correction, with fine, or corporal punishment, as the particular court should direct.

(1643.) At a general court in New Haven, April 5, considerable progress was made in the laws and government of that colony. Deputies were admitted to the court, and an addition was made to the

number of magistrates. Stamford, for the first time, sent Captain John Underhill and Mr. Richard Gildersleve to represent the town. Mr. Mitchel and Mr. Rayner were nominated for magistrates in Stamford. Mr. Rayner was appointed by the court. Captain Underhill, Mr. Mitchel, Mr. Andrew Ward, and Mr. Robert Coe were appointed assistant judges to Mr. Rayner. This court was vested with the same powers as the court at New Haven, and was the first instituted in Stamford. Mr. William Leet and Mr. Desborough were admitted magistrates for Menunkatuck, and that plantation was named Guilford.

This year John Haynes, Esq. was elected governor, and Mr. Hopkins deputy-governor. Mr. Wolcott and Mr. Swain were chosen magistrates; and Mr. Phelps and Mr. William Hopkins were not elected. Mr. Whiting was chosen treasurer, and Mr. Wells secretary. It appears to have been customary, for a number of years, to choose the secretary and treasurer among the magistrates.

Juries appear to have attended the particular courts, in Connecticut, from their first institution. They seem to have been regularly enrolled about the year 1641, or 1642. But the particular courts found great difficulties with respect to their proceedings. There were no printed laws for the inhabitants to study, and many of the common people had attended very little to law and evidence. The jury, therefore, very often would be so divided that they could not agree upon any verdict; and when they were agreed, it did not always appear to the court that they brought in a just one. A rather extraordinary law therefore passed this court, regulating the juries. The court decreed that the jury should attend diligently to the case, and to the evidence; and if they could not all agree in a verdict, they should offer their reasons upon the case to the court, and the court should answer them, and send out the jury again. If, after deliberating upon the case, they could not bring in a joint verdict, it was decreed that it should be determined by a major vote; and that this should, to all intents and purposes, be deemed a full and sufficient verdict; upon which judgment should be entered, and execution, and all other proceedings should be as though there had been a joint verdict of the jury. It was also provided, that if the jury should be equally divided, six and six, they should represent the case to the court, with their reasons, and a special verdict should be drawn, and a major vote of the court, or magistrates, should determine the cause, and all matters respecting it should be as though there had been a joint verdict of the jury.

At this court it was ordained that a grand jury of twelve men should attend the particular courts, annually, in May and September, and as often as the governor and court should judge expedient. It was also enacted, that the grand jury should be warned to give their attendance. This is the first notice of a grand jury, at any court.

A general confederation of the New England colonies had been proposed, and in agitation for several years. In 1638, articles of union for amity, offence and defence, mutual advice and assistance, upon all necessary occasions, were drawn, and for further consideration referred to 1639. Connecticut and Mr. Fenwick agreed to confederate for these purposes. From this time Connecticut had annually appointed some of her principal men to go to Massachusetts to complete the designed confederacy. Governor Haynes and Mr. Hooker, in 1639, were

nearly a month in Massachusetts, labouring to carry it into effect. New Haven paid equal attention to an affair so important to the colonies. The circumstances of the English nation, and the state of the colonies in New England, at this time, made it a matter of urgent necessity. For the accommodation of particular companies, the colonies had extended their settlements upon the rivers and sea-coasts much further, and had made them in a more scattered manner, than was at first designed. No aid could be expected from the parent country, let emergencies be ever so pressing. The Dutch had so extended their claims, and were so powerful and hostile, as to afford a just ground of general alarm. All the plantations were compassed with numerous tribes of savage men. The Narragansets appeared hostile, and there were the appearances of a general combination among the Indians in New England, to extirpate the English colonies. There were, notwithstanding its utility, impediments in the way of effecting even so necessary and important a union. The Massachusetts was much more numerous and powerful than the other colonies, and it was in various respects more respectable and important; it was therefore a matter of difficulty to form a union upon equal terms. The other colonies were not willing to unite upon unequal terms, and there were also disputes between Connecticut and Massachusetts. The colony of Massachusetts claimed part of the Pequot country, on the account of the assistance which they afforded in the Pequot war. There was also a difference with respect to the boundary line between Massachusetts and Connecticut. Both colonies claimed the towns of Springfield and Westfield, and these difficulties retarded the union.

However, Connecticut, New Haven, and Plymouth, all dispatched commissioners to Boston, in May, at the time of the session of the general court. The commissioners from Connecticut were, Governor Haynes and Mr. Hopkins; Mr. Fenwick, from Saybrook; Governor Eaton and Mr. Gregson, from New Haven; Mr. Winslow and Mr. Collier, from Plymouth. The general court of Massachusetts appointed Governor Winthrop, Mr. Dudley, and Mr. Bradstreet, of the magistrates; and of the deputies, Mr. Hawthorne, Mr. Gibbons, and Mr. Tyng. There appeared, at this time, a spirit of harmony and mutual concession among the commissioners, and on the 19th of May, 1643, the articles were completed and signed. The commissioners were unanimous in adopting them; but those from Plymouth did not sign them, as they had not been authorized by the court; but at the meeting of the commissioners in September, they came vested with plenary powers, and signed them.

The commissioners, in the introductory part, declare, with respect to the four colonies of Massachusetts, Plymouth, Connecticut, and New Haven, and the plantations under their respective jurisdictions, that, as they all came into these parts of America with one and the same end and aim, to advance the kingdom of our Lord Jesus Christ, and enjoy the liberties of the Gospel in purity and peace, they conceived it their bounden duty to enter into a present confederation among themselves, for mutual help and strength in all future concerns; that, as in nation and religion, so in other respects they be and continue one, and henceforth be called by the name of "The United Colonies of New England."

They declare, that the said united colonies, for themselves and their posterity, did, jointly and se-

verally, enter into a firm and perpetual league of friendship and amity, of offence and defence, mutual aid and succour, upon all just occasions, both for preserving and propagating the truth and liberty of the Gospel, and for their own mutual safety and welfare.

The articles reserved to each colony an entire and distinct jurisdiction. By them, no two colonies might be united in one, nor any other colony be received into the confederacy, without the consent of the whole.

Each colony was authorized to send two commissioners annually, always to be church members, to meet on the first Monday in September, first at Boston, then at Hartford, New Haven, and Plymouth. This was to be the annual order, except that two meetings successively were always to be at Boston.

The commissioners, when met, were authorized to choose a president from among themselves, for the preservation of order. They were vested with plenary powers for making war and peace, laws and rules of a civil nature and of general concern. Especially to regulate the conduct of the inhabitants towards the Indians, towards fugitives, for the general defence of the country, and for the encouragement and support of religion.

The expense of all wars, offensive or defensive, was to be borne in proportion to the number of the male inhabitants in each colony, between sixteen and sixty years of age.

Upon notice from three magistrates of any of the colonies of an invasion, the colonies were immediately to send assistance, the Massachusetts a hundred, and each of the other colonies forty-five men. If a greater number was necessary, the commissioners were to meet and determine the number.

All determinations of the commissioners, in which six were agreed, were binding upon the whole. If there were a majority, yet under six, the affair was to be referred to the general court of each colony, and could not be obligatory, unless the courts unanimously concurred.

No colony might engage in a war, without the consent of the whole union, unless upon some urgent and sudden occasion. Even in such case, it was to be avoided as far as possible, consistent with the general safety.

If a meeting were summoned, upon any extraordinary occasion, and the whole number of commissioners did not attend, any four who were met, might, in cases which admitted of no delay, determine upon a war, and send to each colony for its proportion of men. A number, however, less than six could not determine the justice of a war, nor have power to settle a bill of charges, nor make levies.

If either of the confederates should break any article of the confederation, or injure one of the other colonies, the affair was to be determined by the commissioners of the three other confederates.

The articles also made provision, that all servants running from their masters, and criminals flying from justice, from one colony to another, should, upon demand, and proper evidence of their character, as fugitives, be returned to their masters, and to the colonies whence they had made their escape; that in all cases law and justice might have their course.

This was a union of the highest consequence to the New England colonies: it made them formidable to the Dutch and Indians, and respectable among their French neighbours: it was happily adapted to maintain a general harmony among

themselves, and to secure the peace and rights of the country: it was one of the principal means of the preservation of the colonies, during the civil wars and unsettled state of affairs in England: and it was the grand source of mutual defence in Philip's war, and of the most eminent service in civilizing the Indians, and propagating the Gospel among them. The union subsisted more than forty years, until the abrogation of the charters of the New England colonies, by King James the Second.

The Indians were so tumultuous and hostile, that its whole influence was necessary to prevent a general war. The troubles originated in the ambitious and perfidious conduct of Miantonimoh, chief sachem of the Narragansets. After the Pequot war, he attempted to set himself up as universal sachem over all the Indians in New England; and without regard to the league made between him, the English, and the Moheagans, at Hartford, in 1638, when the Pequots were divided between him, and Uncas, he warred against him: and at the same time used all the arts of which he was master, by presents and intrigue, to inflame the other Indians, and excite a general insurrection against the English plantations.

Connecticut was for making war immediately, and sent pressing letters to the court at Boston, urging that a hundred men might be sent to Saybrook fort, to assist against the enemy, as circumstances might require: but the court of Massachusetts pretended to doubt of the facts alleged, and would not consent. In the mean time Miantonimoh hired one of Uncas's men to assassinate him: who made an attempt in the spring, and shot Uncas through his arm: and then ran off to the Narragansets, reporting, through the Indian towns, that he had killed Uncas. But when it was known that Uncas was only wounded, Miantonimoh and the Pequot reported that Uncas had cut through his arm with a flint, and then charged the Pequot with shooting him. However, Miantonimoh soon after going to Boston, in company with the Pequot who had wounded Uncas, the governor and magistrates, upon examination, found clear evidence that the Pequot was guilty of the crime, with which he had been charged. They had designs of apprehending him and sending him to Uncas, that he might be punished; but Miantonimoh pleaded that he might be suffered to return with him, and promised that he would send him to Uncas. Indeed, he so exculpated himself, and made such fair promises, that they gave up their design, and permitted them to depart in peace; and about two days after, Miantonimoh murdered the Pequot on his return, that he might make no further discovery of his treacherous conduct.

About the same time much trouble arose from Squassen, a sachem, upon Connecticut river. Several of his men killed a principal Indian belonging to Uncas; and he, or some of his warriors, had also waylaid Uncas himself, as he was going down the river, and shot several arrows at him. Uncas made a complaint to the governor and court at Connecticut, of these outrages; and Governor Haynes and the court took great pains to make peace between Uncas and Squassen. Upon hearing their several stories, it appeared that Uncas required that six of Squassen's men should be delivered to him, for the murder of his man, because he was a great man. Governor Haynes and the court laboured to dissuade Uncas from his demand of six men for one; and urged him to be satisfied upon Squassen's

delivering up the murderer; and at length, with much persuasion and difficulty, Uncas consented to accept of the murderer only. But Sequassen would not agree to deliver him; as he was nearly allied to Miantonimoh, and one of his peculiar favourites; and Sequassen chose rather to fight, and was overcome by Uncas, who killed a number of his men and burned his wigwams.

Miantonimoh, without consulting the English, according to agreement, without proclaiming war, or giving Uncas the least information, raised an army of nine hundred, or a thousand men, and marched against him. Uncas's spies discovered the army at some distance, and gave him intelligence; and although he was unprepared, he collected between four and five hundred of his bravest men; and having marched three or four miles, the armies met upon a large plain. When they had advanced within bow-shot of each other, Uncas had recourse to a stratagem, with which he had previously acquainted his warriors. He desired a parley, and both armies halted in the face of each other; and Uncas, advancing in the front of his men, addressed Miantonimoh to this effect: "You have a number of stout men with you, and so have I with me. It is a great pity that such brave warriors should be killed in a private quarrel between us only. Come like a man, as you profess to be, and let us fight it out. If you kill me, my men shall be yours; but if I kill you, your men shall be mine:" to which Miantonimoh replied, "My men came to fight, and they shall fight." Uncas fell instantly on the ground, and his men discharged a shower of arrows upon the Narragansets; and, without a moment's interval, rushing upon them in the most furious manner, with their hideous Indian yell, put them immediately to flight. The Moheagans pursued the enemy with the same fury and eagerness with which they commenced the action; and the Narragansets were driven down rocks and precipices. Some of Uncas's bravest men, who were most light of foot, coming up with Miantonimoh, pulled him back, impeding his flight, and passed him, that Uncas might take him; who rushing forward, like a lion greedy of his prey, seized him by his shoulder: he found he was now in the power of the man whom he had hated, and had attempted to destroy; but he sat down sullen and spake not a word. Uncas gave the Indian whoop and called up his men, who were behind, to his assistance; and the victory was completed. Among the prisoners were a brother of Miantonimoh and two sons of Canonicus, a chief sachem of the Narragansets. Two of Miantonimoh's captains, who formerly were Uncas's men, but had treacherously deserted him, discovering his situation, took him and carried him to Uncas, expecting in this way to reconcile themselves to their sachem; but Uncas and his men slew them. Miantonimoh made no request, either for himself or his men; but continued in the same sullen, speechless mood. Uncas, demanded of him why he would not speak; saying, "Had you taken me, I should have besought you for my life." And although the sullen chieftain would not ask it, he gave him his life, and returned with great triumph to Mohegan, carrying his captive as an illustrious trophy of his victory.

One Samuel Gorton and his company had purchased lands of Miantonimoh, under the jurisdiction of Massachusetts and Plymouth; and expected to be vindicated in their claims, by him, against those colonies, and against the Massachusetts and Ply-

mouth sachems, who were the original proprietors; therefore, when the news of Uncas's victory, and of the capture of Miantonimoh, arrived at Providence, they sent to him to deliver Miantonimoh, threatening him that the power of the English should be employed against him, if he refused to comply. Uncas, therefore, carried his prisoner to Hartford, to advise with the governor and magistrates, with respect to his conduct in such a situation, who were of the opinion that, as there was no open war between them and the Narragansets, it was not prudent for them to intermeddle with the quarrel; but advised that the whole affair should be referred to the commissioners of the united colonies at their meeting in September.

When Miantonimoh came to Hartford, he most earnestly pleaded to be left in the custody of the English: expecting more safety and better treatment with them. Uncas consented to leave him at Hartford, but insisted that he should be kept as his prisoner.

On the 7th of September, the commissioners met at Boston. Governor Winthrop and Thomas Dudley, Esquires, were commissioners for Massachusetts; George Fenwick and Edward Hopkins, Esquires, for Connecticut; and Theophilus Eaton and Thomas Gregson, Esquires, for New Haven. Governor Winthrop was chosen President. The whole affair of Uncas and Miantonimoh was laid before the commissioners, and the facts already related, were, in their opinion, fully proved; not only his attempts upon the life of Uncas, but that he had been the principal author of inflaming and stirring up the Indians to a general confederacy against all the English plantations: it also appeared that, instead of delivering the Pequot, who had shot Uncas, as he promised in open court, he had murdered him on the road from Boston to Narraganset; and it was also affirmed that the Narragansets had sent for the Mohawks, and that they were come within a day's journey of the English settlements, and were kept back only by the capture of Miantonimoh: and that they were waiting for his release, to prosecute their designs against the English, or Uncas, or against both, as the Indians should determine. The commissioners laid the affair before five or six of the principal ministers in Massachusetts, and took their advice relative to the lawfulness and justice of putting him to death; who gave it as their opinion, that he ought to be put to death; and thereupon the commissioners resolved, "That as it was evident that Uncas could not be safe, while Miantonimoh lived; but that, either by secret treachery or open force, his life would be continually in danger, he might justly put such a false and blood-thirsty enemy to death." They determined Uncas should not do it in any of the English plantations, but in his own jurisdiction; and at the same time advised that no torture or cruelty should be exercised in the manner of his execution. They also determined that if the Narragansets, or any other Indians, should unjustly assault Uncas, on account of the execution of Miantonimoh, the English should, upon his desire, assist him against such violence.

Governor Winthrop writes, "It was clearly discovered to us that there was a general conspiracy among the Indians to cut off all the English; and that Miantonimoh was the head and contriver of it: that he was of a turbulent and proud spirit, and would never be at rest; and that he had killed the Pequot contrary to his promise."

The commissioners had received intimations, that the Narragansets had it in contemplation to capture one or more of them, with a view to the redemption of Miantonimoh; and their determination respecting his execution was therefore kept as a profound secret, until after the return of the commissioners of Connecticut and New Haven, lest it should inflame and encourage them to make the attempt.

Previously to the meeting of the commissioners, the Dutch governor had written a letter to Governor Winthrop, containing high congratulations on the union of the colonies, and at the same time making grievous complaints of Connecticut and New Haven, as having committed insufferable injuries against the Dutch, and as having given misinformation respecting them to their agent in Europe; and he desired a categorical answer from Governor Winthrop, whether he would aid or desert them, that he might know who were his friends, and who were his enemies. The governor, after consulting with some few of his council, who were at hand, wrote an answer in part to the Dutch governor, reserving to himself one more full at the session of the general court. He represented his sorrow for the differences which had arisen between the Dutch and his brethren at Hartford, suggesting that they might be settled by arbitrators, either in England, Holland, or America; observed, that by the articles of confederation each colony was obliged to seek the safety and welfare of the other colonies, no less than its own; hoped that this would not interrupt the friendship which had subsisted between them and the Dutch; stated that the controversy at Hartford was for a small piece of land only, which, in so vast a continent as this, was of too little value to make a breach between protestants so related in profession and religion as the Dutch and English were; and finally desired that each party would carefully avoid all injuries, until the differences between them should be amicably accommodated by an impartial hearing and adjudication, either in Europe or America.

The affair was then brought before the commissioners. Governor Eaton and Mr. Gregson complained of the outrages which the Dutch had committed against the persons and property of the English, within the limits of New Haven, at Delaware, and in other places, and made proof of the injuries of which they complained. The conduct of the Dutch towards Connecticut was also laid before the commissioners by Governor Hopkins and Mr. Fenwick.

Upon which the president was directed to write a letter, in the name of the commissioners, to the Dutch governor, stating the particular injuries which the Dutch had done the English colonies, and to demand satisfaction. It was also directed, that as Governor Winthrop had in part answered the Dutch governor's letter respecting Connecticut, he would now, in further answer to it, particularize the injuries done, both to Connecticut and New Haven, and demand an answer; and he was also authorized to assure the Dutch, that as they would not wrong others, so neither would they desert their confederates in a just cause.

The Indians at this period were beginning to acquire the use of fire-arms. The French, Dutch, and others, for the sake of gain, were vending them arms and ammunition; and they were in such a tumultuous and hostile state, as had the appearance of a general war. The commissioners, therefore, gave orders that the militia, in the several colonies,

should be frequently trained, and completely furnished with arms and ammunition. All the companies were to be mustered and reviewed four times in year; and it was ordered that all the towns should prepare magazines, in proportion to the number of their militia.

The commissioners having given the necessary directions for the execution of Miantonimoh, and for the general safety of the country, dispersed and returned to their respective colonies.

Immediately upon the return of the commissioners of Connecticut and New Haven, Uncas, with a competent number of his most trusty men, was ordered to repair forthwith to Hartford; where he was made acquainted with the determination of the commissioners, and, receiving his prisoner, marched with him to the spot where he had been taken. At the instant they arrived on the ground, one of Uncas's men, who marched behind Miantonimoh, split his head with a hatchet, killing him at a single stroke. He was probably unacquainted with his fate, and knew not by what means he fell. Uncas cut out a large piece of his shoulder, and ate it in savage triumph; saying, "it was the sweetest meat he ever ate, it made his heart strong."

The Moheagans, by the order of Uncas, buried him at the place of his execution, and erected a great heap, or pillar, upon his grave. This event gave the place the name of Sachem's Plain. Two Englishmen were sent with Uncas to witness that execution was done, and to prevent all torture and cruelty in the manner of its performance; and Connecticut and New Haven, agreeably to the direction of the commissioners, sent a party of soldiers to Moheagan, to defend Uncas against any assault which might be made upon him by the Narragansets, in consequence of the execution of their sachem.

Governor Winthrop, at the same time, according to the orders which he had received from the commissioners, dispatched messengers to Canonius, the Narraganset sachem, and the Narraganset Indians, to certify to them that the English had noticed their perfidy, in violating the league between them and the English, from time to time, notwithstanding the English had treated them with love and integrity. These messengers assured them, that they had discovered their mischievous plots, in joining with Miantonimoh, in purchasing aid of the Indians, and by gifts, threats, and allurements, exciting them to a confederacy to root out the whole body of the English; represented to them their treachery in waging war with Uncas, contrary to their express covenant with him and with the English; and justified the execution of Miantonimoh, by Uncas, as he was his lawful captive, and as he had practised treachery and murder against him and his subjects; and insisted that it was both just and agreeable to the practice of the Indians in similar cases, and necessary for the safety of Uncas, the peace of the country, and even of the Narragansets themselves. While they firmly and fully represented these facts to them, they, in the name of the united colonies, tendered them peace and safety; and assured them that they would defend Uncas and all their allies, whether English or Indians, in their just rights; and if they desired peace, they would exercise equal care and friendship towards them.

The commissioners gave orders, that Connecticut should provide for the defence of Uncas against any assault of the Narragansets, or any other Indians.

Upon the general election at New Haven, in October, Governor Eaton and Mr. Stephen Good

year were re-elected governor and deputy-governor. Mr. William Fowler and Mr. Edward Tapp were elected magistrates for Milford, and Thurston Rayner for Stamford. This year, for the first time, the general court at New Haven, are distinctly recorded and distinguished by the names of governor, deputy-governor, magistrates, and deputies.

It appears that the plantation at Yennycok had not fully attended to the fundamental article of admitting none to be free burgesses but members of the church; and it was therefore at this general court decreed, "That none should be admitted free burgesses in any of the plantations but such as were members of some approved church in New England: that such only should have any vote in elections; and that no power for ordering any civil affairs should be put into the hands of any but such."

It was also enacted, that each town in the jurisdiction should choose their own judges in ordinary cases; who were authorized to judge in civil cases not exceeding twenty shillings, and in criminal cases, in which the punishment did not exceed setting the delinquent in the stocks, whipping him, or fining not exceeding five pounds. If there were a magistrate, or magistrates, in the towns in which these town-courts were holden, then the magistrate, or magistrates, were to sit in the court, and judgment was to be given with a due respect to their advice. From these courts, there was liberty of appeal to the court of magistrates.

It was granted, that all the free burgesses in the plantations should vote in the choice of governors, magistrates, secretary, and treasurer; and also that each town should have a magistrate, if they desired it, chosen from among their own free burgesses.

At this general court, a court of magistrates was appointed, consisting of all the magistrates in the jurisdiction. They were to meet twice, annually, at New Haven, on the Mondays preceding the general courts in April and October; and were authorized to receive appeals from the plantation-courts, and to try all important causes, civil and criminal. Every magistrate was obliged, on penalty of a fine, to give his attendance. Four magistrates constituted a quorum. All judgments of the court were to be determined by a major vote. All trials were decided by the bench. It does not appear that juries were ever used in the colony of New Haven.

The court enacted, that there should be two general courts for this colony, to meet at New Haven, on the first Wednesday in April, and the last in October, annually. It was decreed, that the general court should consist of a deputy-governor, magistrates, and two deputies from each town. In the last of these general courts, a governor, deputy-governor, magistrates, secretary, treasurer, and marshal, or high sheriff, were to be annually chosen. The governor, or, in his absence, the deputy-governor, had power to call a general court, upon pressing emergencies, and whenever it might be necessary. All the members were obliged to attend, upon penalty of twenty shillings fine in case of default. It was ordained, that in this court should subsist the supreme power of the commonwealth; and particularly that it should, "with all care and diligence, endeavour to maintain the purity of religion, and to suppress all irreligion, according to the best light they could obtain from the divine oracles, and by the advice of the elders and churches in the jurisdiction, so far as it might concern the civil power."

The Dutch were this year exceedingly harassed

and distressed by the Indians, and made application to Governor Eaton and the general court, soliciting that a hundred men might be raised in the plantations for their assistance against such barbarous enemies.

The war between the Dutch and Indians arose from a drunken Indian, in his intoxication, having killed a Dutchman. The Dutch demanded the murderer, but he was not to be found; and they then made application to their governor to avenge the murder; who, judging it would be unjust or unsafe, considering the numbers of the Indians, and the weak and scattered state of the Dutch settlements, neglected to comply with their repeated solicitations. In the mean time the Mohawks, as the report was, excited by the Dutch, fell suddenly on the Indians, in the vicinity of the Dutch settlements, and killed nearly thirty of them. Others fled to the Dutch for protection; and one Marine, a Dutch captain, getting intelligence of their state, made application to the Dutch governor, and obtained a commission to kill as many of them as it should be in his power; and collecting a company of armed men, he fell suddenly upon the Indians, and made a promiscuous slaughter of men, women and children, to the number of seventy or eighty. This instantly roused the Indians, in that part of the country, to a furious and bloody war. In the spring, and beginning of the summer, they burnt the Dutch out-houses; and driving their cattle into their barns, they burned the barns and cattle together; killed twenty or more of the Dutch people, and pressed so hard upon them that they were obliged to take refuge in their fort, and to seek help of the English. The Indians upon Long Island united in the war with those on the main, and burned the Dutch houses and barns. The Dutch governor in this situation invited Captain Underhill from Stamford to assist him in the war; Marine, the Dutch captain, was so exasperated with this proceeding that he presented his pistol at the governor, and would have shot him, but was prevented: one of Marine's tenants however discharged his musket at the governor, and the ball just missed him; upon which the governor's sentinel shot the tenant dead upon the spot. The Dutch, who at first were clamorous for a war with the Indians, were now, when they experienced the loss and dangers of it, so irritated at the governor, for the orders which he had given, that he could not trust himself among them, and he was obliged to keep a constant guard of fifty Englishmen about his person. In the summer and fall the Indians killed fifteen more of the Dutch people, and drove in all the inhabitants of the English and Dutch settlements, west of Stamford.

In prosecution of their works of destruction, they made a visit to the neighbourhood where Mrs. Hutchinson, who had been so famous at Boston, for her Antinomian and familistical tenets, had made a settlement. The Indians at first appeared with the same friendship with which they used to frequent her house; but they murdered her and all her family, Mr. Collins, her son-in-law, and several other persons, belonging to other families in the neighbourhood, to the number of eighteen; and with an implacable fury, prosecuted the destruction of the Dutch, and of their property, in all that part of the country. They killed and burned their cattle, horses and barns without resistance; and having destroyed the settlements in the country, they passed over to the Dutch plantations on Long

Island, doing all the mischief of which they were capable. The Dutch, who escaped, were confined to their fort, and were obliged to kill and eat their cattle, for their subsistence.

Governor Eaton and the general court having maturely considered the purport of the Dutch governor's letter, rejected the proposal for raising men and assisting in the war against the Indians. Their principal reasons were, that joining separately in war, was prohibited by the articles of confederation; and that they were not satisfied that the Dutch war with the Indians was just. Nevertheless it was determined, that if the Dutch needed corn and provisions for men or cattle, by reason of the destruction which the Indians had made, the court would give them all the assistance in its power.

The Indians at Stamford caught too much the spirit of the Western Indians in their vicinity, who were at war with the Dutch; and appeared so tumultuous and hostile, that the people at Stamford were in great fear that they should soon share the fate of the settlements to the westward of them. They wrote to the general court at New Haven, that in their apprehensions there were just grounds of a war with those Indians, and that if their houses should be burned, because the other plantations would not consent to war, they ought to bear the damage.

The Narraganset Indians were enraged at the death of their sachem. The English were universally armed. The strictest watch and guard was kept in all the plantations. In Connecticut every family, in which there was a man capable of bearing arms, was obliged to send one completely armed, every Sunday, to defend the places of public worship; and indeed all places wore the aspect of a general war.

Public fasts appointed—Indians continue hostile, and commit murder—Acts of the commissioners respecting them—Branford settled—Towns in Connecticut—Message of the commissioners to the Narragansets—Their agreement respecting Uncas—Long Island Indians taken under the protection of the United Colonies—Massachusetts claims part of the Pegout country and Waranoke—Determination of the commissioners respecting said claim—Agreement with Mr. Fenwick relative to Saybrook fort and the adjacent country—Fortifications advanced—Extraordinary meeting of the commissioners to suppress the outrages of the Narragansets—War proclaimed and troops sent against them—They treat and prevent war—Fairfield objects to a jury of six—Controversy with the Dutch—The Indians plot against the life of Governor Hopkins and other principal gentlemen at Hartford—Damages at Windsor—Battle between the Dutch and Indians—Losses of New Haven—Dispute with Massachusetts relative to the impost at Saybrook—Mr. Winthrop's claim of the Nohantic country—Settlement of accounts between the colonies.

(1644.) The affairs both of Old and New England wore so gloomy an aspect at this time, that the pious people in the colonies judged extraordinary fasting and prayer to be their indispensable duty. The flames of civil discord were kindled in England, and the tumultuous and hostile state of the natives in the united colonies threatened them with a bloody and merciless Indian war. The general court of Connecticut therefore ordained a monthly fast, through the colony, to begin on Wednesday the 6th of January. New Haven had before appointed a fast at the same time in all the plantations in that

jurisdiction; and, indeed, this was practised throughout the united colonies, during the civil wars in England. The colonists sympathized with their brethren, in their native country, and conformed to them in their days of humiliation and prayer.

The freemen of Connecticut and New Haven exhibited a remarkable example of steadiness in the election of civil officers. Nearly the same persons were chosen annually into places of principal trust as long as they lived. This year Edward Hopkins, Esq. was chosen governor, and John Haynes, Esq. deputy-governor. The other magistrates were the same as they had been the last year, except Mr. William Swain, who was chosen into the magistracy. Mr. Haynes and Mr. Hopkins were generally elected, alternately governor and deputy-governor, during their respective lives. The reason of this annual change of them, from governor to deputy-governor, was because the constitution prohibited the choice of the same governor more than once in two years.

At New Haven, Governor Eaton was annually elected to the office of governor during his life; and Mr. Stephen Goodyear was generally chosen deputy-governor.

The Indians were no more peaceable this year than they were the last. Those in the western part of Connecticut still conducted themselves in a hostile manner. In the spring they murdered a man belonging to Massachusetts, between Fairfield and Stamford; and about six or eight weeks after the murder was discovered, the Indians promised to deliver the murderer, at Uncoway, if Mr. Ludlow would appoint men to receive him. Mr. Ludlow sent ten men for that purpose; but as soon as the Indians came within sight of the town, they, by general consent, unbound the prisoner and suffered him to escape. The English were so exasperated at this insult, that they immediately seized on eight or ten of the Indians, and committed them to prison. There was among them one or two sachems; and consequently the Indians arose in great numbers about the town, and exceedingly alarmed the people both at Fairfield and Stamford. Mr. Ludlow wrote to New Haven for advice; and the court desired him to keep the Indians in durance, and assured him of immediate assistance, should it be necessary. A party of twenty men were draughted forthwith, and prepared to march to Stamford upon the shortest notice. The Indians were held in custody, until four sachems, in those parts, appeared and interceded for them, promising that if the English would release them, they would within a month deliver the murderer to justice.

Not more than a month after their release, an Indian went boldly into the town of Stamford, and made a murderous assault upon a woman in her house. Finding no man at home, he took up a lathing hammer, and approached her as though he were about to put it into her hand; but as she was stooping down to take her child from the cradle, he struck her upon the head; she fell instantly; and he then struck her twice with the sharp part of the hammer, which penetrated her skull. Supposing her to be dead, he plundered the house, and made his escape, but soon after, the woman so far recovered as to describe the Indian, and his manner of dress. Her wounds, which at first appeared to be mortal, were finally healed; but her brain was so affected, that she lost her reason.

At the same time, the Indians rose in those parts with the most tumultuous and hostile appearances.

They refused to come to the English, or to have any treaty with them; they appeared, in a very alarming manner, about several of the plantations, firing their pieces, and exceedingly terrifying the inhabitants; and they deserted their wigwams, and neglected to weed their corn. Most of the English judged it unsafe to travel by land, and some of the plantations were obliged to keep a strong guard and watch, night and day; and as they had not numbers sufficient to defend themselves, they made application to Hartford and New Haven for assistance; which both sent aid to the weaker parts of their respective colonies. New Haven sent help to Fairfield and Stamford, as they were much nearer to them than to Connecticut.

After a great deal of alarm and trouble, the Indian, who had attempted the murder of the woman, was delivered up, and executed at New Haven. The executioner cut off his head with a falchion; but from want of dexterity he gave the Indian eight blows before he effected the execution; and the intrepid savage sat erect and motionless until his head was severed from his body.

Both the colonies of Connecticut and New Haven were put to great expense this year in defending themselves, and they were obliged to bear the whole charge, as the measures adopted for their defence, were taken by the order of their respective legislatures, and not by the direction of the commissioners.

The unhappy divisions which continued at Weathersfield occasioned another settlement under the jurisdiction of New Haven. As Mr. Eaton, to whom Totoket had been granted, in 1640, had not performed the conditions of the grant, New Haven, for the accommodation of a number of people at Weathersfield, made a sale of it to Mr. William Swain, and others of that town; who sold it at the price which it cost them, stipulating with Mr. Swain and his company that they should unite with that colony in all the fundamental articles of government. The settlement of the town immediately commenced. At the same time, Mr. Abraham Pierson, with a part of his church and congregation, from Southampton, on Long Island, removed and united with the people of Weathersfield in the settlement of the town. A regular church was soon formed, and Mr. Pierson was chosen pastor. The town was named Branford. Mr. Swain was the principal planter, and a few years after was chosen one of the magistrates of the colony of New Haven, as he had previously been of the colony of Connecticut.

The meeting of the commissioners this year was at Hartford. Mr. Simon Bradstreet and Mr. William Hawthorne were commissioners from the Massachusetts; Mr. Edward Winslow and Mr. William Brown, from Plymouth; Governor Hopkins and Mr. George Fenwick, from Connecticut; and Governor Eaton and Mr. Thomas Gregson, from New Haven.

No sooner was the meeting opened, than a proposal was made by the commissioners from Massachusetts, directed by their general court, that the commissioners from that colony should always have preference to the commissioners of the other colonies, and be allowed to subscribe first, in the same order in which the articles of confederation had been signed.

Upon consideration of the proposal, the commissioners were unanimously of the opinion, that no such thing had either been proposed, granted, or practised, by the commissioners of the other jurisdictions, in any of their former meetings, though the articles had been subscribed in the presence of

the general court of the Massachusetts. They resolved, that the commission was free, and might not receive any thing but what was expressed by the articles of confederation, as imposed by any general court. Nevertheless, they determined that on account of their respect to the Massachusetts, they willingly granted that their commissioners in that and in all future meetings should subscribe first, after the president, and the commissioners of the other colonies in such order as they were named in the articles; viz. Plymouth, Connecticut, and New Haven.

The Indians were this year almost every where troublesome, and in some places in a high state of hostility. In Virginia they generally rose, and made a most horrible massacre of the English; and it was imagined that there was a general combination among the southern and New England Indians to destroy all the colonies. The Narraganset Indians, regardless of all their covenants with the English and with Uncas, continued in acts of constant hostility against the latter, and so oppressed the sachems and Indians under the protection of the Massachusetts, that they were obliged to dispatch a party of men for their defence and assistance, in fortifying against these oppressors.

The commissioners immediately sent Thomas Stanton, their interpreter, and Nathaniel Willet, into the Narraganset and Moheagan countries, with particular instructions to their respective sachems. They were instructed to acquaint the sachems, that the commissioners were then met at Hartford; and that if they would appear and lay their respective grievances before them, they would judge impartially between them: that the commissioners had heard the report which they had spread abroad concerning Uncas, that he had taken a ransom, in part, for Miantonimoh, and afterwards had put him to death; and that he refused to return the ransom. They were directed to assure them, that Uncas utterly denied the charge: that, nevertheless, if they would go themselves, or send some of their principal men to Hartford, the commissioners would impartially hear this, and all other differences subsisting between them and the Moheagans, and assist them in the settlement of an amicable correspondence between the two nations; and that the parties should have a safe passage to and from Hartford, without any injury from the English. According to their instructions, they demanded of both parties, that they should commit no acts of hostility against each other in their travels to Hartford, nor on their return to their respective countries; and that all hostilities against each other's plantations should cease during the hearing and treaty proposed. If either of the parties should refuse to go or send to Hartford, the treaty made in 1638 was to be urged against them, and their engagements not to go to war with each other until they had acquainted the English with their grievances, and taken their advice. Directions were given that it should be demanded of the party refusing, what their designs were? Whether they were for peace or war? Whether they designed to perform their treaties made with the English of Massachusetts and Connecticut? Or whether they considered them as all broken and void? The interpreter was charged fully to state all these articles to the Indians, and, having taken their answers in writing, to read them to the sachems, that they might understand and acknowledge them to be the very answers which they had given.

In consequence of this message, the Narraganset Indians sent one of their sachems, with other chief men, to prove their charge against Uncas, and to treat with the English. They also bound themselves to confirm what their deputies should do in their name. Uncas also made his appearance, and the commissioners went into a full hearing of all differences between the parties. Upon hearing the case, the commissioners found that there never had been any agreement between the Narragansets and Uncas for the redemption of Miantonomoh, nor anything paid, in whole or in part, for his ransom. Notwithstanding, they declared that if the Narragansets should hereafter be able to prove what they had alleged against Uncas, that they would order him to make full satisfaction. They also resolved, that neither the Narragansets nor Nehanticks should make any war or assault upon Uncas, or any of his men, until they should make proof of the pretended ransom, and that Uncas had refused to make them satisfaction.

The Narraganset sachem and his counsellors, upon consultation together, stipulated, in behalf of the Narraganset and Nehantick Indians, that no hostility should be committed against Uncas, or any of his Indians, until after the next year's time of planting corn. They also covenanted, that before they began war they would give thirty days' notice, either to the governor of Massachusetts or Connecticut. Thus, for the present, by the vigorous and prudent exertions of the colonies and their commissioners, an Indian war was prevented.

Yoncho, Wiantanse, Moughmatow, and Weenaganinim, sachems of Monhauset and its vicinity, on Long Island, with their companies, appeared before the commissioners, and represented that they and the Long Island Indians had been tributaries to the English ever since the Pequot war, and that they had never injured the English nor the Dutch, but had been friendly to both. They therefore desired a certificate of their relation to the English, and to be taken under the protection of the united colonies. Upon this representation, the commissioners gave them a certificate, and declared that it was their desire, while they continued peaceable, and did not intermeddle with the quarrels of other Indians, that they and their companies might enjoy ample peace, without any disturbance from the English, or any in connexion or friendship with them.

In this meeting, the commissioners of Massachusetts laid claim to part of the Pequot country, on the footing of joint conquest; and desired that a division of the country might be made, or some way prescribed, by which the affair might be compromised.

Mr. Fenwick, in behalf of himself, and the noblemen and gentlemen in England, particularly interested in the lands in question, pleaded, that nothing in their absence might be determined against their title. He insisted that Pequot harbour, and the lands in the adjacent country, were of great consequence to the gentlemen interested in the Connecticut patent; and said they had a special respect to them, in their consultations, relative to a plantation in these parts.

The commissioners judged that a convenient time ought to be given to those noble personages to plead their right, and that all patents of equal authority ought to have the same construction, both with reference to propriety and jurisdiction.

The commissioners of Massachusetts also made

claim to Waranoke, now Westfield, as lying within the limits of their patent. Mr. Fenwick, at the same time, claimed it as covered by the patent of Connecticut. However, as it appeared to the commissioners that Mr. Fenwick had promised, before this meeting, either to clear his title to Waranoke, or submit to the government of Massachusetts, they determined that Waranoke, with Mr. Hopkins's trading-house, and the other houses and lands in that plantation, should be under the jurisdiction of Massachusetts, until it should be made evident to which colony they belonged; but that the propriety of the land should belong to the purchasers, provided it should not exceed two thousand acres.

The Reverend Mr. Shepard wrote to the commissioners, representing the necessity of further assistance for the support of scholars at Cambridge, whose parents were needy, and desired them to encourage a general contribution through the colonies. The commissioners approved the motion; and, for the encouragement of literature, recommended it to the general courts in the respective colonies, to take it into their consideration, and to give it general encouragement. The general courts adopted the recommendation, and contributions of grain and provisions were annually made, through the united colonies, for the charitable end proposed.

At this meeting a plan was concerted by the commissioners for a general trade with the Indians, by a joint stock. It was proposed to begin the trade with a stock of five or six thousand pounds, and to increase it to twenty thousand or more; and that each general court should approve and establish the trade, with peculiar privileges, for the term of twenty years: but it was never adopted. It seems it did not agree with the views of the general court of Massachusetts; and this, notwithstanding the confederation, rendered all the determinations of the commissioners void, which were not agreeable to their views and interests.

As the Indians were numerous, and began to learn the use of fire-arms, all trading with them, in any of the united colonies, in guns, ammunition, swords, or any warlike instruments, directly or indirectly, was prohibited, upon the penalty of a fine of twenty times the value of the articles thus unlawfully sold. It was also recommended to the several courts, to prohibit all vending of arms and ammunition to the French or Dutch, because they immediately disposed of them to the Indians; and every smith was forbidden to mend a gun or any warlike instrument for an Indian, under a severe penalty.

Southampton, on Long Island, was, by the advice of the commissioners, taken under the jurisdiction of Connecticut. This town had been settled in 1640; by the inhabitants of Lynn, in Massachusetts, who had become so straitened at home, that about the year 1639 they contracted with the agent of Lord Sterling for a tract of land on the west end of Long Island. They also made a treaty with the Indians, and began a settlement, but the Dutch gave them so much trouble, that they were obliged to desert it, and remove further eastward; and they ultimately collected nearly a hundred families, and made a permanent settlement at Southampton. By the advice of the general court of Massachusetts, they entered into a combination among themselves to maintain civil government; and a number of them regularly formed themselves into church state, before they removed to the island, and called Mr. Abraham Pierson, who had been a minister in Yorkshire, in England, to be their pastor.

Upon his arrival in New England, he became a member of the church at Boston, whence he was called to the work of the ministry at Southampton. This year he removed with part of his church to Branford; as it seems that they were not pleased that the town had put itself under the jurisdiction of Connecticut.

This year a committee, consisting of the governor, deputy-governor, and several other gentlemen, were appointed by the general court of Connecticut, to treat with George Fenwick, Esquire, relative to the purchase of Saybrook fort, and of all guns, buildings, and lands in the colony, which he, and the lords and gentlemen interested in the patent of Connecticut, might claim. The next December they came to an agreement with Mr. Fenwick to the following effect:—

“Articles of agreement made and concluded betwixt George Fenwick, Esquire, of Saybrook fort, on the one part, and Edward Hopkins, John Haynes, John Mason, John Steele, and James Boosy, for, and on the behalf of the jurisdiction of Connecticut river, on the other part, the 5th of December, 1644.

“The said George Fenwick, Esq. doth make over to the use and behoof of the jurisdiction of Connecticut river, to be enjoyed by them for ever, the fort at Saybrook, with the appurtenances: all the land upon the river Connecticut; and such lands as are yet undisposed of shall be ordered and given out by a committee of five, whereof George Fenwick, Esq. is always to be one. The said George Fenwick doth also promise, that all the lands from Narraganset river, to the fort of Saybrook, mentioned in a patent granted by the Earl of Warwick, to certain nobles and gentlemen, shall fall in under the jurisdiction of Connecticut, if it come into his power.”

On the part of Connecticut it was stipulated, “That the said George Fenwick, Esq. should enjoy all the housing belonging to the fort for the space of ten years. And that a certain duty on corn, biscuit, beaver, and cattle, which should be exported from the river’s mouth should be paid to him during the said term.”

Upon the 4th of February, 1645, the general court of Connecticut confirmed this agreement with Mr. Fenwick, and passed an act imposing a duty of two-pence per bushel upon all grain, six-pence upon every hundred weight of biscuit, and a small duty upon all beaver exported from the mouth of the river, during the term of ten years, from the first day of March ensuing. It was also enacted, that an entry should be made of all grain laden on board any vessel, of the number of bushels, and of the weight of biscuit, and that a note of the same be delivered to Mr. Fenwick, upon the penalty of forfeiting the one half of all such grain and biscuit as should be put on board and not thus certified. The colony, on the whole, paid Mr. Fenwick 1,600*l.* sterling, merely for the jurisdiction right, or for the old patent of Connecticut. The general court, the next July, ordered that a tax of two hundred pounds should be levied on the plantations in the colony, to defray the charge of advancing the fortifications at Saybrook fort. A committee was appointed, at the same time, to bargain with Mr. Griffin for that purpose, and to make provision for the immediate completion of the fortifications in view. A letter was also dispatched from the court to Mr. Fenwick, desiring him, if his circumstances would permit, to make a voyage to England, to

obtain an enlargement of the patent, and to promote other interests of the colony.

Notwithstanding the unwearied pains the commissioners of the colonies, and the colonies themselves, had taken to prevent hostilities among the Indians, and to preserve the peace of the country, the perfidious Narragansets were continually waging war. Pessacus and the Narraganset Indians, in violation of all their treaties, had repeatedly invaded the Mohegan country and assaulted Uncas in his fort. They had killed and taken numbers of his men, and so pressed him, that both Connecticut and New Haven were obliged to dispatch parties of men to his assistance, to prevent the enemy from completely conquering him and his country.

Governor Winthrop therefore called a special meeting of the commissioners, at Boston, on the 28th of June, 1645. Governor Winthrop and Mr. Herbert Pelham were commissioners for Massachusetts, Mr. Thomas Prince and Mr. John Brown for Plymouth, Edward Hopkins and George Fenwick, Esquires, for Connecticut, Governor Eaton and Mr. Stephen Goodyear for New Haven.

Immediately on the meeting of the commissioners, they dispatched messengers into the Narraganset and Mohegan countries; who were charged to acquaint the sachems and Indians of the respective tribes, that if they would go to Boston the commissioners would impartially hear and determine all their differences; and that, however the treaty might end, they should be allowed to go and return in safety. The sachems, at first, seemed to give some fair speeches, but finally determined that they would neither go nor send to Boston. The Narragansets insulted and abused the messengers, and uttered threats against the English. One of the sachems declared that he would kill their cattle and pile them in heaps; and that an Englishman should no sooner step out at his doors than the Indians would kill him. He declared that whoever began the war, he would continue it; and that nothing should satisfy him but the head of Uncas; and the messengers were obliged to return without effecting any good purpose. Mr. Williams, of Rhode Island, wrote to the commissioners, assuring them that an Indian war would soon break out; and that, as a preparative, the Narragansets had concluded a neutrality with Providence and the towns upon Aquidney Island.

These reports roused the English; and the commissioners, considering that the Narragansets had violated all their treaties, and highly insulted the united colonies and abused their messengers, determined that an immediate war with them was both justifiable and necessary.

However, as they wished to act with prudence as well as spirit, and to give general satisfaction in an affair of such moment, they desired the advice of the magistrates, elders, and a number of the principal military officers in the Massachusetts. These assembled, and were unanimously of the opinion, that their engagements obliged them to defend Uncas and the Mohegans; that the defence which they were obliged to give, according to the common acceptation of such engagements, extended not barely to the defence of Uncas and his men in their fort, but to his estate and liberties; and that the aid to be given must be immediate, or he would be totally ruined.

It was therefore determined that a war with the Indians was just, that the case should be stated in short, and war, with the reasons of it, be pro-

claimed. A day of fasting and prayer was appointed on the 4th of September; and it was resolved, that 300 men should be forthwith raised, and sent against the enemy. Massachusetts were to furnish 190, Plymouth and Connecticut 40 each, and New Haven 30. As the troops from Connecticut and New Haven, who had assisted in defending Uncas, the former part of the summer, were about to return to their respective colonies, 40 men were impressed in the Massachusetts, and marched in three days, completely armed and victualled. These were commanded by Humphry Atherton. Orders were dispatched to the troops to be raised in Connecticut and New Haven, to join them at Moheagan. A commission was forwarded to Captain Mason to take the command of all the troops, until the whole army should form a junction. The chief command of the army was given to Major Edward Gibbons, of Massachusetts. He was instructed not only to defend Uncas, but to invade and distress the Narragansets and Nehanticks, with their confederates. He had instructions to offer them peace; and if they would receive it upon honourable terms, he, with his officers, had power to make a treaty with them. If they would neither fight nor make peace, the commander had orders to build forts in the Nehantick and Narraganset country; to which he might gather the enemy's corn and goods, as far as it should be in his power.

The Narragansets had sent a present to Governor Winthrop, of Boston, desiring that they might have peace with the English, but wage war with Uncas, and avenge the death of Miantonimoh. The governor refused to receive the present upon such terms; but the messengers, by whom it was carried, urging that they might leave it until they could consult their sachems, he suffered it to be left with him. The commissioners ordered, that it should be immediately returned; and Captain Hurd, Mr. Wilbore, and Benedict Arnold, were sent into the Narraganset country, to return the present, and to assure Pessacus, Canonicus, Janimo, and the other sachems of the Narraganset and Nehantick Indians, that they would neither receive their presents, nor give them peace, until they should make satisfaction for past injuries, and give security for their quiet conduct for the future. They were to inform the Indians that the English were ready for war, and that if war was their choice they would direct their affairs for that purpose; and at the same time they had orders to assure them, that if they would make satisfaction for the damages which they had done, and give security for their peaceable conduct in time to come, they should know that the English were as desirous of the peace, and as tender of the blood of the Narragansets, as they had ever been.

The messengers prosecuted their journey with great dispatch, and brought back word that Pessacus, chief sachem of the Narragansets, and others, were coming to Boston forthwith, vested with full powers to treat with the commissioners. The messengers, though sent on purpose to carry back the present, and to assure the Indians that the English would not receive it, returned with it to Boston. They also wrote to Captain Mason, acquainting him that there were hopes of peace with the Indians.

The commissioners, therefore, while they acknowledged the pains and expedition with which they had accomplished their journey, censured them for not attending to their instructions. Especially, they judged them worthy of censure for bringing back the present, and for writing to Captain Mason.

The latter, they imagined, could have no other effect than to retard his operations.

The Indians finding that an army was coming into the heart of their country, made haste to meet the commissioners, and ward off the impending blow. A few days after the return of their messengers, Pessacus, Meeksamo, the eldest son of Canonicus, and Wytowash, three principal sachems of the Narragansets, and Awashequen, deputy of the Nehanticks, with a large train, arrived at Boston.

They at first denied and excused many particulars which the commissioners charged upon them. They insisted on the old story of the ransom, and proposed to make a truce with Uncas, until the next planting time, or for a year. The commissioners assured them, that matters were now come to a crisis, and that they would accept of no such terms. They charged the Indian sachems with their perfidious breach of treaties, with the injuries they had done to Uncas, with their insults to the English, and with the great trouble and expense to which they had put them, to defend Uncas and maintain the peace of the country. The Indians finally, though with great reluctance, acknowledged their breach of treaties; and one of the sachems presented the commissioners with a stick, signifying by that token that he submitted the terms of war and peace into their hands, and wished to know what they required of the Indians.

The commissioners represented to them, that the charge and trouble which they had brought on the colonies was very great, besides all the loss and damages which Uncas had sustained. They charged all these upon their infraction of the treaties which they had made with the colonies, and with Uncas. They assured the Indians, that though two thousand fathom of white wampum would by no means be equal to the expense to which they had put the colonies, entirely by their violation of their treaties; yet, to show their moderation, they would accept of that sum for all past damages. It was required that they should restore to Uncas all the captives and canoes which they had taken from him; that they should submit all matters of controversy between them and Uncas to the commissioners at their next meeting; and that they should maintain perpetual peace with the English, and all their subjects and allies. Finally, hostages were demanded as a security for the performance of the treaty. These, indeed, were hard terms. The Indians made many exceptions to them; but as they knew the English were gone into their country, and were fearful that hostilities would be commenced, even while the treaty was pending, they submitted to them. Some abatement was made as to the times of payment at first proposed, and it was agreed that Uncas should restore to the Narragansets all captives and canoes which he had taken from them. This gave the Narragansets and Nehanticks some ease; but it was with great reluctance that they finally signed the articles.

On the 30th of August the articles were signed, and the Indians left several of their number, as hostages, until the children, who had been agreed upon for a permanent security, should be delivered. The troops which had been raised were disbanded, and the day appointed for a general fast was celebrated as a day of general thanksgiving.

New Haven, this year, appointed Mr. Gregson their agent to the parliament in England, to procure a patent for the colony. The court at New Haven voted that it was a proper time to join with Con-

necticut, in procuring a patent from parliament for these parts. It appears that both Connecticut and New Haven, at this time, had it in contemplation to obtain charters from parliament for their respective jurisdictions; but Mr. Fenwick, who had been desired to undertake a voyage for this purpose, in behalf of Connecticut, did not accept the appointment, and Mr. Gregson was lost at sea. In consequence of these circumstances, and the state of affairs in England afterwards, the business rested until after the restoration.

This year Tunxis was named Farmington. At this time there were in the colony of Connecticut eight taxable towns; Hartford, Windsor, Weathersfield, Stratford, Fairfield, Saybrook, Southampton, and Farmington. In the colony of New Haven were six; New Haven, Milford, Guilford, Southhold, Stamford, and Branford.

In 1646 there was an alteration in the act respecting juries. In 1644, an act had passed authorizing the court of magistrates to increase or mitigate the damages given by verdict of the jury. It was now enacted, that whatever alterations should be made of this kind, at any time, should be made in open court, in the presence both of the plaintiff and defendant, or upon affidavit made, that they had been summoned to appear.

At this court the town of Fairfield made objections to that part of the act passed in 1644, which admitted of a jury of six. They insisted on twelve jurymen in all cases triable by a jury; but consented, that eight out of twelve should bring in a verdict. It does not appear that a jury of six was ever empannelled after this time. The laws were soon after revised, and ordained a jury of twelve in all cases which required a jury.

The commissioners of the united colonies met this year at New Haven. The Dutch continuing their injurious conduct against the English, complaints were made to the commissioners of the recent and repeated insults and damages which they had received from them. Instead of making them the least satisfaction for past injuries, they proceeded to new instances of insolence and abuse. Kieft wrote a most imperious letter to Governor Eaton, charging him and the people at New Haven with an insatiable desire of possessing that which belonged to the Dutch nation. He affirmed, that contrary to ancient leagues, between the kings of England and the States General, contrary to the law of nations, and his protestations, they had indirectly entered upon the limits of New Netherlands. He therefore protested against them, as breakers of the peace and disturbers of the public tranquillity. Indeed he proceeded so far as to threaten, that if the English at New Haven did not restore the places which they had usurped, and repair the losses which the Dutch had sustained, that they would, by such means as God should afford, recover them. He affirmed that the Dutch would not view it as inconsistent with the public peace, but should impute all the evils which might ensue, to the English.

Governor Eaton replied to this letter, that the colony under his government had never entered upon any land to which the Dutch had any known title: that, notwithstanding all the injuries received from the Dutch, and the very unsatisfying answers which their governor had given from time to time, the colony, in his apprehensions, had done nothing inconsistent with the law of God, the law of nations, nor with the ancient leagues subsisting between

England and Holland. He therefore assured him, that the colony would cheerfully submit all differences, between them and the Dutch, to an impartial hearing and adjudication, either in Europe or America.

The Dutch at Hartford maintained a distinct and independent government. They resisted the laws of the colony, and counteracted the natural rights of men. They inveigled an Indian woman who, having been liable to public punishment, fled from her master; and though her master demanded her as his property, and the magistrates, as a criminal, on whom the law ought to have its course, yet they would not restore her. The Dutch agent at Hartford resisted the guard; drew his rapier upon the soldiers, and broke it upon their arms. He then escaped to the fort, and there defended himself with impunity.

The commissioners of Connecticut and New Haven made complaint of these insults and misdemeanors to the commissioners of the united colonies, and laid open the whole conduct of the Dutch towards them. They represented, that in answer to their complaints of past injuries, they had, instead of satisfaction, received nothing but injury and abuse.

The commissioners, upon a deliberate view of the case, wrote to the Dutch governor, stating how they had written to him from time to time; and, in consideration of the great necessity for peace, had attempted to compromise the differences which had so long subsisted between the Dutch and their confederates. They observed to the governor, that he had returned nothing but an *ignoramus*, with an offensive addition, which they left to his review and better consideration. They stated the affair at Hartford, and observed, that had the Dutch agent been slain, in the insolent affront which he had given, his blood would have been upon his own head. They assured him, that his agent and the company at Hartford had proceeded to an intolerable state of conduct: that they had forcibly taken away their cattle from authority, and made an assault upon a man who had legally sought justice for damages which he had sustained: that they struck him, and in a hostile manner took his team and loading from him. The commissioners noticed the letter of the Dutch governor to the colony of New Haven, and manifested their approbation of the answer which Governor Eaton had given. They expressed their hopes that it would give satisfaction; and concluded by observing, that to prevent all inconveniences which might arise from any part of the proceedings, they had sent an express, by whom they wished to receive such an answer as might satisfy them of his concurrence with them, to embrace and pursue righteousness and peace.

Several of the English who had traded with the Dutch, had not been able to recover their just debts, and Governor Kieft would not afford them that assistance which was necessary for the obtaining of justice. Mr. Whiting, of Connecticut, complained that an action had been carried against him at Manhattoes in his absence, and when he had no agent to exhibit his evidence, or plead his cause; and also, that upon demanding a just debt, long since due from the Dutch, the governor neglected to give him that assistance which was necessary for the recovery of his right.

The commissioners wrote also to Governor Kieft on this subject; desiring him to grant Mr. Whiting a review in the case specified, and proper assistance in the recovery of his debts from the Dutch; and

assured him, that all the colonies would grant similar favours to the Dutch in all their courts.

By their express, the commissioners received two letters from the Dutch governor, in answer to what they had written, couched in the same offensive strain as the former letters. He denied that the woman who had been detained by the Dutch at Hartford, was a servant, with many other facts which had been stated by the commissioners: and instead of submitting the affairs in dispute to a legal decision, either in Europe or America, he still threatened to avenge the injuries of which he complained, by force of arms. With respect to other matters of special importance, he passed them without the least notice. He compared the commissioners to eagles which soar aloft, and always despise the little fly; but he assured them, that the Dutch by their arms would manfully pursue their rights. He then finished his letters in this remarkable manner:—"We protest against all you commissioners, met at the Red Mount, as against breakers of the common league, and also infringers of the rights of the lords, the states, our superiors, in that you have dared, without our express and special consent, to hold your general meeting within the limits of New Netherlands." The Dutch called New Haven the Red Mount, and the Red Hills, from the appearance of the rocks west and north of the town.

The commissioners made a short reply, assuring the Dutch governor, that they could prove the facts which they had stated to him in their letters; and that the woman whom the Dutch had detained, was a servant, and an important part of her master's property; that she had fled from civil justice, and, by the confession of Mr. David Provost, Dutch agent at Hartford, had been defiled. They insisted that the conduct of the Dutch at Hartford was intolerable, and complained that he had given no orders, to redress the grievances which they had mentioned. They also complained that he had made no reply to so many important articles, concerning which they had written to him. With respect to the protest, with which he had closed his letter, they observed that though it was offensive, yet it agreed with the general strain of his writing; and that he had no more reason to protest against their boldness in holding their session at New Haven, than they had to protest against his boldness in the protest which he had sent them.

This year a plot was concerted among the Indians, for the destruction of a number of the principal inhabitants of Hartford. Sequassen, a petty sachem upon the river, hired one of the Waranoke Indians to kill Governor Hopkins and Governor Haynes, with Mr. Whiting, one of the magistrates. Sequassen's hatred of Uncas was insatiable, and probably was directed against these gentlemen on account of the just and faithful protection which they had afforded him. The plan was, that the Waranoke Indian should kill them, and charge the murder upon Uncas, and by that means engage the English against him to his ruin. After the massacre of these gentlemen, Sequassen and the murderer were to make their escape to the Mohawks. Watohibrough, the Indian hired to perpetrate the murder, after he had received several girdles of wampum as part of his reward, considering how Bushheag, the Indian who attempted to kill the woman at Stamford, had been apprehended and executed at New Haven, conceived that it would be dangerous to murder English sachems: he also re-

volved in his mind, that if the English should not apprehend and kill him, he should always be afraid of them, and have no comfort in his life; and also recollected, that the English gave a reward to the Indians who discovered and brought in Bushheag. He therefore determined, it would be better to discover the plot than to be guilty of so dangerous an action; and he came to Hartford a few days after he had received the girdles, and discovered the plot. Nearly at the same time the Waranoke Indians did much damage to the people at Windsor, burning up their tar and turpentine, and destroying their tools and instruments to the value of 100*l.* or more. The magistrates at Hartford issued a warrant, and apprehended the Indian whom they supposed to be guilty; but the Indians rose and made an assault upon the officers, and rescued him.

Upon complaint and evidence of these misdemeanors, the commissioners sent messengers to Sequassen, demanding his appearance at New Haven, and they ordered that if he would not voluntarily appear, all means consistent with the preservation of his life should be used to take him. Messengers were also sent to Waranoke to the Indians who had done the mischief at Windsor, with orders to seize the delinquents, and bring them off, if they judged they could do it with safety; but Sequassen had art enough to keep out of their hands, and those who had done the damage could not be found. The messengers were insulted, and the Indians boasted of their arms, primed and cocked their pieces in their presence, and threatened that if a man should be carried away, they would all rise.

The commissioners, on the whole, judged it not expedient, in the state in which the Indians then were, to proceed any further than to resolve, that if any Indian or Indians, of what plantation soever, should do any damage to the English colonies, or to any of their inhabitants, that upon due proof of it, they would, in a peaceable manner, demand satisfaction. But if any sagamore, or plantation of Indians, should hide, convey away, entertain, or protect such offender or offenders, that then the English would demand satisfaction of such Indian sagamore or plantation, and do themselves justice, as they might upon all such offenders. At the same time they declared that they would keep peace and amity with all other Indians. This resolution was to be made known to the Waranoke Indians in particular.

The Indians, at particular times, were very mischievous, and gave much trouble to all the plantations. Some time after the settlement at Milford, the Indians set all the adjacent country on fire; and it was supposed that their design was to burn the town: but the inhabitants were so fortunate as to stop the fires at the swamps and brooks which surround it on the west and north, by which means the town was preserved.

The Mohawks, though not hostile to the English, by coming down and murdering the Connecticut Indians, put the plantations in fear, and gave them not a little trouble. Some years after the settlement of Milford, they came into the town, and secreted themselves in a swamp, about half a mile east of Stratford ferry, with a view to surprise the Indians at the fort. The English accidentally discovering them, gave notice of it to the Milford Indians: who set up the war whoop, and collected such numbers that they ventured to attack them; and the Mohawks were overpowered, and several of

them taken. One stout captive the Milford Indians determined to kill by famine and torture; and they therefore stripped him naked and tied him up in the salt meadows, for the mosquitoes to torment, and hunger to destroy him. An Englishman, one Hine, finding him in this pitiable condition, loosed and fed him, and enabled him to make his escape; which humane action very much conciliated the Mohawks towards the English, and especially towards the family of the Hines, whom, it is said, they ever afterwards particularly noticed, and treated with uncommon friendship.

The Narraganset and Nehantick Indians neglected to perform any part of the treaty which they had made the last year. They neither paid the wampum stipulated, nor met the commissioners at New Haven, to settle the differences between them and Uncas; nor restored the captives nor canoes taken from him, nor made him any compensation for the damages which they had done him. They had attempted to deceive the English with respect to the hostages; and instead of the children of their sachems and chief men, whom they agreed to deliver, they made an attempt to impose upon them children of the lowest rank; and even to this time they had not brought those whom they had promised. They were still intriguing with the Mohawks, and by presents and various arts attempting to engage them against the English colonies. The commissioners judged that they had just occasion to avenge the injuries which they had received, and to seek a recompense by force of arms. However, that they might show their love of peace, and their forbearance towards these barbarians, they dispatched another message to them; in which a full representation was made of these particulars; and they were assured that the commissioners were apprised of their intrigues, and that in the eyes of all the colonies they had rendered themselves a perfidious people.

The war between the Dutch and Indians continuing, a great and general battle was fought between them in that part of Horsesneck commonly known by the name of Strickland's plain. The action was long and severe, both parties fighting with firmness and obstinacy. The Dutch, with much difficulty, kept the field, and the Indians withdrew. Great numbers were slain on both sides, and the graves of the dead, for a century or more, appeared like a number of small hills.

The New Haven colonists having been disappointed in trade, and having sustained great damages at Delaware, and the large estates which they brought into New England rapidly declining this year, made uncommon exertions to retrieve their former losses. Combining their money and labours, they built a ship at Rhode Island of 150 tons, and freighted her for England with the best part of their commercial estates; and Mr. Gregson, Captain Turner, Mr. Lamberton, and five or six of their principal men embarked on board. They sailed from New Haven in January, 1647; and were obliged to cut through the ice to get out of the harbour: the ship foundered at sea, and was never heard of after she sailed. This, with the former losses which the company had sustained, broke up all their expectations with respect to trade; and as they conceived themselves disadvantageously situated for husbandry, they adopted the design of leaving the country. They were invited to Jamaica, in the West Indies; and also to Ireland: where they entered into treaties for the city of Galloway, which they designed to have

settled as a small province for themselves. Nevertheless they were disappointed with respect to all these designs; and their posterity, whom they feared would be reduced to beggary, became ultimately respectable landholders, and flourished no less than their neighbours.

(1647.) At the election, this year, at Hartford, nine magistrates were chosen. Mr. Cosmore and Mr. Howe were elected for the first time. The other magistrates were the same as in the preceding years.

At this session of the general court, an explanation or addition was made to the tenth fundamental article. By this article, as it stood, it was the opinion of some, that no particular court could be holden unless the governor and four magistrates were present. It was therefore decreed, that the governor or deputy-governor, with two magistrates, should have power to keep a particular court, according to the laws established; and, that in case neither the governor, nor deputy-governor, should be present, or able to sit, if three magistrates should meet and choose one of themselves moderator, they might keep a particular court, which to all intents and purposes should be deemed as legal as if the governor or deputy-governor were present. All orders contrary to this were repealed.

As tobacco, about this time, was coming into use in the colony, a very curious law was made for its regulation or suppression, by which it was ordered, that no person under twenty years of age, nor any other, who had not already accustomed himself to the use of it, should take any tobacco until he had obtained a certificate from under the hand of an approved physician that it was useful for him, and until he had also obtained a licence from the court. All others, who had addicted themselves to the use of it, were prohibited from taking it in any company, or at their labours, or in travelling, unless ten miles at least from any company; and though not in company, not more than once a day, upon pain of a fine of six-pence for every such offence. One substantial witness was to be a sufficient proof of the crime. The constables of the several towns were to make presentment to the particular courts, and it was ordered that the fine should be paid without gainsaying.

At a court in June, it was ordered, that the fort and guns at Saybrook should be delivered to Captain John Mason, and that he should give Mr. Fenwick a receipt for the premises. At the desire of the people there, Captain Mason was appointed to the chief command of the fort, and was authorized to govern all the soldiers and inhabitants of the town; and to call them forth and put them in such array as might be necessary for the general defence of the country. Orders were given that the fortifications should be repaired, and that the country rate of Saybrook should be appropriated to that purpose.

This court granted to the soldiers of the respective train-bands in the colony the privilege of choosing their own officers, to be commissioned by the court.

The conduct of the Narraganset and Nehantick Indians was so treacherous and hostile, that at Midsummer an extraordinary meeting of the commissioners was called at Boston. The commissioners were, Thomas Dudley and John Endicot, Esquires, from Massachusetts; Mr. William Bradford and Mr. John Brown, from Plymouth; Governor Hopkins and Captain John Mason, from Connecticut; Governor Eaton and Mr. Goodyear, from New Haven. Thomas Dudley was chosen president.

The Narraganset and Nehantick Indians had not only neglected the performance of every part of their treaties with the English, but were, by all their arts, plotting against them. By their wampum they were hiring all the Indian nations round about them to combine against the colonies; and had sent messengers and presents to the Mohawks, to engage them in the general confederacy. As this faithless conduct was the occasion of the meeting, the commissioners immediately dispatched messengers to Pessacus, Ninigrate, Webetomaug, and all their confederates, to declare to them their breach of covenant, and to demand their attendance at Boston. The messengers were instructed to assure them, that if they did not appear, they would send to them no more. Pessacus owned that he had broken covenant, and said it was the constant grief of his spirit. He pretended he would gladly go to Boston, but he was unwell, and could not travel. This was a mere pretence, as there was no appearance of indisposition upon him. He excused himself for not keeping the treaty, because he was frightened into it by the sight of the English army, which was about to invade his country; and he represented that he was in fear if he did not make it, the English would follow him home and kill him. He declared, however, that he would send his whole mind by Ninigrate, and that he would abide by whatever he should transact in the affair.

On the 3d of August, Ninigrate, with two of Pessacus's men, and a number of the Nehantick Indians, arrived at Boston. When Ninigrate came before the commissioners, he pretended great ignorance of the treaties between the English and the Indians. He declared that he knew no cause why the Narragansets should pay so much wampum. He said they owed nothing to the English. The commissioners acquainted him, that it was on account of their breach of treaty, and the great charge which by that means they had brought on the colonies, that the Narragansets engaged to pay such a quantity. Well knowing his deceit, they charged him as being the very man who had been the principal cause of all their trouble and expense, relative to the Indians. They declared to him that he was the sachem who had threatened to pile their cattle in heaps, and to kill every Englishman who should step out at his doors. At so home a charge, which he could not deny, he was not a little chagrined. However, he excused the matter with as much art as possible. With respect to the wampum, he declared that the Narragansets had not a sufficiency to pay the sum required. The commissioners replied that the Narragansets were a great nation, and that they could at any time, upon short notice, pay a greater amount than they demanded. They considered it a matter of policy, as far as was consistent with justice, to strip them of their wampum, to prevent their hiring the Mohawks, and other Indians to join with them in a general war against the colonies; and therefore insisted that the whole sum should be paid. Ninigrate, after he had taken time to consult with his council, the other deputies who were with him, answered that he was determined to give the colonies full satisfaction; and desired ten days to send messengers to Narraganset, to collect the wampum due, and offered himself a hostage until their return. The messengers returned with no more than two hundred fathoms. Ninigrate imputed this to his absence; and begged for liberty to return, promising that if the whole sum should not be paid by

the next spring, the commissioners might take his head, and seize his country. The commissioners agreed with him, that if within twenty days he would deliver a thousand fathoms of wampum, and the remainder which was due by the next planting time, they would dismiss him. They also, for his encouragement, acquainted him, that although they might justly put the hostages to death for their delays and breach of covenant, yet they would forthwith deliver them to him; and if they should find him punctual to his engagements, they would charge former defects to Pessacus. These terms he gladly accepted.

The commissioners from Connecticut, the last year, made complaint that Mr. Pyncheon and the inhabitants at Springfield refused to pay the impost which had been imposed by Connecticut for the maintenance of the fort at Saybrook. The commissioners judged that the fort was of great consequence to the towns on the river; but as the affair of the impost had not been laid before the general court of Massachusetts, and as the commissioners of that colony had no instructions respecting it, a full hearing had been deferred to this meeting.

Meanwhile, the general court of the Massachusetts had taken up the affair, and passed a number of resolutions respecting the impost. These are a curiosity, exhibiting a lively picture of human nature, and, in the course of conduct consequent upon them, will afford a general specimen of the manner in which the Massachusetts anciently treated her sister colonies. The resolutions were at this meeting laid before the commissioners, and were to the following effect.

1. That the jurisdiction at Hartford had not a legal power to force any inhabitant of another jurisdiction to purchase any fort or lands out of their jurisdiction.
2. That it was injurious to require custom for the maintenance of a fort which is not useful to those of whom it was demanded.
3. That it was unequal for Connecticut to impose a custom upon their friends and confederates, who have no more benefit of the river, by the exporting or importing of goods, than strangers of another nation, who, though they lived in Hartford, paid none.
4. That the propounding and standing upon an imposition of custom, to be paid at the river's mouth, by such as were of our jurisdiction, hindered our confederation ten years, and there was never any paid to this day; and that now to impose it upon them, after their confederation, would put them upon new thoughts.
5. That it appeared to them very hard that any of their jurisdiction should be forced to such a disadvantage as would necessarily enslave their posterity, by imposing such rates and customs, as would either constrain them to depart from their habitations, or weaken their estates; especially as they were with the first who took possession of the river, and were at great charge of building, &c which if they had foreseen they would not have made a plantation at that place.
6. If Hartford jurisdiction shall make use of their power over any of ours, we have the same power to imitate them in the like kind, which they desired might be forborne on both sides. These resolutions were signed by the secretary of the colony.

Mr. Hopkins replied in behalf of Connecticut, that the first article laboured under a great mistake

that the imposition was neither to buy lands nor the fort. He observed also, that it was not material to what purpose an impost was applied if it were lawful in itself, and did not exceed the bounds of moderation. With respect to the second article, he said that it impeached all states and nations of injustice no less than Connecticut; that their practice in all similar cases warranted the impost. He urged that for twelve years the fort at Saybrook had been of special service to Springfield; and that it was so still, and might be for a number of years to come. He therefore insisted that it was strictly just that the inhabitants of that town should pay the impost. He said he was willing to risk the case and have it decided on the principles of strict justice. The third article he observed was a mere presumption, and had no just foundation; besides, if it were founded, he argued that the comparison was not equal. The whole of the fourth article he said was a mistake; that the confederation was completed in about five years from the first mentioning of it, and that it was not retarded by the means suggested, nor were they ever mentioned. With reference to the fifth article, he replied, that all taxes weakened states, and if this were a ground of objection against the impost, then no tax or impost could ever be laid. He insisted that the impost was just and moderate, and therefore could not enslave the inhabitants of Springfield. The towns in Connecticut, he observed, were settled before Springfield, and that town had been at no expense in making settlements more than the towns in Connecticut. He said if Connecticut at any time should become exorbitant in its impositions upon any of the colonies, they would find a remedy in the confederation. With reference to the last article, he declared his willingness in all similar cases to submit to the like imposition.

The commissioners upon a full hearing, determined that it was of weighty consideration to all the plantations upon the river, that the mouth of it should be secured, and a safe passage for goods up and down the river be maintained, though at some expense; and, that as Springfield enjoyed the benefit, the inhabitants should pay the impost of two pence per bushel for corn, and a penny on the pound for beaver, or twenty shillings upon every hog'shead. Nevertheless, out of respect and tenderness to the Massachusetts, it was resolved that Springfield, or the general court, might have the liberty of exhibiting further reasons against the impost if any should occur.

At this meeting, Mr. John Winthrop, of Pequot, laid claim to the whole country of the western Nehanticks, including a considerable part of the town of Lyme. He represented that he obtained the title to this large tract partly by purchase, and partly by deed of gift, before the Pequot war. He petitioned the commissioners to this effect: "Whereas I had the land at Nehantick by deed of gift and purchase from the sachem before the Pequot war, I desire the commissioners would confirm it unto me, and clear it of all claims of English and Indians, according to the equity of the case." As he had no deed nor writing respecting the land, he produced the testimony of three Nehantick Indians; who testified that before the Pequot war, Sashions, their sachem, called all his men together, and told them that he was determined to give his country to the governor's son, who lived at Pattaquasset, or Pamaquasset, (Saybrook,) and that his men gave their consent; that afterwards he went to Mr. Win-

throp, at Pattaquasset, and when he came back said that he had granted all his country to the governor's son; and also, that he had received coats for it, which they saw him bring home. Three Englishmen also testified that they had heard the Indians report the same concerning the grant of the Nehantick or Neantick country to Mr. Winthrop. Thomas Stanton deposed, that he remembered Sashions, sachem of the Nehanticks, did give his country to Mr. John Winthrop, before the Pequot war, and that he was interpreter in that business.

The commissioners of Connecticut pleaded against the claim of Mr. Winthrop, that his purchase bore no date; that the tract pretended to be purchased or given was not circumscribed within any limits; and that it did not appear that the Indian who granted the lands had any right in them; that the grant was verbal, and at most could be but a vague business. They also urged that it did not appear but that Mr. Winthrop purchased the lands for the noblemen and gentlemen, in whose service he was at that time employed; and that as the lands had been conquered at the hazard and expense of Connecticut before Mr. Winthrop made known his claim, whatever it was, it was then dormant, and of no validity. They further insisted, that, as they were not prepared to give a full answer, no decision might be made until Connecticut should be fully heard with respect to the premises.

The commissioners declined any decision of the controversy; but it does not appear that Mr. Winthrop ever after prosecuted his claim. As it seems Mr. Winthrop about this time had a design of purchasing Long Island, the commissioners took occasion to inform him, that the Island was already under engagements for considerable sums of money to a number of persons in Connecticut and New Haven; and represented that any title which might be derived from Mr. Cope, would be very precarious, as he had confessed a short time before his death.

The commissioners this year brought in the number of polls in the several colonies, and made a settlement of their accounts. The whole expenditure of the confederates was 1043*l.* 10*s.* There was due to Connecticut 155*l.* 17*s.* 7*d.* which the colony had expended in the general defence, more than its proportion; and New Haven had expended 7*l.* more than its proportion. This was exclusive of all the expense which these two colonies had borne in defending themselves against the Indians at Stamford and its vicinity, and in attempting to bring the murderers of the English to condign punishment. Massachusetts and Plymouth paid the balance to Connecticut and New Haven.

Peter Stuyvesant, who the last year had been appointed governor of New Netherlands, arrived this year at Manhadoes, and commenced his government of the Dutch settlements. The commissioners wrote him a long letter of congratulation; but complained that the Dutch sold arms and ammunition to the Indians, and even in the English plantations; and desired that an immediate stop might be put to so dangerous a trade. They made complaint also that the Dutch had laid so severe an impost upon all goods, as greatly discouraged trading with them, while all the harbours in the united colonies were open and free to them.

This winter the fort and buildings at Saybrook unaccountably took fire, and, with some goods, were destroyed. The damage was estimated at more than a thousand pounds.

Settlement of New London—Salaries first granted to civil officers—Troubles with the Narraganset Indians—Rhode Island petitions to be united with the colonies in confederation—The Massachusetts resume the affair of the impost—Mr. Westerhouse complains of the seizure of his vessel by the Dutch, in the harbour of New Haven—Murders committed by the Indians; resolutions respecting the murderers—Body of laws compiled—Debates relative to the settlement of Delaware—The Pequots revolt from Uncas, and petition the English—Resolution respecting them—Mr. Westerhouse petitions to make reprisals from the Dutch—Letter to the Dutch governor—Further altercations respecting the impost—Final issue of that affair—The conduct of the Massachusetts upon its decision, and the declaration of the commissioners respecting it—Their treatment of Connecticut respecting the line between the colonies—The court of Connecticut determine to avenge the death of John Whitmore.

(1648.) The last year several persons had begun settlements at Pequot harbour, where lots had been laid out for them, but part of them were soon discouraged and left the plantation. This year Mr. Richard Blinman, who had been a minister in England, removed from Gloucester to this new settlement; in consequence of which a considerable addition was made to the number who had kept their station; and by the next year there was such an accession, that the inhabitants consisted of more than forty families. Some of the principal men were John Winthrop, Esq., the Rev. Mr. Blinman, Thomas Minot, Samuel Lothrop, Robert Allyn, and James Avery. For their encouragement, the general court granted them a three years' exemption from all colonial taxation. Mr. Winthrop was authorized to superintend the affairs of the plantation. The next year a court was appointed for the trial of small causes; the judges of which were Mr. Winthrop, Thomas Minot, and Samuel Lothrop. The Indian name of the place was Nameaug, alias Towawog; but in 1654 the whole tract, now comprised within the towns of New London and Groton, was called Pequot, from the name of the harbour and original inhabitants; and by that name it was known for about four years. On the 24th of March, 1658, the assembly passed an act respecting it, which is so curious and characteristic of the feelings of the early settlers, as to be worthy of quotation.

"Whereas, it hath been the commendable practice of the inhabitants of all the colonies of these parts, that as this country hath its denomination from our dear native country of England, and thence is called New England; so the planters, in their first settling of most new plantations, have given names to those plantations of some cities and towns in England, thereby intending to keep up, and leave to posterity, the memorial of several places of note there, as Boston, Hartford, Windsor, York, Ipswich, Braintree, Exeter; this court considering, that there hath yet no place in any of the colonies been named in memory of the city of London, there being a new plantation within this jurisdiction of Connecticut, settled upon that fair river Moheagan, in the Pequot country, being an excellent harbour and a fit and convenient place for future trade, it being also the only place which the English in these parts have possessed by conquest, and that upon a very just war, upon that great and warlike people, the Pequots, we therefore, that we might thereby leave to posterity that we have memory

of that renowned city of London, from whence we had our transportation, have thought fit, in honour to that famous city, to call the said plantation New London." The name of the river was also changed, and called the Thames.

Until this time the governors and magistrates appear to have served the people for the pure honour and love of the public good; but the general court now took the affair into their consideration, and granted the governor 30*l.* annually; the same sum was also voted for the deputy-governor, who had presided the preceding year: and these appear to have been the first salaries given to any civil officers in the colony, and to have been a compensation for the expense of the office, rather than for the service performed.

Upon the election at Hartford, Mr. Hopkins was chosen governor, and Mr. Ludlow deputy-governor. Mr. Haynes supplied the vacancy made by the advancement of Mr. Ludlow, and Mr. Cullick was elected magistrate and secretary in the place of Mr. Whiting.

In September the commissioners of the united colonies assembled at Plymouth; their names were John Endicott and Simon Bradstreet, from Massachusetts; William Bradford and John Brown, from Plymouth; Governor Hopkins and Roger Ludlow, from Connecticut; Governor Eaton and John Astwood, from New Haven.

The Indians, both in the Nehantick and Narraganset country, and in the western parts of Connecticut, had been more perfidious and outrageous this year than at any time since the Pequot war; and instead of performing the promises which they had made the last year, hired the Mohawk and Pocomtock Indians to unite with them in an expedition for the total destruction of Uncas and the Moheagans. The Pocomtocks made preparations and assembled for the purpose; but waited several days for the arrival of the Mohawks, who were to have joined them at that place. The Narragansets and Nehanticks removed their old men, women, and children into swamps and fastnesses, and prepared an army of 800 men, who were to form a junction with the Mohawks and Pocomtocks, in Connecticut, near the Moheagans.

The governor and council, apprised of their designs, dispatched Thomas Stanton, their interpreter, and others to Pocomtock; who found the Pocomtocks actually met in arms, and waiting for the arrival of the Mohawks; and they learnt that the Mohawks had 400 fire-arms, and plenty of ammunition. The Pocomtocks acknowledged that they had been hired by the Narragansets, which proved a confederacy, which was justly alarming to the colony; but several happy circumstances united their influence to frustrate this formidable combination; and the early discovery of the designs of the enemy, by the people of Connecticut, and the precautions which were taken, had a great effect. The Pocomtocks and Mohawks were assured that the English would defend Uncas against all his enemies, and would avenge all injuries which they should do him: the Mohawks had one or two of their sachems and a number of their men killed by the French, and therefore did not proceed; and the Pocomtocks did not choose to march without them: the Narragansets, thus deserted, were afraid to proceed; and the expedition failed.

The Narragansets not only plotted against the united colonies, but committed many outrages against the people of Rhode Island; where they

made forcible entries into the houses, struck and abused the owners, and stole and purloined their goods. At Warwick especially, they were exceedingly troublesome, having killed in that plantation about a hundred cattle, exclusive of other injuries which they did to the inhabitants; and the Rhode Islanders were so harassed, that they made application, by their representatives, to the commissioners to be admitted to the confederation of the united colonies.

The commissioners replied, that they perceived their state to be full of confusion and danger, and that they were desirous of giving them both advice and help; but added, that as the plantation made at Rhode Island fell within the limits of the ancient patent granted to the colony of New Plymouth, they could not receive them as a distinct confederate; they therefore proposed, that if the Rhode Islanders would acknowledge themselves to be within the limits of Plymouth colony, they would advise how they might be received on equitable terms, with a tender regard for their convenience; and that they would afford them the same advice and protection which they did the other plantations within the united colonies.

The commissioners sent messengers again to the Narraganset and Nehantick Indians, to remonstrate with them, and demand the arrears of wampum which were yet unpaid. Their outrages against the inhabitants of Rhode Island were particularly noticed, and the sachems were peremptorily charged to keep their men under better government.

The general court of Massachusetts was by no means pleased with the determination of the commissioners, the last year, relative to the impost to be paid at Saybrook; and a committee was therefore appointed to draw up an answer to the observations and pleadings of Governor Hopkins before the commissioners at their former sessions.

The committee introduced their answer with a number of questions relative to the articles of confederation; some of which were calculated to exhibit them as entirely contemptible; others related to the power of the commissioners, and to the degree in which obedience was due to their determinations. They inquired whether a non-compliance with the orders of the commissioners would be a breach of the articles of confederation? and complained that they had not a greater number of commissioners, as Massachusetts was much larger than the other colonies: they proposed that they should have the privilege of sending three commissioners, and that the meetings of the confederates should be triennial; and proceeded to a long reply to the arguments of Governor Hopkins, and attempted to vindicate the reasons which they had given before against the impost. In addition to what they had formerly offered, they endeavoured to show that if Springfield was benefitted by the fort at Saybrook, and ought to pay the impost on that account, that New Haven, Stamford, and all the towns on that side of the river, ought also to pay; because they had been already benefitted, and might be hereafter: and if this was the case, as they pleaded, they objected against the commissioners of New Haven as disqualified to judge in the case: they also objected against the decision of the commissioners, because it was made, as they said, without a sight of the Connecticut patent: they insisted, that if the patent had been produced, there might have been some clause which would have helped their case; and pleaded a priority of possession. They affirmed,

that the first possession of Saybrook fort was taken by Mr. John Winthrop, in November, 1635, and their possession was before that: for those who went from Watertown, Cambridge, Roxbury, and Dorchester, the summer before, took possession in their name and right; and had a commission of government from them, and some ordinance for their defence; and, in fine, they urged that if the impost were lawful, it was not expedient; and that they could view it in no other light than as a source of contention, to interrupt their union and brotherly love. This document was adopted by the general court.

Governor Hopkins and Mr. Ludlow, in reply on the part of the Connecticut commissioners, insisted on the answers which had been given the last year to the arguments of the general court of the Massachusetts; they attempted to show, that notwithstanding all which had been urged, the arguments in favour of the impost remained unanswered, and in their full force; they observed, that whatever propositions might have been made by the Massachusetts, in 1638, with respect to the exemption of plantations under their government from an impost, nothing was ever granted upon that head; and that affairs were now in a very different state from what they were at the time of the confederation: they urged, that now the charge of the fort and garrison at Saybrook lay upon the colony, which was not the case at that time; and that nothing could be fairly pleaded from the circumstances in which the colonies confederated. With respect to priority of right, and the commission which had been mentioned, they observed that the commission of government was taken, *salvo jure*, of the interest of the gentlemen who had the patent of Connecticut; this commission taking rise from the desire of the people that removed, who judged it inexpedient to go away without any frame of government, not from any claim of the Massachusetts' jurisdiction over them by virtue of patent. With reference to the decision of the commissioners, without seeing the Connecticut patent, they observed that a copy of it was exhibited at the time of the confederation; that it had been well known to many; and that the Massachusetts in particular knew that it had recently been owned by the honourable committee of parliament; and that equal respect and power had been given by it to all within its limits, as had been either to Massachusetts or Plymouth, within the limits of their respective patents. As to the inexpediency of the impost, as tending to disturb the peace and brotherly love subsisting between the colonies, they replied, that it was their hope and earnest desire that in all the proceedings of the confederation, truth and peace might embrace each other. But they insisted, that pleading for truth and righteousness ought by no means to disturb peace or brotherly affection. Indeed, they maintained, that things which were rational and consistent with truth and righteousness, should never be an occasion of offence to any.

The commissioners of Connecticut, at this time, produced an authentic copy of their patent, and Governor Hopkins offered to attest it upon oath. As this was the third year since the affair of the impost had been litigated before the commissioners, it was urged, that it might have a final issue, agreeable to truth and righteousness. Governor Hopkins and Mr. Ludlow disputed the southern boundary of Massachusetts, and claimed Springfield as lying within the limits described in the patent of Connecticut.

The commissioners judged that the objections offered against the gentlemen from New Haven were insufficient, and the commissioners from Massachusetts gave them up: and after a full hearing and mature deliberation on the whole matter, the former order, in favour of Connecticut, was confirmed.

Notwithstanding the congratulatory letter which the commissioners addressed to Stuyvesant, the Dutch governor, at their last session, he proved a very disagreeable neighbour: he gave no answer to the complaints which had been stated to him in their letter; and he transmitted no account of the customs laid upon the English merchants, nor of the cases in which the Dutch made seizures, so that it was extremely difficult to know on what terms they could trade, or how to escape fines and seizures. By his order, a vessel of Mr. Westerhouse, a Dutch merchant and planter at New Haven, was seized while riding at anchor within the harbour, who preferred a complaint to the commissioners; and proved that when he sailed from Virginia, he made a full payment of all the customs. The commissioners wrote to the Dutch governor on the subject, and remonstrated against such a flagrant insult to the united colonies, and against the injustice done to Mr. Westerhouse; and at the same time protested against the Dutch claim to all the lands, rivers, and streams, from Cape Henlopen to Cape Cod; and asserted their right to all the lands and plantations in the united colonies, as anciently granted by the kings of England to their subjects, and since purchased by them of the Indians as the original proprietors. At the same time they assured him, that they expected satisfaction, both for the injury and affront in taking a ship out of one of their harbours: they represented in strong terms the absolute necessity of a meeting for the adjustment of the differences between the Dutch and the united colonies; and professed themselves to be inclined to pursue all proper counsels for that purpose; and added, as his letters to them, as well as to the governors of Massachusetts and New Haven, had been expressed in very indeterminate language, they wished him to be more explicit; they avowed their determination, that until such time as the Dutch should come to an amicable settlement of the points in controversy, neither their merchants nor mariners should enjoy any privilege, in any of the English plantations or harbours, either of anchoring, searching, or seizing, more than the English did at the Manbadoes; and declared that if, upon search, they should find arms and ammunition on board any of the Dutch ships, for the mischievous purpose of vending them within the limits of the united colonies to the Indians, they would seize them until further inquiry and satisfaction should be made; and that they would treat the Dutch mariners and merchants in the English harbours and plantations in the same manner in which the English had been treated by them.

Soon after the meeting of the commissioners, Mr. John Whitmore, of Stamford, a worthy man, and one of the representatives of the town in the general court at New Haven, was murdered by the Indians.

(1649.) At the general election in Connecticut, Mr. Haynes was chosen governor, and Mr. Hopkins deputy-governor. Mr. Ludlow took his place again among the magistrates; and the other officers remained as they had been the preceding year.

In consequence of the burning of the old fort at Saybrook, a new one was begun the last year at a place called the new fort hill; and at this session of the assembly, orders were given for the erecting of

a new dwelling-house in the fort, and for completing the works and buildings at Saybrook. The magistrates were empowered to impress suitable hands for carrying the business into effect, and appropriations were made for that purpose.

As the commissioners of Massachusetts, in their pleadings before the commissioners of the united colonies at their last session, had expressed their doubts whether the act of Connecticut, imposing a duty upon certain articles exported from Connecticut river, had any respect to the inhabitants of Springfield, the general court declared that they had particular respect to them, as under the government of the Massachusetts. They also resolved, that, in their most serious judgment, nothing was imposed on them more than was strictly just, or than had been imposed on themselves; and that they ought to submit to the impost; and further declared, that the execution of the act, with respect to their brethren at Springfield, had been deferred, only that the judgment of the commissioners of the other colonies might be had on the premises. The assembly also resolved, that they were not satisfied that Springfield was within the true limits of the Massachusetts' patent; and expressed their earnest wishes that the line might be speedily and fully settled, in righteousness and peace. It was finally ordered, that these resolutions should be laid before the commissioners at their next meeting.

Mr. Ludlow, who had for several years successively been desired by the general court to make a collection of the laws which had been enacted, and to revise, digest, and prepare a body of laws for the colony, had now completed the work, and at this session a code was established.

Until this time, punishments in many instances had been uncertain and arbitrary; and had been left wholly to the discretion of the court. Defamation had in some instances been punished by fines, repeated scourging, and imprisonment. For violation of the Sabbath, there is an instance of imprisonment during the pleasure of the court. Want of chastity in single persons was sometimes punished by setting the delinquent in the pillory, and by whipping him from one town to another. But, from this time, the laws in general became fixed, and the punishment of particular crimes were specified.

The statute now required a jury of twelve men: that in cases in which they were doubtful with respect to law, they should bring in a *non liquet*, or special verdict; and that matter of law should be determined by the bench, as it is at the present time. But if, after the jury had been sent out repeatedly, the court judged they had mistaken the evidence and brought in a wrong verdict, they were authorized in civil cases to empanel a new jury. The court also retained the power of lessening and increasing the damages given by the jury, as they judged most equitable. All cases of life, limb, or banishment were determined by a special jury of twelve able men, and a verdict could not be accepted unless the whole jury were agreed. From this time Connecticut had the appearance of a well regulated commonwealth.

An extraordinary meeting of the commissioners was held this year at Boston; the members of which were Thomas Dudley, Esq., Mr. Simon Bradstreet, William Bradford, Esq., Mr. John Brown, Edward Hopkins, Esq., Mr. Thomas Wells, Governor Eaton, and Mr. John Astwood.

Governor Eaton, in behalf of the colony of New Haven, proposed that effectual measures might be

immediately adopted for the settlement of Delaware bay. The title which a number of merchants at New Haven had to extensive tracts on both sides of the river, by virtue of purchases from the Indians, was laid before the commissioners; and the fertility of the soil, the healthiness of the country, the convenience of the several rivers, the great advantages of settlements, and a well regulated trade there, not only to New Haven, but to all the New England colonies, were strongly represented.

The commissioners, after a full hearing and mature deliberation, were of the opinion, that the circumstances of the colonies were such, that it would not be prudent at that time, by any public act, to encourage the settlement of those tracts. Besides the contest with the Dutch and the danger of involving the colonies in war, it was observed that they had scarcely sufficient numbers of men at home for their own defence, and the prosecution of the necessary affairs of their respective plantations; and it was therefore recommended to the merchants and gentlemen at New Haven, either to settle or sell the lands which they possessed there. The commissioners also resolved, that if any persons in the united colonies should attempt, without their consent, to make settlements on the lands, or to do any thing injurious to the rights of the purchasers, that they would neither own nor protect them in their unjust attempts.

The murder of Mr. Whitmore, and the other murders which the Indians had committed against the English, were fully considered: and the commissioners resolved that the guilty should be delivered up; and if they were not, that the sachem at Stamford, or his son, should be apprehended and kept in prison, until they should be secured, and justice have its course.

Some time before the meeting of the commissioners, the Indians upon Long Island perpetrated a murder at Southold; and having risen in a hostile manner for several days round the town, the inhabitants were obliged to arm and stand upon their defence against them for a considerable time; and afterwards to keep a strong and vigilant guard by night. The town was not only exceedingly alarmed and distressed, but put to great expense; and they therefore made application to the commissioners for relief; who would not consent that the colonies in general should bear any of the charge in such instances; and determined in this case, as they had done before with respect to the other towns in the jurisdictions of Connecticut and New Haven, which had suffered in the like manner, and had been obliged to bear all the expense of defending Stamford and other places.

The Narraganset and Nehantick Indians still persisted in their murderous designs against Uncas, and in their perfidious conduct towards the colonies; and the alarming aspect of affairs, with respect to them, was the occasion of this extraordinary meeting. An Indian who was hired by the Narraganset and Nehantick sachems to kill Uncas, as he was going on board a vessel in the Thames, ran him through the breast with a sword; but though the wound at first was judged to be mortal, Uncas finally recovered. At this meeting he presented himself before the commissioners, and complained of the assault made upon him; and affirmed, that these sachems had hired the Mohawks and other Indians against him, as well as an assassin to kill him secretly. He complained also that the Narragansets

had neither restored his canoes nor his captives, as had been expressly demanded and stipulated; and prayed that, as he had ever been friendly and faithful to the colonies, they would provide for his safety, avenge these outrages, and do him justice. Ninigrate was examined before the commissioners on these points; and it was proved, by the confession of the Mohawks themselves, that the Narragansets had hired them against Uncas. The colonies were at the same time alarmed with the report, that one of the brothers of Sassacus, or his son, was about to marry the daughter of Ninigrate; and it was conjectured, that the Narraganset and Nehantick Indians were concerting a plan to collect the scattered remains of the Pequots, and to set them up as a distinct nation with the son, or brother of Sassacus, at their head.

The Pequots, who had been given to Uncas, had now for more than two years revolted from him, and lived separately, as a distinct clan: in 1647 they had complained to the commissioners that Uncas and the Moheagans had abused them; and represented that, though they had submitted and been faithful to him, assisted him in his wars, been esteemed as his men, and paid him tribute, he had nevertheless grossly injured them: they said that he had required tribute of them, from time to time, upon mere pretences; and that since they had been put under him, they paid him wampum forty times: that upon the death of one of his children, he gave his squaw presents, and ordered them to comfort her in the same way; and that they presented her with a hundred fathom of wampum: that Uncas was pleased, and promised that for the future he would esteem and treat them as Moheagans; but that notwithstanding this engagement, they were wronged every way, and deprived of their just rights. Obachickquid, one of their chief men, complained that Uncas had taken away his wife and used her as his own; and they proved that Uncas had wounded some of them, and plundered the whole company; they therefore prayed that the English would interpose for their relief, and take them under their protection.

The commissioners found these charges so well supported, that they ordered Uncas to be reprov'd, and decreed that he should restore Obachickquid his wife, and pay damages for the injuries he had done the Pequots; and also fined him a hundred fathom of wampum. Nevertheless, as it had been determined by Connecticut that the name of the Pequots should be extinguished, and that they should not dwell in their own country, it was resolved that they should return, and be in subjection to Uncas; but he was directed to receive them without revenge, and to govern them with moderation in all respects, as he did the Moheagans. They did not however return to Uncas; but annually presented their petition to the commissioners to be taken under the protection of the English, and to become their subjects; pleading, that though their tribe had done wrong and were justly conquered, yet that they had killed no English people; and that Wequash had promised them, if they would flee their country, and not injure the colonies, that they would do them no harm. To relieve them, as far as might be consistent with former determinations, the commissioners recommended it to Connecticut to provide some place for them, which might not injure any particular town, where they might plant and dwell together; but at the same time they were directed to be in subjection to

Uncas; and he was again enjoined to govern them with impartiality and kindness.

Mr. Westerhouse about this time renewed his complaint respecting the seizure of his vessel in the harbour of New Haven: and alleged, that besides the loss of his vessel, and the advantages of trading, the prime cost of his goods was 2000*l.*; and that, after repeated application to the Dutch governor, he had not been able to obtain the least compensation; he had therefore petitioned the government of New Haven, that some Dutch vessel might be taken by way of reprisal; and now petitioned the commissioners for liberty to make reprisals, by way of indemnification, until he should obtain satisfaction.

Though the commissioners declared against the injustice of the seizure, and regretted both the insult done to the united colonies, and the damages sustained by Mr. Westerhouse, yet they declined granting him a commission to make reprisals, judging it expedient first to negotiate.

They therefore wrote to the Dutch governor, that Mr. Westerhouse had applied to them for a commission to make reprisals, and that they had not granted his petition, as they wished first to acquaint him with the motion, and to represent to him the equity of making reprisals, unless justice should be done him some other way: they again avowed their claim to all parts of the united colonies; asserted the right of New Haven to Delaware bay, and assured him that it would not be given up: they also complained of his letter the last year, as in various respects unsatisfactory; and that with regard to that dangerous trade of arms and ammunition carried on with the Indians at fort Aurania: and in the English plantations, it was wholly silent: they observed, that all differences between them and the Dutch might have been amicably settled, had it pleased him to attend the meeting of the commissioners at Boston, according to the invitation which they had given him; but as that was not agreeable to him, they avowed their designs of making provision for their own safety.

To prevent the vending of arms and ammunition to the Indians in the united colonies, they passed the following resolve: "That after due application hereof, it shall not be lawful for any Frenchman, Dutchman, or person of any foreign nation, or any Englishman living among them, or under the government of any of them, to trade with any Indian or Indians within this jurisdiction, either directly or indirectly, by themselves or others, under the penalty of confiscation of all such goods and vessels as shall be found so trading, or the true value thereof, upon just proof of any goods or vessels so traded or trading."

The gentlemen from Massachusetts, at this meeting, again brought forward the dispute between them and Connecticut relative to the impost; and pretended that Mr. Fenwick, some years before, had promised to join with them in running the line; but that as he had not done it, and it had now been done by them, at their own expense, and to their satisfaction, it ought to be satisfactory to all others, who could make no legal claim to the adjacent lands; which they insisted Connecticut could not, because they had no patent.

The commissioners from Connecticut denied the facts which had been stated; and insisted that Mr. Fenwick never had agreed to run the line with them; and that their running the line at their own expense was not owing to any defect of his, nor on

the part of Connecticut; for they ran the line a year before the dispute with Mr. Fenwick respecting Waranoke; besides, they said, what he promised at that time was not to run the line, but to clear his claim to that plantation. With respect to the patent, they acknowledged they had not indeed exhibited the original, but a true copy, to the authenticity of which Mr. Hopkins could give oath: they observed it was well known that they had a patent; that the original was in England, and could not then be exhibited; and that the Massachusetts insisting on this point was an entire bar to the amicable settlement of the line between the colonies. Mr. Hopkins insisted that the southerly extent of the Massachusetts patent ought first to be mutually settled; then he proposed that the line should be run by skilful men, mutually chosen, and at the mutual expense of the colonies. The commissioners from Connecticut indeed declared, that it was evident, beyond all doubt, that Springfield at first was settled in combination with Connecticut; and that it had been acknowledged to be so even by the colony of Massachusetts; but they affirmed, that when propositions were sent by Governor Winthrop, to the plantations upon the river in 1637, relative to a confederation of the New England colonies, Mr. Pyncheon, in prosecution of that design, was in 1638 chosen and sent as a commissioner from Connecticut, to act in their behalf; that it was at this time, and never before, that he suggested his apprehensions that Springfield would fall within the limits of Massachusetts; and that this was received as a fact without any evidence of what had been alleged; they also expressed it as their full persuasion, that Mr. Pyncheon's representations and motion at that time originated from private discontent, in consequence of a censure laid upon him by the general court of Connecticut; they concluded by expressing their earnest wishes, that both the government of the Massachusetts and their commissioners would consider that they did not comply with the advice of the commissioners relative to the present dispute; and that they insisted upon what they knew could not at that time be obtained: they charged them with an unwillingness to submit the differences subsisting between them and Connecticut, to the mature and impartial judgment of the commissioners of the other colonies, according to the true intent of the confederation; and, in a very modest and respectful manner, they referred it to the serious consideration of their brethren of the Massachusetts, whether their conduct was not directly contrary to the articles and design of the confederates, to which they all ought to pay a conscientious regard.

The commissioners finally decided the controversy in favour of Connecticut; upon which the gentlemen from Massachusetts produced an order of their general court, passed by way of retaliation, imposing a duty upon all goods belonging to any of the inhabitants of Plymouth, Connecticut, or New Haven, imported within the castle, or exported from any part of the bay.

The commissioners from Plymouth, Connecticut and New Haven, in consequence of this extraordinary act, drew up the following declaration and remonstrance, addressed to the general court of Massachusetts.

"A difference between the Massachusetts and Connecticut, concerning an impost at Saybrook, required of Springfield, having long depended, the commissioners hoped, according to the advice at

Plymouth, might at this meeting have been satisfactorily issued; but upon the perusal of some late orders made by the general court of the Massachusetts, they find that the line on the south side of the Massachusetts jurisdiction is neither run, nor the place whence it should be run agreed: that the original patent for Connecticut, or an authentic exemplification thereof, (though Mr. Hopkins hath offered upon oath to assert the truth of the copy by himself presented,) is now required; and that a burthensome custom is by the Massachusetts lately imposed, not only upon Connecticut, interested in the impost at Saybrook, but upon Plymouth and New Haven colonies, whose commissioners as arbitrators, according to an article in the confederation, have been only exercised in the question, and that upon the desire of the Massachusetts, and have impartially, according to their best light, declared their apprehensions; which custom and burthen (grievous in itself) seems the more unsatisfying and heavy, because divers of the Massachusetts' deputies who had a hand in making the law, acknowledge, and the preface imports it, that it is a return or retaliation upon the three colonies for Saybrook; and the law requires it of no other English, nor of any stranger of what nation soever. How far the premises agree with the law of love, and with the tenor and import of the articles of confederation, the commissioners tender and recommend to the serious consideration of the general court for the Massachusetts: and in the mean time desire to be spared in all future agitations respecting Springfield."

Governor Hutchinson observes, that this law was produced to the dishonour of the colony: that had the Massachusetts imposed a duty upon goods from Connecticut only, they might at least have had a colour to justify them; but that extending their resentment to the other colonies, because their commissioners had given judgment against them, admitted of no excuse: it was a mere exertion of power, and a proof of their great superiority, which enabled them in effect to depart from the union, whenever they found it to be for their interest: if it had been done by a single magistrate, it would have been pronounced tyrannical and oppressive; and he finally observes, that in all ages and countries communities of men have done that, of which most of the individuals of whom they consisted, would, acting separately, have been ashamed.

The Massachusetts treated Connecticut in the same ungenerous manner, with respect to the line between the colonies. In 1642 they employed one Nathaniel Woodward and Solomon Saffery, whom Douglass calls two obscure sailors, to run the line between them and Connecticut, who arbitrarily fixed a boundary, at the exact point to which three miles south of every part of Charles river would carry them; thence by water they proceeded up Connecticut river, and setting up their compass in the same latitude as they supposed, declared that the line struck the chimney of one Bissell's house, the most northern building then in the town of Windsor; and this included a whole range of towns south of the true line between the colonies. Connecticut considered the boundary fixed as entirely arbitrary, and six or eight miles further south than it ought to have been; and imagined that the error at Windsor was still greater, as no proper allowance had been made for the variation of the needle: they viewed the manner in which this had been effected, as contrary to all the rules of justice, and to the modes in which differences of that magnitude

ought to be accommodated: the utmost extent of Narraganset river was their north line, and they were persuaded that this would run so far north as to comprehend the town of Springfield, and other towns in the same latitude; and therefore neither Connecticut, nor the commissioners of the united colonies, considered any boundary as properly settled whence the line should be run, nor any line run between the colonies.

Connecticut wished to have the southern boundary of Massachusetts mutually settled and the line run, at the joint expense of the two colonies; but Massachusetts would neither consent to this, nor even allow that the copy of the Connecticut patent was authentic; and for nearly 70 years they encroached upon this colony, and settled whole towns within its proper limits.

The general court of Connecticut adopted the recommendation of the commissioners, with respect to the prohibition of all trading of foreigners among the Indians of the united colonies; and made the penalty to be the confiscation of all vessels and goods employed in such trade.

The court also, after conferring with New Haven, determined to avenge the murder of John Whitmore, of Stamford; and considered under all the circumstances, and the conduct of the Indians in the town, and bordering upon it, resolved that it was lawful to make war upon them; and it was therefore ordered that 50 men should be immediately drafted, armed, and victualled, for the purpose of bringing the murderers to punishment, or of arresting other Indians, until the delinquents should be delivered to justice. These spirited measures appear to have had the desired effect; and the Indians at Stamford it seems became peaceable, and there is nothing further upon the records respecting any trouble with them.

Court of Election at Hartford—Grants to Captain Mason—Message to Ninigrate—The line is fixed between the English and Dutch plantations—Agreements with Mr. Fenwick occasion general uneasiness—An act for the encouragement of seeking and improving mines—Norwalk and Mattabesec settled—The colony of New Haven make another attempt to settle at Delaware—The Dutch governor seizes the company, and frustrates the design—French commissioners from Canada—War determined with the Dutch and Indians—Massachusetts prevents it—Alarm and distress of the plantations—Appeal to Cromwell and the parliament for assistance—The tumultuous state of the settlements.

(1650.) Upon the election at Hartford, Mr. Hopkins was chosen governor, and Mr. Haynes deputy-governor. Mr. Clark was added to the magistrates. The court now consisted of thirty-two members; the governors, ten assistants, and twenty deputies.

The court had granted 1,000 acres of land to Captain Mason, for his good services in the Pequot war; 500 to himself, and 500 to be given to his five best officers and soldiers; and it was now ordered, that the 500 acres granted to the soldiers should be laid out for them at Pequot, or in the Neanticut country. The next year the court made a grant of Chippachauge island, in Mystic bay, and 110 acres of land at Mystic to the captain.

The commissioners Mr. Simon Bradstreet and Mr. William Hawthorne, Mr. Thomas Prince and Mr. John Brown, and Governors Hopkins and Haynes, Eaton and Goodyear, met September 5th, at Hartford. Governor Hopkins was chosen president.

As the Narragansets still neglected to pay the tribute which had been so many years due, the commissioners dispatched Captain Atherton, of Massachusetts, with twenty men, to demand and collect the arrears; and he was authorized if they should not be paid, to seize on the best articles he could find, to the full amount of what was due; or on Pessacus, the chief sachem, or any of his children, and carry them off. Upon his arrival among the Narragansets, he found the sachem recurring to his former arts, putting him off with deceitful and dilatory answers, and not suffering him to approach his presence; and at the same time collecting his warriors about him. The captain, therefore, marched directly to the door of his wigwam, where, posting his men, he entered himself with his pistol in his hand, and seizing Pessacus by the hair of his head, drew him from the midst of his attendants, declaring that if they should make the least resistance he would dispatch him in an instant; this decisive measure gave him such an alarm, that he immediately paid all the arrears.

Ninigrate, sachem of the Nehanticks, continuing his perfidious practices, began to lay claim to the Pequot country, and appeared to be concerting a plan to recover it from the English. Captain Atherton therefore paid him a visit according to his instructions, and assured him that the commissioners were no strangers to his intrigues, in marrying his daughter to the brother of Sassacus; in collecting the Pequots under him as though he designed to become their head; and in his claims and attempts respecting the Pequot country; and remonstrated against his conduct as directly opposite to all the covenants subsisting between him and the English colonies; and having in this spirited manner accomplished his business, he returned in safety.

Meanwhile Stuyvesant, the Dutch governor, arrived at Hartford. He had been often invited to attend the meeting of the commissioners, with a view to the accommodation of the difficulties subsisting between him and the English colonies; but he chose to treat by writing, and on the 13th of September he commenced his correspondence with the commissioners. In his letter he complained of the encroachments made upon the West India company, and the injuries done them both by Connecticut and New Haven; and pretended that the Dutch, in behalf of that company, had purchased the lands upon the river of the native Americans, before any other nation had bought them, or laid any claim to them. He therefore demanded a full surrender of those lands, and such compensation as the nature of the case required: he also complained of the act of prohibiting all foreigners to trade in the English colonies, and that the English sold goods so cheap to the natives, as to ruin the trade for other nations: and concluded with intimations of his willingness to settle a general provisional line between the Dutch and English plantations, by a joint writing to their superiors in England and Holland, or by the decision of agents mutually chosen and empowered for that purpose.

The commissioners, observing that his letter was dated at New Netherlands, replied, that they would not treat unless he would alter the name of the place whence he wrote; he answered, that if they would not date at Hartford, he would not at New Netherlands, but at Connecticut. They consented that he should date at Connecticut, but claimed a right for themselves to date at Hartford. He gave up the right of dating at the Netherlands, and the treaty proceeded.

The commissioners replied to his complaints, to the effect, that their title to Connecticut river and the adjacent country had been often asserted, and made sufficiently evident both to the Dutch and English; and that they hoped amply to prove their title to what they enjoyed by patent, purchase, and possession: consequently they insisted that they had made no encroachments on the honourable West India company, nor done them the least injury: they affirmed, that they knew not what the Dutch claimed, nor upon what grounds, that at some times they claimed all the lands upon the river, and at others a part only; that their claim was founded sometimes upon one statement, and at other times upon another; and that it had been so various and uncertain, as to involve the whole affair in obscurity. With respect to trade, they observed that they had the same right to regulate it within their jurisdiction, which the Dutch, French, and other nations had to regulate it, within their respective dominions: that their merchants had a right to deal with the natives on such terms as they pleased; and that they presumed they did not trade to their own disadvantage. They also gave intimations that if the then present treaty should succeed agreeably to their wishes, they might reconsider the act of trade, and repeal the prohibition respecting foreigners.

They then proceeded to a lengthy and particular statement of the grievances they suffered from the Dutch; particularly representing those which have been already noticed, with several other more recent injuries. Especially, that the Dutch agents had gone off from Hartford without paying for the goods which they had taken up; that their successors had refused to make any settlement of their accounts; and that the Dutch governor had not obliged them to make payment: that the Dutch bought stolen goods, and would make no compensation to the English, whose property they were; and that they had not only formerly helped criminals to file off their irons and make their escape, but that they had been guilty of a recent instance of similar conduct; and that a Dutch servant had lately assisted a criminal, committed for a capital offence, to break gaol and make his escape; and that the Dutch called him to no account for so gross a misdemeanor.

Various letters passed, and several days were spent, in these altercations, and at last the commissioners chose Mr. Bradstreet, of Massachusetts, and Mr. Prince, of Plymouth, as arbitrators to hear and compose all differences with respect to injury and damages; to make provisional boundaries in all places where their respective limits were controverted, and to settle a just and free correspondence between the parties. The Dutch governor chose Thomas Willet and George Baxter for the same purpose. And both parties, in the most ample manner, authorized the arbitrators to hear and determine, in a full and absolute manner, all differences between the two nations in this country.

The arbitrators, after a full hearing of the parties, came to the following determination, which they drew up in the following form of an agreement.

"Articles of an agreement, made and concluded at Hartford, upon Connecticut river, September 19th, 1650, betwixt the delegates of the honoured commissioners of the united English colonies, and the delegates of Peter Stuyvesant, governor-general of New Netherlands.

"1. Upon a serious consideration of the differ-

ences and grievances propounded by the two English colonies of Connecticut and New Haven, and the answer made by the Dutch governor, Peter Stuyvesant, Esq., according to the trust and power committed to us, as arbitrators and delegates betwixt the said parties: we find that most of the offences or grievances were things done in the time, or by the order and command of Mons. Kieft, the former governor, and that the present honourable governor is not prepared to make answer to them; we therefore think meet to respite the full consideration and judgment concerning them, till the present governor may acquaint the H. M. (High and Mighty) States and West India company with the particulars, that so due reparation may accordingly be made.

"2. The commissioners for New Haven complained of several high and hostile injuries which they, and others of that jurisdiction, have received from and by order of the aforesaid Mons. Kieft, in Delaware bay and river, and in their return thence as by their former propositions and complaints may more fully appear; and besides the English right, claimed by patent, presented and showed several purchases they have made on both sides the river and bay of Delaware, of several large tracts of land unto, and somewhat above the Dutch house or fort there, with the consideration given to the said sachems and their companies for the same, acknowledged and cleared by the hands of the Indians, who they affirmed were the true proprietors, and testified by many witnesses. They also affirmed, that according to the best of their apprehensions, they have sustained 1,000*l.* damage there, partly by the Swedish governor, but chiefly by order from Mons. Kieft. And therefore required due satisfaction, and a peaceable possession of the aforesaid lands, to enjoy and improve according to their just rights. The Dutch governor, by way of answer, affirmed and insisted on the title and right to Delaware, or the south river as they call it, and to the lands there, as belonging to the H. M. States and West India company, and professed he must protest against any other claim; but is not provided to make any such proof, as in such a treaty might be expected, nor had he commission to treat or conclude any thing therein. Upon consideration whereof, we, the said arbitrators or delegates, wanting sufficient light to issue or determine any thing in the premises, are necessitated to leave both parties *in statu quo prius*, to plead and improve their just interest at Delaware, for planting or trading as they shall see cause; only we desire that all proceedings there, as in other places, may be carried on in love and peace till the right may be further considered and justly issued, either in Europe or here, by the two states of England and Holland.

"3. Concerning the seizing of Mr. Westerhouse's ship and goods, about three years since, in New Haven harbour, upon a claim to the place, the honoured governor, Peter Stuyvesant, Esq., professed that what passed in writing that way was through error of his secretary, his intent not being to lay any claim to the place, and withal affirming that he had orders to seize any Dutch ship, or vessel, in any of the English colonies or harbours, which should trade there without express licence or commission. We therefore think it meet, that the commissioners of New Haven accept and acquiesce in this answer."

"Concerning the bounds and limits betwixt the English united colonies, and the Dutch province of New Netherlands, we agree as followeth

"1. That upon Long Island, a line run from the westernmost part of Oyster bay, and so a straight, and direct line to the sea, shall be the bounds betwixt the English and Dutch there, the easterly part to belong to the English, and the westernmost to the Dutch.

"2. The bounds upon the main to begin at the west side of Greenwich bay, being about four miles from Stamford, and so to run a northerly line 20 miles up into the country, and after, as it shall be agreed, by the two governments of the Dutch and New Haven, provided the said line come not within ten miles of Hudson's river. And it is agreed that the Dutch shall not, at any time hereafter, build any house or habitation within six miles of the said line; the inhabitants of Greenwich to remain (till further consideration thereof be had) under the government of the Dutch.

"3. The Dutch shall hold and enjoy all the lands in Hartford, that they are actually possessed of, known and set out by certain marks and bounds, and all the remainder of the said land on both sides of Connecticut river, to be and remain to the English there.

"And it is agreed, that the aforesaid bounds and limits, both upon the island and main, shall be observed and kept inviolable, both by the English of the united colonies, and all the Dutch nation, without any encroachment or molestation, until a full and final determination be agreed upon in Europe, by the mutual consent of the two states of England and Holland.

"And in testimony of our joint consent to the several foregoing conclusions, we have hereunto set our hands this 19th day of September, Anno Dom. 1650. "SIMON BRADSTREET, THOMAS PRINCE, "THOMAS WILLET, GEORGE BAXTER."

The Dutch governor promised also, and his agents, Messrs. Willet and Baxter, engaged for him, that Greenwich should be put under the government of New Haven, to whom it originally belonged. It was also agreed, that the same line of conduct which had been adopted with respect to fugitives, by the united colonies, in the eighth article of confederation, should be strictly observed between them and the Dutch, in the province of New Netherlands. The Dutch governor also acquainted the commissioners, that he had orders from Europe to maintain peace and good neighbourhood with the English in America; and he proceeded so far as to make proposals of a nearer union and friendship between the Dutch and the united colonies, but the commissioners declined acting upon these proposals, without consulting their constituents; and recommended the consideration of them to their respective general courts.

While this settlement with the Dutch seemed to give a favourable aspect to the affairs of the colonies, there arose a great and general uneasiness in Connecticut relative to the agreements which had been made with Mr. Fenwick, and as to the state of the accounts between him and the colony. By the first agreement, besides the impost on several articles exported from the mouth of the river for ten years, the people were obliged to pay one shilling annually for every milch cow and mare in the colony, and the same sum for every swine killed either for market or private use. Springfield refused to pay the impost; and it seems that Connecticut was obliged by the conduct of Massachusetts, to repeal the act relating to the imposition. By reason of the controversy which arose between

Connecticut and Massachusetts, and some other circumstances, several of the towns during the two first years paid but a small proportion of what had been stipulated; and the colony therefore, on the 17th of February, 1646, had made a new agreement with Mr. Fenwick, which was to the effect:—That, instead of all former grants, he should receive from the colony annually, one hundred and eighty pounds for ten years; he was to collect what was due from Springfield, and to enjoy certain profits arising from the beaver trade; and a hundred and seventy or eighty pounds was also to be paid to him from Saybrook and one or two newly settled towns. The whole amount appears to have been more than 2000*l.*, which the colony paid for the right of jurisdiction, and the ordnance, arms and stores at the fort.

(1651.) As different apprehensions had arisen respecting these agreements, and the state of affairs between Mr. Fenwick and the colony, the general court appointed committees to meet at Saybrook to ascertain them; and to quiet the minds of the people, notice was given to every town of the time and place of the meeting of the committees, and each was authorized to send representatives to hear the disputes and report the issue, with the reasons of it, to their constituents.

Mr. John Winthrop, at the election, was chosen into the magistracy. The assembly consisted of thirty-four members, twelve magistrates and twenty two deputies.

The colony of Rhode Island at this time gave great trouble to her neighbours, by giving entertainment to criminals and fugitives; and Connecticut found it so prejudicial to the course of justice and to the rights of individuals, that the court resolved to recommend the consideration of the affair to the commissioners of the united colonies.

About this time also, Augustus Harriman, a Dutch trader, with his vessel, was seized by the people of Saybrook for illicit trade with the Indians. The court fined him 40*l.* and confiscated his vessel and cargo; and made him give a statement in writing, that he had been well treated.

Mr. Winthrop imagining that Connecticut contained mines and minerals, which might be improved to his great advantage, as well as to the public emolument, induced the assembly to pass the following act.

“Whereas in this rocky country, among these mountains and rocky hills, there are probabilities of mines of metals, the discovery of which may be of great advantage to the country, in raising a staple commodity; and whereas John Winthrop, Esq. doth intend to be at charges and adventure for the search and discovery of such mines and minerals; for the encouragement thereof, and of any that shall adventure with the said John Winthrop, Esq. in the said business, it is therefore ordered by the court, that if the said John Winthrop, Esq. shall discover, set upon, and maintain such mines of lead, copper or tin; or any minerals, as antimony, vitriol, black lead, alum, stone salt, salt springs, or any other the like, within this jurisdiction; and shall set up any work for the digging, washing and melting, or any other operation about the said mines or minerals, as the nature thereof requireth; that then the said John Winthrop, Esq. his heirs, associates, partners or assigns, shall enjoy for ever said mines, with the lands, wood, timber and water, within two or three miles of said mines, for the necessary carrying on of the works, and maintaining of the workmen, and provision of coal for the

same: provided it be not within the bounds of any town already settled, or any particular persons property; and provided it be not in, or bordering upon any place, that shall or may by the court be judged fit to make a plantation of.”

Though the eastern and middle parts of Norwalk had been purchased more than ten years, yet there had been only a few scattering inhabitants within its limits. But the last year upon the petition of Nathan Ely and Richard Olmstead, the court gave liberty for its settlement, and ordained that it should be a town by the name of Norwalk. The western part of it was purchased on the 15th of February. The inhabitants at this time consisted of about twenty families. About four years after, the general court vested them with town privileges.

The settlement of Mattabesec also commenced about the same time: the principal planters of which were from England, Hartford, and Weathersfield: a number also joined from Rowley, Chelmsford, and Woburn, in Massachusetts; and by the close of this year it became considerably settled. In November, 1653, the general court gave it the name of Middletown; and twenty years after the number of shares was fixed at fifty-two; which was the whole number of the householders at that period, within the town.

The agreement made the last year with the Dutch governor, and his professions of amity, encouraged the English to prosecute the settlement of the lands which they had purchased in the vicinity of the Dutch; and fifty men from New Haven and Totoket made preparations to settle their lands at Delaware; and accordingly this spring, they hired a vessel to transport themselves and their effects into those parts. They had a commission from Governor Eaton, and he wrote an amicable letter to the Dutch governor, acquainting him with their design; assuring him, that according to the agreement at Hartford, they would settle upon their own lands, and give no disturbance to their neighbours. A letter of the same import was also addressed to him from the governor of Massachusetts. But no sooner had Governor Stuyvesant received the letters, than he arrested the bearers, and committed them close prisoners under guard. Then sending for the master of the vessel to come on shore that he might speak with him, he arrested and committed him; and others as they came on shore to visit and assist their neighbours, were also confined. The Dutch governor desired to see their commission, promising it should be returned when he had taken a copy; but when it was demanded back of him, he would not return it; nor would he release the men from confinement until he had forced them to give it under their hands, that they would not prosecute their voyage; but without loss of time return to New Haven; at the same time threatening, that if he should afterwards find any of them at Delaware, he would not only seize their goods, but send them prisoners into Holland. He also caused a considerable part of the estate of the inhabitants of Southampton to be attached, and would not suffer them to remove it within the jurisdiction of the English. Upon these violent proceedings, Captain Tapping, Mr. Fordham, and others, complained, and petitioned the commissioners for redress.

The commissioners met this year at New Haven. The members were Mr. Bradstreet, Captain John Hawthorne, Mr. John Brown, Mr. Timothy Hatherly, Governor Hopkins, Mr. Ludlow, and Governors Eaton and Goodyear. Governor Eaton was chosen president.

Jasper Crane and William Tuttle, in behalf of themselves, and many others, inhabitants of New Haven and Totoket, also presented a petition to the commissioners, complaining of the treatment which they had received from the Dutch governor, and representing that they had sustained more than 300% damage, besides the insult and injury done to the united colonies; they represented that the Dutch had seized upon, and were about to fortify, the very lands which they had bought of the original proprietors at Delaware: that, had it not been for the injustice and violence of the Dutch, the New England colonies might have been greatly enlarged by settlements in those parts; that the Gospel might have been published to the natives, and much good done, not only to the colonies at present, but to posterity. they also represented, that the Dutch were, by gifts and art, enticing the English to make settlements under their jurisdiction; and insisted, that suffering them thus to insult the English, and to seize on lands to which they could show no just claim, would encourage them to drive them from their other settlements, and to seize on their lands and property whenever they pleased; and that it would make them contemptible among the natives, as well as among all other nations; they, therefore, pressed the commissioners to act with spirit, and immediately to redress the injuries which had been done to them and the colonies.

The commissioners declined acting against the Dutch, without previously attempting to obtain redress by negotiation. They wrote to Stuyvesant, insisting that he had acted in direct contravention of the agreement at Hartford, and noticed that in a letter to Governor Eaton, he had threatened force of arms and bloodshed to any who should go to make settlements upon their lands at Delaware, to which he was unable to show any claim; they represented to him, how unjustifiable it appeared at Hartford, not only to the commissioners, but even to the arbitrators of his own choosing; they charged him with a breach of the engagement of Mr. Willet and Mr. Baxter, in his behalf, with respect to the restoration of Greenwich to the government of New Haven; they remonstrated against his conduct, in imprisoning the people of New Haven and Totoket, in detaining their commission and frustrating their voyage; and also in beginning to erect fortifications upon the lands of the New Haven people at Delaware; they affirmed, that they had as good a right to the Manhadoes as the Dutch had to those lands; declared that the colonies had just cause to vindicate and promote their interests, and to redress the injuries which had been done to their confederates; and finally protested, that whatever inconveniences or mischief might arise upon it would be wholly chargeable to his unneighbourly and unjust conduct.

At the same time, for the encouragement of the petitioners, they resolved, that if at any time within twelve months they should attempt the settlement of their lands at Delaware, and at their own charge transport 150 or at least 100 men, well armed, with a good vessel or vessels for such an enterprise, with a sufficient quantity of ammunition, and warranted by a commission from the authority at New Haven; that then, if they should meet with any opposition from the Dutch or Swedes, they would afford them a sufficient force for their defence. They also resolved, that all English planters at Delaware, either from New Haven, or any other of the, united colonies, should be under the jurisdiction of New Haven.

The Pequots among the Moheagans and Narra-

gansets, and those who had removed to Long Island, had to this time neglected to pay any part of the tribute, which had been stipulated at Hartford, in 1638, upon condition that the English would spare their lives and defend them from their enemies; and the general court had therefore given orders, that it should be collected forthwith, and had appointed Captain Mason to go to Long Island, and demand it of the Pequots there, as well as of those in other places.

Uncas, with a number of the Moheagans, and of Ninigrate's men, in consequence presented himself before the commissioners, and in behalf of the Pequots paid a tribute of about 300 fathoms of wampum; and then, in their name, demanded why this tribute was required? how long it was to continue? and whether it must be paid by the children yet unborn?

The commissioners answered, that by covenant it had been annually due ever since the year 1638: that after a just war, in which the Pequots were conquered, the English, to spare as far as might be the blood of the guilty, accepted of a small tribute as expressed in the covenant; they insisted that they had a right to demand it as a just debt; and observed that twelve years' tribute was now due, reckoning only to the year 1650; but that to show their lenity and encourage the Pequots, if they would behave themselves peaceably, and pay the tribute agreed upon, for ten years, reckoning from 1650, they would give them all which was due for past years; and that at the expiration of the ten years they and their children should be free. This, it seems, they thankfully accepted, and afterwards became as faithful friends to the English as the Moheagans, and assisted them in their wars with other Indians, especially in that against Philip and the Narragansets.

While the commissioners were at New Haven, two French gentlemen, Monsieur Godfroy and Monsieur Gabriel Druillels, arrived in the capacity of commissioners from Canada. They had been sent by the French governor, Monsieur D'Aillebout, to treat with the united colonies; and presented three commissions, one from Monsieur D'Aillebout, another from the council of New France, and a third to Monsieur Gabriel Druillels, who had been authorized to publish the doctrines and duties of Christianity among the Indians.

In behalf of the French in Canada, and the christianized Indians in Acadia, they petitioned for aid against the Mohawks and warriors of the six nations; and urged that the war was just, as the Mohawks had violated the most solemn leagues, and were perfidious and cruel: that it was a holy war, as the Acadians were converted Indians, and the Mohawks treated them barbarously because of their Christianity; and insisted that it was a common concern to the French and English nations, as the war with the six nations interrupted the trade of both with the Indians in general.

Monsieur Druillels, who appeared to be a man of address, opened the case to the best advantage, displaying all his art, and employing his utmost ability to persuade the commissioners to engage in the war against the six nations. He urged, that if they would not consent to join in the war, they would at least permit the enlistment of volunteers in the united colonies for the French service, and grant them a free passage through the colonies, by land or water, as the case might require, to the Mohawk country: he also pleaded, that the christianized In

dians might be taken under the protection of the united colonies, and made large promises of the ample compensation which the French would make the colonies for these services; promising, if these points could be gained, they would enter immediately upon a treaty for the establishment of a free trade between the French and English in all parts of America.

The reply of the commissioners exhibits policy and prudence; showing that they were not ignorant of men, nor of the arts of negotiation. They answered, that they looked upon such Indians as had received the yoke of Christ, with a different feeling than upon those who were still heathens; that they pitied the Acadians, but saw no way to help them without exposing the English colonies and their own neighbouring Indians to war; and that some of those Indians professed Christianity no less than the Acadians: that it was their desire, by all just means, to keep peace with all men, even with these barbarians; and that they had no occasion for war with the Mohawks, who in the war with the Pequots had shown a real respect to the English colonies, and had never since committed any hostility against them: that they felt a readiness to perform all offices of righteousness, peace, and good neighbourhood towards the French colony; but that they could not permit the enlistment of volunteers, nor the marching of the French and their Indians through the colonies, without giving grounds of offence and war to the Mohawks, and exposing both themselves and the Indians whom they ought to protect; that the English engaged in no war until they were satisfied that it was just, nor until peace had been offered on reasonable terms, and had been refused; that the Mohawks were neither in subjection to the English, nor in league with them; so that they had no means of informing themselves what they could say in their own vindication; that they were exceedingly dissatisfied with that mischievous trade, which the French and Dutch had carried on, and still continued with the Indians in vending them arms and ammunition, by which they were encouraged, not only against the christian Indians and catechumens, but against all Christians in Europe as well as America; but if all other difficulties were removed, they represented, they had no such short and convenient passage by land or water, as might be had by Hudson's river to fort Aurania and beyond, in the possession of the Dutch; and they concluded by observing, that the honoured French deputies, as they conceived, had full powers to settle a free trade between the English and French colonies; but if, for reasons best known to themselves, it was designed to limit the English by the same restraints and prohibitions to which the unprivileged French were subjected, not suffering them to trade until they had obtained a particular licence from the governor and company of New France, they must wait a more favourable opportunity for negotiation; but whenever such an opportunity should offer, they intimated they should readily embrace it.

The commissioners, apprehending that there was little prospect of obtaining a redress of their grievances from the Dutch, by remonstrance and negotiation, wrote to Mr. Winslow, agent for Massachusetts in England, on the subject; and desired Mr. Winslow to inquire how the parliament and council of state esteemed the ancient patents, and how any engagements of the colonies against the Dutch, for the defence of their rights, would be viewed by the parliament.

The people at New Haven persisted in their purpose of making, if possible, a permanent settlement upon their lands at Delaware. They were sensible that such was the situation of their affairs, that a leader, who was not only a politician, but a man of known courage, military skill and experience, would be of great importance to the enterprise; and therefore made application to Captain Mason to remove with them to Delaware, and take on him the management of the company; and it seems he had a design of complying with their requests, but the general court at Connecticut would not consent; and unanimously desired him to entertain no thoughts of changing his situation, which frustrated the design.

The grand list of the colony appears this year, for the first time, upon the records, but contains the lists of seven towns only; the others either paying no taxes, or their lists not being completed and returned. The amount of the whole was 75,492*l.* 10*s.* 6*d.*; and it appears that the townships at this period were not, upon an average, more than equal to the common parishes at this day.

(1652.) At the general election in Connecticut, the former magistrates were re-elected.

The commencement of hostilities the last year, between England and Holland, the perfidious management of the Dutch governor, and the apprehensions of the rising of the Indians, spread a general alarm through the colony.

The assembly convened on the 30th of June, and adopted several measures for the common safety; and orders were given, that the cannon at Saybrook should be well mounted on carriages; that the fort should be supplied with ammunition; and that the inhabitants who were scattered abroad should collect their families into it, and hold themselves in a state of readiness for their common defence.

The Indians in the vicinity of the several plantations, within the colony, were required to give testimony of their friendship and fidelity to the English, by delivering up their arms to the governor and magistrates; and those who refused were to be considered as enemies.

(1653.) Stuyvesant, the Dutch governor, made no satisfaction for former injuries, but added new insults and grievances to those which were past; again revived the claims which he had renounced at Hartford; and though he restrained the Dutch from open hostility, yet he used all his arts with the Indians to engage them to attack the English colonists; and in March, discovery was made that he was conniving with the Indians for the extirpation of the English colonies. An extraordinary meeting of the commissioners was immediately called, at which were Governor Endicott, Mr. William Hawthorne, William Bradford, Esq., Mr. John Brown, Mr. Ludlow, Captain Cullick, Governor Eaton, and Captain John Astwood. Governor Endicott was chosen president.

Upon a close attention to the reports which had been spread, and a critical examination of the evidence, all the commissioners, except those of the Massachusetts, were of the opinion that there had been a plot concerted by the Dutch governor and the Indians, for the destruction of the English colonies. Ninigrate, it appeared, had spent the winter at the Manhadoes, with Stuyvesant, on the business; and had been over Hudson's river among the western Indians; had procured a meeting of the sachems; made ample declarations against the English; and solicited their aid against the colonies. He was brought back in the spring in a Dutch sloop, with

arms and ammunition from the Dutch governor; and the Indians, for some hundreds of miles, appeared to be disaffected and hostile. Tribes, which before had been always friendly to the English, became inimical; and the Indians boasted that they were to have goods from the Dutch at half the price for which the English sold them, and powder as plenty as the sand. The Long Island Indians testified to the plot; and nine sachems, who lived in the vicinity of the Dutch, sent their united testimony to Stamford, "that the Dutch governor had solicited them, by promising them guns, powder, swords, wampum, coats, and waistcoats, to cut off the English;" the messengers who were sent, declared, "they were as the mouth of the nine sagamores who all spake they would not lie;" and one of the nine sachems afterwards came to Stamford, with other Indians, and testified the same. The plot was also confessed by a Wampeag and a Narraganset Indian, and was confirmed by Indian testimonies from all quarters. It was expected that a Dutch fleet would arrive, and that the Dutch and Indians would unite in the destruction of the English plantations; and it was rumoured that the time for the massacre was fixed upon the day of the public election, when the freemen would be generally from home.

The country was exceedingly alarmed, especially Connecticut and New Haven. They were greatly hindered in their ploughing, sowing, planting, and in all their affairs, and were worn down with constant watching and guarding, and put to great expense for the common safety.

Six of the commissioners were satisfied that they had just grounds of war with the Dutch; and drew up a general declaration of their grievances for the satisfaction of the people. They also stated the evidence they had of the conspiracy, which they supposed was then in hand; but determined, nevertheless, before they commenced hostilities against the Dutch, to acquaint the governor with the discovery which they had made, and to give him an opportunity of answering for himself.

In the mean time letters arrived from the Dutch governor, in which he appeared with great confidence absolutely to deny the plot which had been charged upon him, and offered to go or send to Boston to clear his innocence; or desired that some persons might be deputed and sent to the Manhadoes, to examine the charges and receive his answers; but other letters arrived at the same time confirming the evidence of the conspiracy, and representing that the Indians were urged to carry it into execution.

The commissioners determined to send agents to the governor; and with the utmost dispatch made choice of Francis Newman, one of the magistrates of New Haven, Captain John Leveret, afterwards governor of Massachusetts, and Mr. William Davis, whom they vested with plenary powers to examine the whole affair, and to receive the governor's answer, according to his own proposals.

Stuyvesant, in his letters, pretended to express his astonishment that the English should give credit to Indian testimony; and the commissioners therefore, in their reply, charged him with making use of heathen testimony against New Haven; and observed that Kieft, his predecessor, had used Indian testimonies against the English in a strange manner, in a case of treason, and life or death; they also acquainted him with the bloody use which the Dutch governor and his council had made of the confession

of the Japanese, against Captain Towerson and the English Christians at Amboyna, though it was extorted by torture. At the same time they wrote to Monsieur Montague and Captain Newton, who were of the Dutch governor's council, that his protestations of innocence gave them no satisfaction; and charged the treasurer as well as the governor with the plot; and demanded satisfaction for past injuries, and security for the future.

While their agents were employed at the Manhadoes, they determined on the number of men to be raised in case of a war; and for the first expedition they resolved to send out five hundred; and appointed Captain Leveret to the chief command. They also determined, that, should they engage in war with the Dutch, the commissioners of the united colonies should meet at New Haven, to give all necessary directions respecting the expedition, and to order the war in general.

Notwithstanding the fair proposals which Governor Stuyvesant had made, he would submit to no examination by the agents any further than a committee of his own appointing should consent; two of which committee were persons who had been complained of for misdemeanors at Hartford; and one of them had been confined for his crimes. The agents conceived that the very proposal of such persons as a committee was a high affront to them, to the united colonies, and to the English nation. But in addition to this, the Dutch governor would not suffer the witnesses to speak unless they were previously laid under such restraints as would prevent all benefit from their evidence. The agents therefore not only objected to the committee, and declined all connexion with them, but remonstrated against the restraints proposed to be laid on the witnesses; and finding that nothing could be effected with respect to the design of their agency, they in a spirited manner demanded satisfaction for insults and injuries past, and security against future abuse, and took leave of the Manhadoes.

As they returned they took various testimonies respecting the plot; some from the Indians, and others from the English, sworn before proper authority; but before their return the commissioners were dispersed, and the general elections were finished. The courts at Connecticut and New Haven voted their respective quotas of men, appointed their officers, and gave orders that all necessary preparations should be made for the designed expedition.

On the election at Hartford, the former officers were re-chosen. The time of election, at New Haven, had been changed from October to May; and this year was on the 25th of the month. The governors were the same as they had been for several years, Eaton and Goodyear. The magistrates were, Mr. William Fowler, Mr. John Astwood, William Leet, Esq., Mr. Joshua Atwater, and Mr. Francis Newman. Mr. Atwater was treasurer, and Mr. Newman secretary.

Immediately on the return of the agents from the Manhadoes, the general court of Massachusetts summoned another extraordinary meeting of the commissioners, at Boston, about the latter end of May. The commissioners were the same who composed the last meeting, except Mr. Bradstreet, in the room of Governor Endicott, who was obliged to attend the general court.

The agents made a report of the treatment which they had received from the Dutch, and of such evidence as they had taken of the plot on their return.

The commissioners were also certified that the Indians on Long Island had charged the fiscal (treasurer) with the plot; and that Captain Underhill, having reported what the Indians declared, was seized and carried by a guard of soldiers from Flushing to the Manhatoes, where he was confined by the fiscal, until what he had reported was affirmed to his face: then he was dismissed without trial, and all his charges borne. No sooner had the agents taken their departure from the Manhatoes, than the captain, because he had been active in exhibiting the evidence of the Dutch and Indian conspiracy, notwithstanding all the important services he had rendered the Dutch, was ordered to depart. The commissioners received a letter from him May 24th, representing the extreme danger in which he and all the English were, assuring them, that as necessity had no law, he had, like Jephtha, put his life in his hand to save English blood; and that he was waiting their orders, with loyalty to them and the parliament, to vindicate the rights of the nation. The Dutch demanded that all the English among them should take an oath of fidelity to them; which, in case of war, might have compelled them to fight against their own nation.

The people of Hampstead, at the same time, represented that they were in the utmost danger, and wrote in the most pressing manner for arms and ammunition to defend themselves. Letters were also sent from Connecticut and New Haven, with intelligence that the Dutch governor, by presents of wampum, coats, and other articles, was exciting the Mohawks and various Indian tribes to rise and attack the English, both on Long Island and on the main.

A long letter from the Dutch governor was also received, in which, in general terms, he excused himself relative to the plot; but he gave no encouragement to hope for the least satisfaction; or that the colonies should be more safe from injury and insult for the future. Indeed he still insulted them, renewing the claims, both to Connecticut and New Haven, which he had given up at Hartford.

All the commissioners voted for war against the Dutch, excepting Mr. Bradstreet, who was under the influence of the general court of Massachusetts, who were using all their arts to oppose the commissioners, and prevent open hostility. The commissioners, however, so strenuously urged the justice and necessity of an immediate war with the Dutch, and so spiritedly remonstrated against the conduct of the court, as violators of the articles of union, that they appointed a committee of conference with them, and desired that a statement of the case might be made, and the advice of the elders taken on the subject. The committee of the court were Major Denison and Captain Leveret.

The commissioners replied, that their former declaration, their letter to the Dutch governor, and the evidence before them, afforded clear and sufficient light in the affair, but, nevertheless, they appointed Captain Hawthorne, Mr. Bradford, and Governor Eaton, a committee to confer with the gentlemen appointed by the court of Massachusetts. Governor Eaton drew up a statement of the case in behalf of the committee of the commissioners; but the committee from the general court would not consent to it, and drew up another statement of their own. Under the influence of the general court, and the different representation which their committee had made, the elders gave their opinion:

"That the proofs and presumptions of the execra-

ble plot, tending to the destruction of so many of the dear saints of God, imputed to the Dutch governor and the fiscal, were of such weight as to induce them to believe the reality of it; yet they were not so fully conclusive as to clear up a present proceeding to war before the world; and to bear up their hearts with that fulness of persuasion, which was meet in commending the case to God in prayer, and to the people in exhortations; and that it would be safest for the colonies to forbear the use of the sword; but advised to be in a posture of defence and readiness for action, until the mind of God should be more clearly known, either for a more settled peace, or manifest grounds of war."

In the mean time all the commissioners, except Mr. Bradstreet, continued determined for war. Governor Eaton insisted that the Dutch had for many years during a succession of governors, multiplied injuries and hostile affronts with treachery and falsehood against the English, to their very great damage: that these injuries had been fully and repeatedly represented to them, and satisfaction demanded; yet that nothing had been received in return but dilatory, false and offensive answers: he observed that the governor and his associates had been formerly suspected and accused of instigating the Indians against the English; and that now a treacherous and bloody plot had been discovered, and charged upon him and his fiscal, by more witnesses than could have been expected; that by it the peace of the country had been disturbed, their own lives, the lives of their children, and all their connexions, had been in constant jeopardy: that though they had allowed the Dutch governor a fair opportunity of clearing himself, of making satisfaction, and securing the colonies for the future; yet that by his conduct he had increased the evidence of his guilt; and that he had given the colonies no security for their future peace and safety; nor had they the least reason to expect any: that the English, under the jurisdiction of the Dutch, were in the most immediate danger, not only from them, but the Indians, through their instigation, because they would not submit to an oath to join with them in fighting against their own nation: that the insolence, treachery, and bitter enmity which the Dutch had manifested against the nation of England, and all the English abroad as they had opportunity, were sufficient to assure them that as soon as the States-general should be able to send a small fleet to the Manhatoes, the colonists could not be safe, either in their persons or property, by land or sea: and further, that the state of the commonwealth of England and of the colonies was such as called for war; and that if either of the colonies should refuse to join in it against the common enemy, and if any of the plantations through such refusal should be destroyed, the guilt of such blood would lie upon them.

Some faithful people in the Massachusetts were entirely opposed to the conduct of their general court, and ventured to express their opinion. The Rev. Mr. Norris, of Salem, sent a writing to the commissioners, representing the necessity of a war; and urged that if the colonies in their then present circumstances should neglect to engage in it, it would be a declaration of their neutrality in the contest; might be viewed in that light by the parliament; and be of great and general disservice to their interests: that the spending of so much time in parleys and treaties, after all the injuries they had received, and while the enemy was insulting them,

and fortifying against them, would make them contemptible among the Indians: that it was dishonouring God, in whom they professed to trust, and bringing a scandal among themselves; and insisted that as their brethren had sent their moan to them, and desired their assistance, if they should refuse, the curse of the angel of the Lord against Meroz would come upon them: and this he said he presented in the name of many pensive hearts.

But nothing could induce the Massachusetts to unite with their brethren in a war against the Dutch; the general court, in direct violation of the articles of confederation, resolved that no determination of the commissioners, though they should all agree, should bind the general court to join in an offensive war, which should appear to such general court to be unjust. This declaration gave great uneasiness to the commissioners, and to the sister colonies; and it nearly effected a dissolution of their union. The commissioners finding that the Massachusetts would not submit to their determination, nor afford any assistance to her confederates, dissolved.

In this important crisis, Governor Haynes called a special court on the 25th of June, which resolved, that the fears and distresses of the English, bordering upon the Dutch, and the damages which they had sustained, should be forthwith represented to the magistrates in Massachusetts: that the opinion of the court respecting the power of the commissioners to make war, and the reasons of their opinion should be communicated: they also determined that their messengers should humbly pray that war might be carried on against the Dutch, according to the determination of the commissioners. The messengers were also instructed to use their influence, that three magistrates might have power to call a meeting of the commissioners at Hartford or New Haven, to conduct the affairs of the war as occasion might require; but if this could not be obtained they were to desire that liberty might be given to enlist volunteers in the Massachusetts, for the defence of the colonies.

Governor Haynes and Mr. Ludlow were appointed to confer with Governor Eaton and his council on the subject. The court at New Haven were no less clear and unanimous in the opinion of the power of the commissioners to declare war and make peace than the general court at Connecticut; and that all the colonies were absolutely bound by their determination. Both colonies united in sending the messengers, and in the purport of their message; but nothing more could be obtained than the calling of another meeting of the commissioners at Boston; who met on the 11th of September; and at which the resolutions of the general courts of Connecticut and New Haven were produced, expressing their entire approbation of the determination of the commissioners, and remonstrating against the declaration of the general court of Massachusetts, and the sense which they had put on the articles of confederation.

The general court of Massachusetts returned for answer, that since their brethren of the other colonies had apprehensions different from theirs, they judged it might conduce most to peace to waive the point in controversy; and at the same time intimated they had no occasion to answer them.

The commissioners refused to accept this as an answer; and insisted that they had ample powers from all the other colonies to determine in all affairs of peace and war; and that this was consistent with the grammatical and true sense of the articles of

confederation; and that it was totally inconsistent, not only with the articles of union, but with the welfare of the colonies, that they should be at so much expense and trouble to meet and deliberate on the general interests of the confederates, if their determinations were to be annulled by one court and another.

The Massachusetts court, on their part, insisted, that the determinations of the commissioners could not bind them to a war which they could not deem to be just; and that it was inconsistent with the liberties of the colonies, that their decisions should compel them to action.

The commissioners replied, that no power could bind men to do that which was absolutely unlawful; but that their authority was as absolute, with respect to war and peace, as any authority could be; and that it was their province only to judge of the justice of the cause: they maintained that it could be no infringement of the rights of the colonies to be bound by the acts of their own agents, vested with plenary powers for those very acts; and represented the religious and solemn manner in which the confederation was made; that by its express words, it was a perpetual league for them and their posterity, in which their eight commissioners, or any six of them, should have full power to determine all affairs of war and peace, leagues, aids, &c.: that every article had been examined, not only by a committee of the four general courts, but by the whole court of Massachusetts, at the time when it was completed: that many prayers were addressed to Heaven for its accomplishment, while it was under consideration; and that the carrying of it into execution had been an occasion of abundant thanksgiving: that after practising upon it for ten years, the colonies had experienced the most salutary effects, to the great and general advantage of all the confederates: that the violation of it would be matter of great sin in the presence of God, and of scandal before men; and they referred it to the serious consideration of the general court, whether they would not, in his sight who knew all hearts, be guilty of this sin and scandal?

The general court earnestly requested that they would drop the dispute, and enter upon business, and their commissioners also pressed the same. But, with a spirit of magnanimity and firmness, becoming their character, they utterly refused; determining, to a man, after drawing a remonstrance against the Massachusetts, to return to their respective colonies, and leave the event with the supreme ruler.

No sooner had the general court intelligence of what was transacting, than they dispatched a writing to the commissioners, apparently retracting all which they had before advanced in opposition to them; but it was expressed in very doubtful language. However, upon the reception of this, they proceeded to business.

Ninigrate, ever since the Pequot war, had been the common pest of the colonies: he had violated all his contracts with them; had fallen on the Long Island Indians, who were in alliance with the English, and slain many of them; and carried others, men, women, and children into captivity: and by his hostilities, he gave alarm and trouble to the English plantations on the island, in the neighbourhood of the Indians. When messengers had been sent to him, demanding that he would return the captives, and desist from war, he absolutely refused; and would give no account of his conduct; and he had now

spent the winter with the Dutch governor, in concerting measures against the English colonies; and had been beyond Hudson's river spurring up the Indians there, as well as in other quarters, to a general rising against them. The commissioners therefore declared war against him, and appointed the number of men and officers for the service. They also again resolved upon war against the Dutch, and all the commissioners joined in these resolutions except Mr. Bradstreet; but they were to no purpose. The general court refused to bear any part in the war against either.

The commissioners protested against the members of the court of Massachusetts, as violators of the confederation; and pressed it as an indispensable duty to avenge the blood of innocents, who had depended on them for safety, and had suffered on the account of their faithfulness to the colonies, to recover their wives and children from captivity; to protect their friends from the insults of barbarous and bloody men; and to vindicate the honour of themselves and of the nation.

The Massachusetts nevertheless persisted in their opposition to the commissioners, and would bear no part in the war. Their desertion of their confederates was matter of great injury and distress to them, especially to the people of Connecticut and New Haven; who were not only obliged to put up with all former insults and damages from the Dutch, but after they had been at great expense in fortifying and guarding against the Dutch and Indians, and had been worn down with anxiety and watching, from the very opening of the spring, were still left to their fears, and obliged to combine together for mutual defence, in the best manner of which they were capable.

The general courts of Connecticut and New Haven were convoked soon after the return of the commissioners. That at New Haven met on the 12th of October, and the court at Connecticut on the 25th of November. Both considered the court of Massachusetts as having wilfully violated the articles of union; and the general court at New Haven expressly resolved, "that the Massachusetts had broken their covenant with them, in acting directly contrary to the articles of confederation."

Both colonies therefore determined to seek redress from the commonwealth of England; Captain Astwood was appointed agent to the Lord-protector Cromwell, and parliament, to represent their state, and to solicit ships and men for the reduction of the Dutch. Connecticut and New Haven conferred together, by their committees, and letters were sent in the name of both the general courts, containing a complete statement of their circumstances. The address concluded in the words following: "That unless the Dutch be either removed, or so far at least subjected, that the colonies may be free from injurious affronts, and secured against the dangers and mischievous effects which daily grow upon them by their plotting with the Indians, and furnishing them with arms against the English; and that the league and confederation between the four united English colonies be confirmed and settled according to the true sense, and till this year the continued interpretation of the articles, the peace and comfort of these smaller western colonies, will be much hazarded and more and more impaired. But as they conceive it their duty thus fully to represent their afflicted condition to your excellency, so they humbly leave themselves, with the remedies, to your consideration and wisdom."

As Governor Hopkins was now in England, he was desired to give all assistance in his power to the agent whom they had agreed to send; and Connecticut dispatched letters to the parliament, to General Monk and Mr. Hopkins.

As Stamford was a frontier town, a guard of men was dispatched for its defence; and Connecticut and New Haven provided a frigate of ten or twelve guns, with forty men, to defend the coast against the Dutch, and to prevent Ninigrate and his Indians from crossing the sound, in prosecution of his hostile designs against the Indians in alliance with the colonies.

The towns bordering upon the Dutch, on Long Island, were in great distress and alarm. Captain Underhill sent to his friends at Rhode Island for assistance; and, with such Englishmen as he could obtain, made the best defence in his power; but Hampstead and some other towns were still continually harassed, and suffered much damage and insult from the Dutch.

The Dutch, at New Netherlands, waited only for a reinforcement from Holland to attack and reduce the English colonies; and it was reported and feared, that when the signals should be given from the Dutch ships, the Indians would rise, fire the English buildings, and begin their work of destruction.

Providence, however, combined a number of circumstances for the preservation of the exposed colonies. The defeat of the Dutch fleet by the English, and the spoil which they made upon their trade, prevented the arrival of the expected reinforcements; the Indians could not be united; and many of the sachems said, the English had done them no injury, and they would not fight them; and the early intelligence, received by the colonies, of the plans which they and the Dutch were concerting, and the constant watch and guard which the plantations had maintained, disconcerted them.

Other calamities however arose. Some of the towns, and many of the people, in the colonies of Connecticut and New Haven, were so dissatisfied that the war was not prosecuted against the Dutch, according to the resolution of the commissioners, that they were with great difficulty restrained from open mutiny and rebellion. Stamford and Fairfield in particular became very disorderly; the former complaining that the government was bad, and the charges unreasonable, and that they were neglected and deprived of their just privileges; and they sent to the general court at New Haven, desiring them to prosecute the war against the Dutch. They also resolved to raise a number of men, and prayed for permission to enlist volunteers in the several towns. Fairfield held a meeting on the subject, and determined to prosecute the war, and appointed Mr. Ludlow commander-in-chief. He had been one of the commissioners at the several meetings relative to the affair, and had been very zealous and active for the war; and conceiving himself and the town in imminent danger, unless the Dutch could be removed from the neighbourhood, too hastily accepted of the appointment. Robert Bassett and John Chapman, who were the heads of this party, attempted to foment insurrections, and, without any instructions or authority, to raise volunteers for an expedition against the Netherlands.

The general court at New Haven judged that the season was too far advanced to undertake the enterprise, but nevertheless determined to consult Connecticut, and to proceed or not as the council there

should judge most expedient; who decided that as it was now the latter part of November, ships and men could not be seasonably provided.

Deputy-governor Goodyear and Mr. Newman, who were dispatched to Stamford to compose the minds of the people, called a meeting of the town, and laboured to quiet them; but could make no impression upon them until they read an order of the committee of parliament, requiring that the plantations should be in subjection to the authority of their respective jurisdictions, which appeared to have some good effect. But as the inhabitants had been at great expense, not only in watching and guarding the town, but in erecting fortifications about the meeting-house, they insisted that the colony should bear a part of the expense, and provide a guard during the winter. The public burthens this year were great; the expenses of the colony of New Haven being about 400*l*. The court made some abatements in favour of Stamford; but Basset and Chapman were punished for attempting to make an insurrection in the colony, and others were bound in large bonds to their good behaviour. The general court of Connecticut, at their session in November, ordered that 20*l*. should be paid to the support of a fellowship in Cambridge college.

The death and character of Governor Haynes—The freemen of Connecticut meet, and appoint a moderator—Mr. Ludlow removes to Virginia—The spirited conduct of the people at Milford in recovering Manning's vessel—The freemen add to the fundamental articles—Fleet arrives at Boston for the reduction of the Dutch—The colonies agree to raise men to assist the armament from England—Peace prevents the expedition—The general court at New Haven charge the Massachusetts with a breach of the confederation—They refuse to join in a war against Ninigrate, and oblige Connecticut and New Haven to provide for the defence of themselves and their allies—Ninigrate continuing his hostile measures, the commissioners send messengers to him—His answer to them—They declare war, and send an army against him—The art of Massachusetts, and the deceit of Major Willard, defeat the designed expedition—The number of rateable polls, and the amount of the list of Connecticut—The Pequots are taken under their protection—Ninigrate persisting in his hostilities against the Indians upon Long Island, the general court adopt measures for the defence of the Indians and the English Inhabitants there—New Haven complete and print their laws—The answer of New Haven to the protector's invitation, that they would remove to Jamaica—Reply of the commissioners to the Dutch governor—Uncas embroils the country—Deaths and characters of Governors Eaton and Hopkins—Settlement of Stonington—Mr. Winthrop chosen governor—The third fundamental article is altered by the freemen—Mr. Fitch and his church and people remove to Norwich—Final settlement of accounts with the heirs of Mr. Fenwick—Deputy-governor Mason resigns the Mohegan lands to the colony.

(1654.) The colony sustained a great loss this year in the death of Governor Haynes. He had from the beginning employed his estate and labours for its emolument, and bore a large share in its hardships and dangers. He was a gentleman, originally from the county of Essex, in England, where he had an elegant seat, called Copford Hall, worth 1,000*l*. sterling a-year. He came into New Eng-

land with the Rev. Mr. Hooker, in 1632, and settled with him first at Cambridge in Massachusetts. His distinguished abilities, prudence, and piety so recommended him to the people, that in 1635 he was chosen governor of Massachusetts; and he was not considered in any respect inferior to Governor Winthrop. His growing popularity, and the fame of Mr. Hooker, who, as to strength of genius, and his lively and powerful manner of preaching, rivalled Mr. Cotton, were supposed to have had no small influence upon the general court, in their granting liberty to Mr. Hooker and his company to remove to Connecticut.

Mr. Hopkins was in England, and the colony had neither governor nor deputy-governor present to act in its behalf. The freemen therefore in February convened at Hartford, and elected Mr. Thomas Wells moderator of the general court, until a governor should be chosen.

About this time there happened a great controversy between Uncas and the inhabitants of New London, relative to their respective limits; and the inhabitants carried the dispute so far as to rise and take possession of his forts and many of his wigwams; but the assembly interposed and gave orders, that the Indians should not be injured, and that the people should be accountable for all damages which they had done them; and a committee was appointed to fix the boundaries between New London and Uncas, and to compose all differences between the parties.

Nearly at the same time the colony received an order from the English parliament, requiring that the Dutch should be treated, in all respects, as the declared enemies of the commonwealth of England. In conformity to this order, the general court was convened, and an act passed sequestering the Dutch house, lands, and property of all kinds at Hartford, for the benefit of the commonwealth; and the court also prohibited all persons whatsoever from improving the premises, by virtue of any former claim, or title, had, made, or given by any of the Dutch nation, or any other person, without their approbation.

In the proclamation for a general fast this spring, the great breach sustained by the colony, in the death of the governor; the alienation of the colonies, on account of the violation of the articles of confederation; the spreading of erroneous opinions in the churches; the mortality which had been among the people of Massachusetts; and the calamitous state of the English nation, were particularized as matters of humiliation.

The colony was this year deprived of Mr. Ludlow, one of its chief magistrates. He was one of the most zealous for prosecuting the war against the Dutch, and no one was more displeased that the colonies did not follow the determinations of the commissioners; he might apprehend himself to be particularly in danger at Fairfield; and besides, he had taken a very hasty and unadvised step in accepting the command of men to go against the Dutch without any legal appointment; and he had, no doubt, apprehensions on that account, or at least that the freemen would neglect him; and for some, or all of these reasons, about this time, he removed with his family to Virginia. He was clerk of the town of Fairfield, and carried off their records and other public writings. He came originally from the west of England with Mr. Warham and his company; and in 1630 he was chosen into the magistracy of the Massachusetts' company, and in 1634, deputy-governor of that colony; he had been

twice elected deputy-governor of Connecticut, and was every year magistrate or deputy-governor, from his first coming into the colony in 1635, until the time of his departure. He appears to have been distinguished for his abilities, especially his knowledge of the law, and the rights of mankind; and he rendered most essential services in forming the original civil constitution, and in compiling the first Connecticut code, printed at Cambridge in 1672: had he but possessed a happier temper, he would have been the idol of the people, and shared in all the honours which they could have given him.

Nearly about the same time, an affair happened in which the people of Milford exhibited a noble spirit of zeal and enterprise. One Captain Manning, master of a ten-gun ship had been apprehended for an unlawful trade with the Dutch, at the Manhadoes; and while the affair was upon trial before the court at New Haven, his men ran off with the ship from Milford harbour; but the people completely armed and manned a vessel, with so much dispatch, that they pressed hard upon the ship before she could reach the Dutch island; and the men perceiving they must be taken, unless they immediately abandoned the ship, made their escape in their boat; the ship thus left adrift, was recovered, and brought into Milford harbour, and, with all her goods, condemned as a lawful prize.

At the general election, Mr. Hopkins, though in England, was chosen governor. Mr. Wells was appointed deputy-governor. Mr. Webster, Mr. Mason, Mr. Winthrop, Mr. Cullick, Mr. Wolcott, Mr. Clark, Mr. Wyllis, son of George Wyllis, and Mr. John Talcott, were elected magistrates. Mr. Cullick was secretary, and Mr. Talcott treasurer.

At this court, the freemen passed the following resolution as an addition to the fundamentals of their constitution:—"That the major part of the magistrates, in the absence of the governor and deputy-governor, shall have power to call a general court; and that any general court being legally called and met, the major part of the magistrates and deputies then met in the absence of the governor and deputy-governor, shall have power to choose unto, and from among themselves, a moderator, which being done, they shall be deemed as legal a general court as if the governor or deputy-governor were present."

At the election in New Haven, the only alteration in public officers was the addition of Mr. Samuel Eaton, of New Haven, to the magistrates, and the choice of Mr. Benjamin Fenn, in the room of Captain John Astwood.

About the same time, in answer to the petitions of Connecticut and New Haven, Major Sedgwick and Captain Leveret arrived at Boston, from England, with a fleet of three or four ships, and a small number of land-forces, sent by Cromwell the lord-protector, for the reduction of the Dutch. On the 8th of June, Governor Eaton received a letter from the protector, certifying that he had sent ships and ammunition for the assistance of the colonies; and with this came a letter from Major Sedgwick and Captain Leveret, requesting that commissioners might be sent immediately from each of the governments, to consult with them on the objects of the designed expedition. Mr. William Leet and Mr. Jordan were appointed commissioners for New Haven; and were authorized to engage, in behalf of that jurisdiction, to furnish all the men and provisions which it could spare. An embargo was laid on all provisions, and every measure adopted

that the utmost assistance might be given in the enterprise; and such was the zeal of the general court, that they instructed their commissioners to engage the assistance of that colony, though no other, except Connecticut, should join with them.

On the 13th of June, the general court of Connecticut convened at Hartford, and appointed Major John Mason and Mr. Cullick commissioners. They were directed to proceed with the utmost dispatch to Boston; and, in behalf of Connecticut, to engage any number of men, if possible not exceeding two hundred, but rather than the expedition should fail, four or five hundred.

The general court of Massachusetts was convoked on the 9th of June, but did not agree to raise any men themselves; but they granted liberty, nevertheless, for Major Sedgwick and Captain Leveret to raise five hundred volunteers. The commissioners finally agreed upon 800 men, as sufficient for the enterprise. The ships were to furnish two hundred soldiers; three hundred volunteers were to be raised in Massachusetts; two hundred men were to be sent from Connecticut; and a hundred and thirty-three from New Haven. But while preparations were making with vigour and dispatch, the news of peace between England and Holland prevented all further proceedings relative to the affair.

The total defeat of the Dutch fleet, the loss of Admiral Tromp and a great number of their merchantmen, made the Dutch in earnest for peace; and it was expeditiously concluded on the 5th of April. The news of it arrived in America almost as soon as the fleet; and the commander-in-chief therefore employed his forces, with the Massachusetts volunteers, in dispossessing the French from Penobscot, St. John's, and the adjacent coast. This was doubtless one object of the expedition, and not undertaken without orders from the protector.

It was not expected that there would have been any meeting of the commissioners this year; as Massachusetts had violated the articles of union, and the colonies had protested against them, as breakers of the most solemn confederation. The general court of Massachusetts had also represented to the other colonies, that the articles needed explanation and emendation, that they might be consistent with the rights of the several general courts; and indeed it had proposed a meeting of the commissioners for that purpose; but the other colonies viewed the articles as perfectly intelligible, and consistent with the rights of the confederates; and they therefore rejected the motion. The general court of New Haven had voted that there was no occasion for appointing commissioners that year.

On the 5th of July, Governor Eaton received a letter from the general court of the Massachusetts, waving an answer to the letter jointly written from the general courts of Connecticut and New Haven, and lamely excusing their non-compliance with the resolution of the commissioners, on the account of their not being able to apprehend the justice of the war with the Dutch and Ninigra. They complained of the other colonies, for treating them as violators of the confederacy; professed themselves to be passionately desirous of its continuance, according to the genuine construction of the articles; and gave notice that they had chosen commissioners, and had determined to empower them as had been usual.

The general court at New Haven replied, that they and the other colonies had justly charged them

with a violation of their covenant, and urged, that, according to their own interpretation of the articles, they stood responsible to them for the infraction; and that, according to the eleventh article of the confederation, they were to be treated by them according to the magnitude of their fault; that her sister colonies had not only condemned their conduct, but had sent messengers and taken proper pains to inform them, and adjust the difference between them; but that they had treated them in a very disagreeable manner, and their endeavours had been to no good purpose; but added that, nevertheless, if the combination might be again firmly settled, according to the original intention and grammatical sense of the articles, they would, without further satisfaction, forgetting what was past, cheerfully renew their covenant, and send their commissioners to meet, at any time and place, for that end. This was subscribed by the secretary, and sent to Hartford, to be subscribed by the general court of Connecticut; and to be transmitted in the name of each of the colonies to the Massachusetts; and this it seems was done.

As the general court of the Massachusetts would not join with the confederated colonies against Ninigrate, he prosecuted the war against the Long Island Indians, and it was supposed that his design was to destroy both those Indians and the Moheagans; for which purpose he had hired the Mohawks, Pocumtucks, and Wampanoags, afterwards called Philip's Indians, to assist him. By a collection of such numbers of Indians from the westward, northward, and eastward, the general peace of the country would have been greatly endangered, and the Long Island Indians, who had put themselves under the protection of the English, exposed to a total extirpation. They had already been obliged, not only to fortify themselves, and to use every precaution for their own defence, but to suffer the loss of many of their people, who had been already either slain or captured.

The deputy-governor and council of Connecticut judged it an affair of such importance, that they determined to dispatch Major Mason, with ammunition, and a number of men, to the assistance of the Indians upon the Island: and the deputy-governor and Mr. Clark acquainted Governor Eaton with their views and determination, and desired that the colony of New Haven would send Lieutenant Seely, with a detachment of men, and with supplies of ammunition, to second their design. The court of New Haven complied with the desire of Connecticut; and Lieutenant Seely had orders to join Major Mason at Saybrook. They were instructed to acquaint the Montauket Indians, that the colonies made them that present of ammunition, wholly for their own defence, and not to enable them to injure Ninigrate, or any other Indians, unless they should make an attack upon them; and that, while they continued faithful to the English, they would be their friends. It was at the same time ordered that, if Ninigrate should invade the Long Island Indians, the English officers should use their endeavours to persuade them to peace, and to refer their differences to the decision of the commissioners; but if he would fight, they were commanded to defend themselves, and the Indians in alliance with the colonies, in the best manner they could.

In September the commissioners convened at Hartford. They consisted of the following gentlemen, Mr. Simon Bradstreet, Major Denison, Mr. Thomas Prince, Mr. John Brown, Major Mason,

Mr. John Webster, Governor Eaton, and Mr. Francis Newman. Governor Eaton was chosen president. They immediately dispatched messengers to Ninigrate, demanding his appearance at Hartford, and the payment of the tribute so long due for the Pequots under him; and on the 18th, Mr. Jonathan Gilbert returned, and made a report of Ninigrate's answer, in the following words:

"Concerning the Long Island Indians, he answered, wherefore should he acquaint the commissioners, as the Long Island Indians began with him, and had slain a sachem's son, and sixty of his men; and therefore he will not make peace with the Long Islanders; but doth desire that the English will let him alone; and that the commissioners would not request him to go to Hartford; for he hath done no hurt. What should he do there? If our governor's son were slain, and several other men, would you ask counsel of another nation, how and when to right yourselves? And added, that he would neither go nor send to Hartford. Concerning the upland Indians, his answer was, that they were his friends, and came to help him against the Long Islanders, who had killed several of his men. Wherefore should he acquaint the commissioners of it? He did but right his own quarrel, which the Long Islanders began with him." With respect to the tribute due for the Pequots, though he had never paid it, yet he pretended there was none due.

The commissioners considering his perfidious conduct the last year, his present answer, and that lenity and forbearance had been an encouragement of his insolence and barbarity, ordered forty horsemen, and two hundred and seventy infantry to be raised, to chastise his haughtiness. The Massachusetts were to raise the forty horsemen, and a hundred and fifty-three footmen; Connecticut forty-five, and New Haven thirty-one. Orders were also given, that twenty horse from Massachusetts, twenty-four men from Connecticut, and sixteen from New Haven, should be immediately dispatched into the Nehantick country; and the commissioners nominated Major Gibbons, Major Denison, or Captain Atherton, to the chief command; leaving it, in compliance to the general court of Massachusetts to appoint which of the three should be most agreeable to them; but the Massachusetts' court rejecting these who were men of known spirit and enterprise, appointed Major Willard. The commissioners instructed him to proceed with such troops as should be found at the place of general rendezvous, by the 13th of October, directly to Ninigrate's quarters, and demand of him the Pequots, who had been put under him, and the tribute which was due; and if Ninigrate should not deliver them and pay the tribute, he was required to take them by force. He was also instructed to demand of Ninigrate a cessation from all further hostilities against the Long Islanders; and if he would not comply with these demands, he had express orders to subdue him; and if a greater number of men should be found necessary, his instructions were to send for such a number as he should judge sufficient to carry the expedition into effect. The place of rendezvous was at Thomas Stanton's, in the Narraganset country; but when the major arrived there, he found that Ninigrate had fled into a swamp, at fourteen or fifteen miles distance from the army, and had left his country, corn, and wigwams, without defence; which might have been laid waste, without loss or danger; but the major neglected the opportunity

About a hundred Pequots took this opportunity to renounce the government of Ninigrate, and to put themselves under the protection and government of the English.

The major, on his return, pleaded in excuse, that his instructions were equivocal, and the season for marching unfavourable. The commissioners, however, were very dissatisfied, and observed to him, "That while the army was in the Narraganset country, Ninigrate had his mouth in the dust; and that he would have submitted to any reasonable terms which might have been imposed upon him;" and they charged the major with neglecting an opportunity of humbling his pride; and referred it to his consideration what satisfaction ought to be expected from him, and those of his council, who advised and joined with him in his measures.

(1655.) Governor Hutchinson has observed, that Major Willard was a Massachusetts man, and although that colony had so far complied with the rest, as to join in sending out the forces, yet they were still desirous of avoiding an open war. This was the second time of their preventing a general war, contrary to the minds of six of the commissioners of the other colonies.

The whole number of rateable persons in the colony of Connecticut this year was 775, and the grand list was 79,073. By the number of persons, and the amount of the lists in each town, an idea may be formed of their proportion to each other.

Towns.	Persons.	Estates.
Hartford,	177	£ 19,609
Windsor,	165	15,833
Weathersfield,	113	12,602
Fairfield,	94	8,634
Saybrook,	53	4,437
Stratford,	72	7,958
Farmington,	46	5,519
Middletown,	31	2,172
Norwalk	24	2,309
	775	£ 79,073

Upon the election at Hartford, Thomas Wells, Esq. was chosen governor, and Mr. John Webster, deputy-governor. The magistrates elected, were Mr. Hopkins, Mr. Mason, Mr. Winthrop, Mr. Wolcott, Mr. Cullick, Mr. Clark, Mr. Wyllys, Mr. Talcott, Mr. John Cosmore, and Mr. Thomas Tapping. Mr. Cullick was secretary, and Mr. Talcott treasurer.

At the general election in New Haven, this year, there was no alteration of their officers.

The Pequots persevering in their petitions to be taken under the protection and government of the English, the commissioners this year granted their request; and places of residence were subsequently appointed for them by the general court of Connecticut, about Pawcatuck and Mistic rivers. They were allowed to hunt on the lands west of the latter, and were collected together in these two places, and an Indian governor was appointed over them in each place. General laws were made for their government. Blasphemy, murder, witchcraft, and conspiracy against the colonies, were prohibited upon pain of death; and sabbath-breaking, adultery, and drunkenness, were prohibited under proper penalties. He who stole was required, on conviction, to pay double damages: they were prohibited to make war with other Indians, or to join with them in their wars, unless it were in their own just defence, without the consent of the commissioners of the united colonies; and they were obliged to submit to the Indian governors, whom they should appoint over

them, and pay them the same tribute which they had stipulated to pay to the English.

After the return of Major Willard and the troops under his command, from the Narraganset country, Ninigrate assumed his former animosity, and continued the war against the Indians upon Long Island. Mr. Thomas James, minister of Easthampton, Captain Tapping of Southampton, Captain Underhill and others, wrote to the commissioners, that both the English and Indians on the Island were in a calamitous and distracted condition, and in imminent danger on account of his constant hostilities. They assured them, that the Indians upon the Island could not hold out much longer, but must submit themselves and their country to the Narragansets, unless they should have some speedy assistance; and entreated them to consult some effectual measures to prevent such a calamity.

In consequence of this intelligence they ordered that a vessel, well armed and manned, should lie in the road between Neanticut and the Island, to watch the motions of Ninigrate; and if he should attempt to pass the sound, to stave and destroy his canoes. Captain John Youngs was appointed to command this vessel of observation; and was authorized to draught men from Saybrook and New London, as emergencies might require. An encouraging message was sent to the Montauket sachem, acquainting him with the measures the English were taking for his defence; and the commissioners sent him a supply of ammunition. Provision was also made that South and East Hampton, with all the adjacent towns, should be completely furnished with all articles necessary for war; and orders were given that if the Indians could not maintain their ground, in any assault, they should flee towards some of the neighbouring towns; and that if the enemy should pursue them within two miles of any of the settlements, the inhabitants should immediately repair to their assistance. Intelligence of these resolutions was dispatched to the Narragansets, as well as the Long Islanders.

All the united colonies were exceedingly offended at the conduct of Major Willard, except the Massachusetts, under whose influence he was supposed to act; and the general court at New Haven resolved, that he had not followed his instructions in the expedition against Ninigrate; but that they were willing to suspend their judgment, with respect to the measures to be taken with him, until they should be certified of the opinions of the other confederates. Whatever their opinions or wishes were, Major Willard was safe under the wing of the Massachusetts; and Connecticut and New Haven had principally to bear the unhappy consequences of his perfidious conduct; and they were obliged the next year, at their own expense, to continue the commission of Captain Youngs to cruise between the main and Long Island, to prevent the designs of Ninigrate; and they also found it necessary to furnish both men and provisions for the defence of the Islanders.

Governor Eaton had been desired to perfect a code of laws for the colony of New Haven; and for his assistance in the compilation, he was requested by the general court to consult the Rev. Mr. Cotton's discourse on civil government in a new plantation, and the laws of Massachusetts. Having accomplished the work, and the laws having been examined and approved by the elders of the jurisdiction, they were presented to the members of the general court, who ordered that 500 copies should

be printed; and the copy was sent to England that the impression might be made under the inspection of Governor Hopkins, who procured them to be printed at his own expense, and sent back the number proposed, with some other valuable books as a present. The laws were distributed to the several towns in the jurisdiction.

This year died Henry Wolcott, Esq., in the 78th year of his age. He was the owner of a good estate in Somersetshire, in England; and his youth, it is said, was spent in gaiety and country pastimes; but afterwards, under the instructions of Mr. Edward Elton, his mind was entirely changed, and turned to religious subjects. As the puritans were then treated with great severity, he sold about 8,000*l.* worth of estate in England, and arrived in New England with Mr. Warham, in May 1630, and settled first at Dorchester, in Massachusetts. In 1636, he removed to Windsor, and was one of the principal planters of that town; and was chosen into the magistracy in 1643. He left an estate in England which rented at about 60*l.* a-year, which the family for some time enjoyed; but it was afterwards sold. After his decease, some one of his descendants was annually chosen into the magistracy for a term of nearly eighty years, until the year 1754, when Governor Wolcott left the chair.

At the election in Connecticut, Mr. John Webster was chosen governor, and Mr. Wells deputy-governor. This was the only alteration in the magistracy.

(1656.) At New Haven the former governors and magistrates were re-chosen; and Mr. John Wakeman was appointed treasurer. The general court took great pains to put the colony in a state of defence. Orders were given for the raising a troop of sixteen horse in the five towns upon the sea-coast, with complete arms and furniture, who, for their encouragement, were exempted from taxation, and from training with the foot, and were to enjoy all the privileges of troopers in Massachusetts. This was the first troop in any part of Connecticut. It was also ordered, that all the common soldiers should be trained to shooting at a mark; that they should be furnished with ammunition for that purpose at the public expense, and that prizes should be prepared for the best marksmen; and the soldiers were directed to play at cudgels, and at the broad sword, that they might know how to defend themselves and their country.

The protector, Cromwell, having conquered Jamaica, made it a favourite object to remove the people of New England to that island; and artfully represented, that they had as great an inducement to transport themselves from New England to Jamaica, as they had for emigrating from Old England to New, for the advancement of their interests; and he likewise represented, that it would have a tendency to the destruction "of the man of sin:" he wrote particularly to New Haven on the subject, and sent them a copy of his instructions relative to the affair.

Governor Eaton had, some time before this, laid the letters received on this subject before the general court. The several plantations in the colony had been made acquainted with their contents, and the deputies had been desired to return their opinion to the court, and after a long and serious debate, the court resolved, "That though they could not but acknowledge the love, care, and tender respect of his highness, the Lord Protector, to New England in general, and to this colony in particular, yet, for

divers reasons, they cannot conclude that God calls them to a present remove thither." And the governor was desired to write to the lord-protector, acknowledging his great care and love towards the colony.

The commissioners of the united colonies, who this year held their meeting at Plymouth, received a very plausible letter from Stuyvesant, the Dutch governor, expressing his joy that God had quenched the bloody war between the Dutch and the English, in Europe; and expressing his warm desires that it might redound to the great advantage of the subjects of the two nations in these remote parts of the earth, he solicited a nearer union between the Dutch and the united colonies; and at the same time certified, that he had received a ratification of the agreement made at Hartford, in 1650, under the seal of the High and Mighty States of the United Belgic Provinces; and desired that time and place might be appointed for delivering and interchanging the ratifications.

The governor was so well known to the commissioners, that neither the plausibility of his letter, nor the very Christian manner in which it was written, made any deep impression upon them. They replied, in short, that the peace was matter of joy to them, and they wished the continuance of it in Europe, and in all the plantations abroad; and gave assurances that the preservation of it should be their constant endeavour. Nevertheless, they gave no intimation that they desired a nearer union, or to ratify the agreement: and observed, that no reparation for the damages had been made the colonies, and that they had not heard that he designed to make any; that they heard he yet laid claim to Oyster bay, and that he had made no proper resignation of Greenwich; and therefore desired him to be explicit on these points.

The last year, complaints were made to the court at New Haven, that the inhabitants of Greenwich were under little government, and behaved themselves in a lawless manner. They acknowledged to drunkenness among themselves, and among the Indians, by reason of which damages were done to themselves and to the towns in the vicinity, and the public peace was disturbed. They also received children and servants who fled from the correction of their parents and masters, and unlawfully joined persons in wedlock, with other misdemeanors.

Upon this, the general court asserted their right to Greenwich, and ordered the inhabitants to submit to their jurisdiction; but they continued much in the same state, and sent a letter to the court in May denying their jurisdiction, and refusing any subjection to the colony, unless they should be compelled to it by the parliament. The court therefore resolved, that unless they should appear before the court, and make submission by the 25th of June, Richard Crab and others, who were the most stubborn among them, should be arrested and punished according to law; and they ultimately subjected themselves to the government of New Haven.

Uncas, though friendly to the English, appears to have been a turbulent sachem, who by his violent conduct and provoking language was often embroiling the country, and bringing trouble upon himself and the colonies. He made an assault upon the Podunk Indians at Hartford; and he, or his brother, invaded the Norwottucks; he upbraided the Narragansets with their slaughtered sachems, and challenged them to fight; and among other instances of misconduct, he proved treacherous to the Mon

tauket sachem, and joined with Ninigrate in his perfidious practices. By these means the country was so disquieted, that it was with great difficulty the commissioners maintained the general peace; who at last interposed, and obliged Uncas to make restitution to the Indians whom he had injured, and prohibited his making war without their consent and advice; but after all their precautions, the country was still more alarmed the next year.

(1657.) In April, the Indians committed a horrid murder at Farmington, and besides Mesapano, who was the principal actor, the Norwootuck and Pocomtock Indians were supposed to be accomplices; and the Montaukets, after all the trouble and expense which the English had been at for their defence, became tumultuous, and did great damage to the inhabitants of Southampton.

The general court at Hartford gave orders that the Indians, who perpetrated the murder at Farmington, should be apprehended, and that the sachems of the Pocomtock and Norwootuck Indians should deliver up the delinquents among them; and Major Mason was ordered with a detachment to Long Island, to bring the Indians there to a just and peaceable conduct, and adjust affairs between them and the English.

At the general election in Connecticut, 1657, Mr. John Winthrop was elected governor, and Mr. Thomas Wells deputy-governor. Mr. Webster was chosen the first magistrate. The other officers were the same who had been appointed the last year. The freemen, at the election in New Haven, made no alteration in their magistrates.

The general court at Hartford this year was uncommonly thin, consisting of twenty-two members only. The danger of the plantations, and of particular families, from the hostile state of the Indians, appears to have been the reason of this slender assemblage. The Montaukets, Mohegans, Narragansets, and Norwootucks, engaged in implacable wars with each other, and often pursued one another into the English plantations, and even into the houses, and killed each other in the presence of the families, to their great alarm and astonishment. Uncas was so pressed by the Narragansets, that Connecticut was obliged to send men to his fortress to assist him in defending himself against them, and the Narragansets consequently, in several instances, threatened and plundered the inhabitants of Connecticut.

In consequence, when the commissioners met in September, they sent messengers to the Indians generally, commanding them to cease from war, until their grievances, and the grounds of their contentions, should be heard: they assured them that they would hear and determine impartially, without favouring any of the parties; and represented to them the covenants which they had made with the English, and the entire inconsistency of their conduct with those engagements.

This year the colony of New Haven, and indeed all the New England colonies, sustained a heavy loss in the death of Governor Eaton. He was a minister's son, born in England, at Stony Stratford, in Oxfordshire, and was brought up as an East India merchant, and was sometime deputy-governor of the company trading to the East Indies. For several years he was agent for the king of England at the court of Denmark; and after his return he was a merchant of great business and respectability in the city of London. Upon the persecution of the puritans by Laud, he left his native country

and came into New England with Mr. Davenport, his minister, in 1637; and was one of the original patentees of the Massachusetts, and soon after his arrival was chosen one of the magistrates of that colony; and on the settlement of New Haven he was chosen governor of that colony, and was annually re-elected until his death. He is represented as a comely man, and the impartiality with which he administered justice was exemplary. In honour to his memory, and the good services which he had rendered the colony, his funeral charges were borne, and a handsome monument erected at the public expense.

Nearly at the same time died his son-in-law, Edward Hopkins, Esq., for a number of years governor of Connecticut, where he conducted the affairs of government with great integrity, and was universally beloved. He was a man of exemplary piety and charity; and besides the relief he dispensed to the poor with his own hands, he gave considerable sums of money to others to be disposed of to charitable purposes. When he went into England, on the occasion of his brother's death, who had been warden of the English fleet, he designed to return again to his family and friends in New England; but he was very soon particularly noticed, and made first warden of the fleet in the room of his brother. He was then chosen commissioner of the admiralty and navy, and finally member of parliament. These unexpected preferments altered his designs, and determined him to send over for his family, and to spend the remainder of his days in his native country; but his constitution was entirely wasted, and he died in the 58th year of his age.

His will was highly expressive of that public spirit and charity which had so distinguished him in life. A part of his estate in New England was disposed of to charitable purposes; and to his friends; and the remainder he bequeathed to his "father, Theophilus Eaton, Esq., Master John Davenport, Master John Cullick, and Master William Goodwin, in full assurance of their trust and faithfulness, in disposing of it according to the true intent and purpose of him, the said Edward Hopkins, which was to give some encouragement in those foreign plantations, for the breeding up of hopeful youths, in a way of learning, both at the grammar-school and college, for the public service of the country, in future times." He also made a donation of 500*l.* more, out of his estate in England, to the said trustees, in further prosecution of the same public ends, "for the upholding and promoting the kingdom of the Lord Jesus Christ, in those parts of the earth." This last donation was considered as made to Harvard-college, and, by virtue of a decree in chancery, was paid in 1710. The interest given in New England was estimated at about 1000*l.* sterling; and was appropriated to the support of the grammar-schools in New Haven, Hartford, and Hadley. The money originally belonged to New Haven and Hartford; but as a considerable number of the people of Hartford afterwards removed to Hadley, and were principal settlers of that town, they received their proportion of the donation.

(1658.) At a general court in Hartford, March 11th, 1658, a troop of thirty horsemen was established in Connecticut, and Richard Lord was appointed captain.

This year there was a very considerable alteration with respect to governors and the council, both in Connecticut and New Haven. At the election

in Connecticut, Thomas Wells, Esq., was elected governor, and John Winthrop, Esq., deputy-governor. To the magistrates last year, who were again re-chosen, there was an addition of Mr. Matthew Allen, Mr. Phelps, Mr. John Wells, Mr. Treat, Mr. Baker, Mr. Mulford, and Mr. Alexander Knowles. There appear to have been sixteen magistrates, and twenty-six deputies; making forty-two members.

On the election at New Haven, Mr. Francis Newman was chosen governor, and William Leet, deputy-governor. Mr. Jasper Crane was added to the magistrates, and Mr. William Gibbard was appointed secretary.

This year a considerable settlement was made in the tract between the Mystic and Pawcatuck rivers; formerly called Pequot, and originally belonging to New London. The first man who had settled upon this spot, was William Cheesebrough, from Rehoboth, in 1649; when a complaint was exhibited against him for carrying on an illicit trade with the Indians, for repairing their arms, and endangering the public safety; and the general court of Connecticut declared that they had a clear title to those lands; summoned him before them; and reprimanded him for settling upon them without their approbation; for withdrawing himself from Christian society and ordinances; and for unlawfully trading with and assisting the Indians. He confessed his faults; but pleaded, in excuse, that he had been encouraged by Mr. Winthrop, who claimed a right at Pawcatuck; and as he gave bonds for his good conduct, he was allowed to continue upon the land; and the court promised him, that if he would procure a sufficient number of planters, they would give them all proper encouragement, in making a permanent settlement. About ten or twelve families this year made settlements in that quarter; and finding that there was a controversy between Connecticut and the Massachusetts, with respect both to title and jurisdiction, they, on the 30th of June, entered into a voluntary contract to govern themselves, and conduct their affairs in peace, until it should be determined to which colony they should submit. The principal planters were George Denison, Thomas Stanton, Thomas Shaw, William Elisha, and Samuel Cheesebrough, and Moses and Walter Palmer. These, with some others, were signers of the voluntary compact.

At the meeting of the commissioners, the Massachusetts claimed that tract of country, by virtue of the assistance which they afforded Connecticut in the conquest of the Pequots. The commissioners resolved, "That the determination did arise only from the several rights of conquest, which were not greatly different; yet that being tender of any inconvenience which might arise to those who were already possessed, either by commission from Massachusetts or Connecticut, in any part thereof, should they be put off their improvements; also, upon inquiry, finding that the Pequot country, which extended from Nehantick to Wekapaug, about ten miles eastward from Mystic river, may conveniently accommodate two plantations, did, respecting things as they then stood, conclude, that Mystic river be the bounds between them, as to propriety and jurisdiction, so far as conquest may give title. Always provided, that such as are already accommodated, by commission of either of the said governments, or have grants of any tracts of land, on either side of the Mystic river, be not molested

in any of their possessions or rights, by any other grants."

Upon the petition of the planters the general court of the Massachusetts made them a grant of eight miles from the mouth of Mystic river towards Wekapaug, and eight miles northward into the country, and named the plantation Southerton. It continued under the government of Massachusetts until after Connecticut obtained a royal charter.

This was a year of great sickness and mortality in Connecticut, and in New England in general. Religious controversies at the same time ran high, and gave great trouble to church and commonwealth; and the Indians continued their wars with implacable animosity. The commissioners employed all their wisdom and influence to make peace; but they could not reconcile those barbarians; and the crops were light, and it was a year of fear, perplexity, and sorrow.

(1659.) John Winthrop, Esq. was chosen governor of Connecticut for the year 1659, and Thomas Wells, Esq. deputy-governor. Captain Tapping and Mr. Robert Bond were elected magistrates, in the room of Mr. Knowles and Mr. Mulford.

At the election in New Haven, the same governor and council were re-chosen, and indeed little alteration was made with respect to them, until the union of that colony with Connecticut.

At the October session, Cromwell bay, or Settauket, on Long Island, at the desire of the inhabitants, was admitted as a member of the jurisdiction of Connecticut.

(1660.) Mr. John Winthrop was re-chosen governor. This was the first time that any governor had been elected to that office more than once in two years. Major Mason was advanced to the place of deputy-governor. The magistrates were Mr. Henry Clark, Mr. Wyllys, Mr. Phelps, Mr. Allen, Mr. Treat, Mr. Gould, Mr. Tapping, Mr. Ogden, Mr. Bond, Mr. Daniel Clark, and Mr. Talcott. Mr. Daniel Clark was secretary, and Mr. Talcott treasurer.

Mr. Webster and Mr. Wells appear now to be no more. They had been annually chosen into the magistracy, for about twenty years, and both had the honour of the chief seat of government.

At this election, the freemen having found by long experience that the clause in the third fundamental article, incapacitating any person to be chosen governor more than once in two years, was prejudicial rather than advantageous to the colony, resolved, that there should be liberty for the annual choice of the same person as governor, or of any other whom they should judge best qualified to serve the commonwealth.

During the wars between Uncas and the Narragansets, the latter besieged his fort near the bank of the Thames, until his provisions were nearly exhausted, and he found that he and his men must soon perish, by famine or sword, unless he could obtain speedy relief; but he found means of communicating his danger to the scouts, who had been sent out from Saybrook fort; and he represented the great danger the English in those parts would be in immediately, if they should suffer the Moheagans to be destroyed.

Upon this intelligence, one Thomas Leffingwell, an ensign at Saybrook, an enterprising, bold man, loaded a canoe with beef, corn, and peas, and, under cover of the night, paddled from Saybrook into the Thames, and had the address to get the whole into the fort; and the enemy soon perceiving

that Uncas was relieved, raised the siege. For this service, Uncas gave Leffingwell a deed of a great part, if not of the whole town of Norwich; and in June, 1659, Uncas, with his two sons, Owaneco and Attawanhood, by a more formal and authentic deed, made over to Leffingwell, John Mason, Esq., the Rev. James Fitch, and others, consisting of thirty-five proprietors, the whole township of Norwich, which is about nine miles square; and the company gave Uncas and his sons about seventy pounds, as a further compensation for so large and fine a tract.

Preparations were immediately made for its settlement; and this spring, (1660,) the Rev. James Fitch, with the principal part of his church and congregation, removed from Saybrook, and planted the town of Norwich. Three or four planters joined them from New London, and two or three from the towns of Plymouth and Marshfield, in Massachusetts; in 1663 the general assembly ordered that the deed should be recorded; and the limits were afterwards ascertained, and the town received a patent of the whole.

The Moheagans were a great defence, and of essential service to the town for many years; as they kept out their scouts and spies, and so constantly watched their enemies, that they gave the earliest notice of their approach. The hostile Indians at one time came near to the town, upon the Sabbath, with a design to make a descent upon it; but viewing it from an eminence, and seeing the Moheagan huts, they were intimidated, and went off without doing the least damage.

This year the town of Huntington, upon Long Island, was received as a member of the Connecticut jurisdiction.

The general court ordered, that grand jurors should be appointed in every town to make presentment of all breaches of law, in their respective towns; the presentments to be made to the particular court in May and October.

The accounts with the heirs of George Fenwick had not been closed, nor discharges given, relative to the purchase made of the fort at Saybrook, and the old patent of Connecticut; which was the occasion of great uneasiness among the people; and the three towns of Hartford, Windsor, and Weathersfield, presented petitions to the general court, praying that the accounts might be adjusted, and the colony discharged. In consequence, a large committee was appointed to make a complete settlement with the said heirs; who having prepared the accounts for a final adjustment, the general court, at their session in October, authorized them, in their behalf, to perfect and confirm the writings; and the governor was authorized, in their name, to affix the public seal of the colony to those which were to be delivered to Captain Cullick, and Elizabeth his wife, heirs of the said George Fenwick, Esq., and to receive of them the writings, to be delivered to the court, in favour of the colony. Accordingly, on the 7th of October, the colony discharged Captain Cullick and his wife, and their heirs, and they gave an ample discharge to the colony of Connecticut, from all sums of money due to Fenwick, by virtue of the agreements made with Mr. Fenwick.

Thus, after the term of sixteen years, from the first, and fourteen from the second agreement with Mr. Fenwick, the colony completed a settlement respecting the fort and lands holden by him; and became legally possessed of the tract conveyed to

the lords and gentlemen severally named in the patent. Upon a final adjustment of the accounts, it appeared that Mr. Cullick and the heirs of Mr. Fenwick were indebted 500*l.* sterling to the colony, which had been paid them, more than what was due according to the original agreements with Mr. Fenwick.

John Mason, Esq., now deputy-governor, had some time since been authorized, in behalf of the colony, to purchase of Uncas all the lands which he had reserved for himself and the Moheagans, in the deed of 1640, under the name of planting-grounds; and having effected the purchase, he made a surrender of the lands, in the presence of the general court. The following is the minute of the transaction:

"Hartford, session of the general court, March 14, 1660 (i. e. 1661, according to the present mode of dating).

"The jurisdiction power over that land, which Uncas and Wawequa have made over to Major Mason, is by him surrendered to this colony. Nevertheless, for the laying out of those lands in farms, or plantations, the court doth leave it in the hands of Major Mason. It is also ordered and provided, with the consent of Major Mason, that Uncas and Wawequa, and their Indians and successors, shall be supplied with sufficient planting-ground at all times, as the court sees cause, out of that land. And the Major doth reserve to himself a competency to make a farm."

For want of form, and a more legal manner of conveyance, with respect to those lands, originated the memorable Mason case, or controversy, as it was called; which continued about seventy years, and was an occasion of great trouble and expense to the colony.

The general court of Connecticut declare their loyalty and submission to Charles II.; determine to address his majesty, and apply for charter privileges—Governor Winthrop is appointed the colony's agent—Regicides condemned—Whalley and Goffe arrive at Boston—The king proclaimed—Governor Winthrop obtains the charter of Connecticut—First governor and council under the charter—Representation of the constitution it ordains, and the privileges it conveys—Difficulties of the colony of New Haven—Charter of Connecticut arrives—Proceedings of Connecticut in consequence of the charter—They extend their jurisdiction to all places within the limits of their patent, and challenge New Haven colony, as under their jurisdiction—Controversy between the two colonies—Settlement of Killingworth—Patent of the Duke of York—Colonel Nichols and commissioners arrive, reduce all the Dutch settlements—Their extraordinary powers—Important crisis of Connecticut—Boundaries between Connecticut and New York—Union of Connecticut and New Haven.

(1660.) The colony having purchased the patent, and the government of England having been settled in Charles II. and parliament, the general court determined to make application for a charter under the royal signature. They therefore avowed their allegiance to the king; declared that all the inhabitants of this colony were his faithful subjects; and that it was necessary to petition him for his grace, and the continuance and confirmation of their rights and privileges. The court resolved, that the 500*l.* due from Mr. Cullick should be appropriated to the prosecution of their application for a patent.

(1661.) At the session in May, a petition to the king was presented by the governor, and approved by the general court. That it might, however, be made as perfect as possible, the governor and deputy-governor, Mr. Wyllys, Mr. Allen, Mr. Warham, Mr. Stone, Mr. Hooker, Mr. Whiting, and the secretary, were appointed a committee for its emendation; and they were authorized to make all such alterations as they should judge expedient, provided the substance of it were retained; they were also directed to write letters to any noble personages in England, to whom it might be expedient to make application, and to transact whatever might be necessary respecting the petition and the procurement of a patent.

Governor Winthrop was appointed agent to present the petition to his majesty, and to transact all affairs in England, respecting the general welfare of the colony; and he had particular instructions from the general court for the management of the business of his agency; and was specially directed to obtain the consent, and take the advice of the nobles and gentlemen who had been interested in the old patent of Connecticut; and to engage the friendship and influence of all those who might be active and serviceable with respect to the interests of the colony.

In the petition to his majesty, it was represented that the greatest part of the colony had been purchased and obtained by great and valuable considerations; that some other part thereof had been obtained by conquest; and that it had with great difficulty, at the sole endeavours, expense, and charges of themselves and their associates, under whom they claimed, been subdued and improved, and thereby become a considerable enlargement and addition to his majesty's dominions and interests in New England.

At the same time a letter was addressed to Lord Say and Seal, representing the encouragements which their fathers and some of their surviving associates received from him, to transplant themselves into the inland parts of this vast wilderness, and their assurances of his patronage and favour; they also stated that Mr. George Fenwick, several years after he had taken possession of the entrance of Connecticut river, determining to return to England, proposed to sell the fort at Saybrook, with all the buildings and appurtenances there, together with all the lands upon the river as far eastward as Narraganset bay, with the right of jurisdiction, to the colony. They represented that this, at first, was strenuously opposed by many of the inhabitants, as they imagined his lordship, and the other noble patentees, had very bountiful intentions towards them; and that such a procedure would be extremely contrary to their designs. Nevertheless, that afterwards, as some of those gentlemen, who had the greatest interest in the affections of their lordships, were removed by death; and as Mr. Fenwick pretended to be the only patentee, and threatened that unless the colony would purchase the lands on his own terms, he would either impose duties upon the people, or sell the premises to the Dutch, they finally agreed with him and paid him 1,600*l.* for them; as the only way in which the peace and safety of the community could be preserved. As a further matter of grievance they complained, that besides this great abuse, Mr. Fenwick had given them no legal document to oblige himself or his heirs to fulfil his engagements; and that they had nothing to secure them in the enjoyment of their rights and privileges

as a distinct commonwealth. They further made complaint of encroachments made upon them on the north by the Massachusetts, and by them and others towards the Narragansets; and that they knew not how to support their claims, or ascertain their boundaries, without a patent.

The only alteration which had been made at the election, this year, in Connecticut, was the choice of Mr. Thurston Rayner into the magistracy; but at New Haven the alteration was very considerable.

Francis Newman, Esq., who had succeeded Governor Eaton in the chief seat of government, was now dead. He had been for many years secretary under the administration of Governor Eaton, and was well acquainted with the affairs of the colony; and is represented as a man of piety and unblemished morals, happily imitating his predecessors both in public and private life.

Upon the election William Leet, Esq. was chosen governor, and Mr. Matthew Gilbert, deputy-governor. Mr. Benjamin Fenn, Mr. Robert Treat, Mr. Jasper Crane, Mr. John Wakeman, and Mr. William Gibbard, were elected magistrates. The spirit of republicanism however was so high at New Haven, that several of them would not accept their appointments and take the oaths prescribed. Mr. Wakeman and Mr. Gibbard utterly refused. Mr. Fenn was hardly prevailed with to accept his office; but he at last took the oath, with this previous explanation, that it was only with reference to the particular laws of that colony; and that if any thing foreign should present, it should give no offence if he should decline acting. Mr. James Bishop was chosen secretary, and Mr. Robert Allen, treasurer.

It was about this time that Whalley and Goffe, two of Charles I.'s judges, then lately proclaimed as regicides, sought refuge in New Haven; but as an account has already been given of this transaction in the history of Massachusetts, we shall only thus refer to it here.

The New Haven assembly excused themselves for not making an address or application to his majesty, because it was to them a new and unprecedented affair, and they were ignorant of the proper form; and that they could not agree in one which might be acceptable: and as the form in which the colony of Massachusetts made their submission to the king had been laid before them, they declared, that it was to their satisfaction, and that from their hearts they acknowledged and said the same; and they promised full subjection and entire allegiance to his majesty King Charles II. Upon making this submission and declaration, they supplicated for the same immunities and privileges with their sister colonies, and declared their expectations of the full enjoyment of them.

At the same time they declined making any particular address to the king, on account of their inability to procure a proper agent to present it to his majesty; and in their embarrassment, they desired the general court of Massachusetts to represent them to the king as cordially owning and complying with their address, as though it had been said and made by themselves. They expressed their opinion of the necessity of a general agent for New England, to supplicate the royal favour to defeat the designs of their enemies, and to procure for them all acts of indemnity and grace; and agreed to bear their proportionable part of the expense, and they immediately sent an agent to Boston. One great cause of complaint against the colonies, had been their not proclaiming the king. But as he had now

been proclaimed in all the other colonies in New England, the general court at New Haven judged it expedient formally to proclaim him there.

The form was curious. It was expressed in the following concise words:—"Although we have not received any form of proclamation, by order from his majesty or council of state, for proclaiming his majesty in this colony, yet the court taking encouragement from what has been done in the rest of the united colonies, hath thought fit to declare publicly, and proclaim, that we do acknowledge his royal highness Charles II., king of England, Scotland, France, and Ireland, to be our sovereign lord and king; and that we do acknowledge ourselves, the inhabitants of this colony, to be his majesty's loyal and faithful subjects."

About this time, it seems, Governor Winthrop took his passage for England; and on his arrival there, he made application to Lord Say and Seal, and other friends of the colony, for their countenance and assistance.

Lord Say and Seal, who appears to have been the only nobleman living, who was one of the original patentees of Connecticut, received the address from the colony most favourably, and gave Governor Winthrop all the assistance in his power. The governor was a man of address, and arrived in England at a fortunate time for Connecticut; Lord Say and Seal, the great friend of the colony, had been particularly instrumental in the restoration; and was made lord privy seal; and the Earl of Manchester, another friend of the puritans, and of the rights of the colonies, was chamberlain of his majesty's household. He was also an intimate friend of Lord Say and Seal, and had been united with him in defending the colonies, and pleading for their establishment and liberties. Mr. Winthrop had an extraordinary ring, which had been given his grandfather by King Charles I., which he presented to the king; and which, it is said, extremely pleased him. Under these circumstances, the petition of Connecticut was presented, and was received with unusual favour.

Upon the 20th of April, 1662, were granted the letters patent, conveying the most ample privileges, and confirming the whole tract of country, granted by Charles I. to the earl of Warwick, and which was the next year by him consigned to Lord Say and Seal, Lord Brook and others. The patent granted the lands in free and common socage; and the facts, stated and pleaded in the petition, were recognised in the charter, nearly in the same form of words, as reasons of the royal grant, and of the ample privileges which it conveyed.

It ordained, that John Winthrop, John Mason, Samuel Wyllys, Henry Clarke, Matthew Allen, John Tapping, Nathan Gould, Richard Treat, Richard Lord, Henry Wolcott, John Talcott, Daniel Clarke, John Hogden, Thomas Wells, Obadiah Bruen, John Clark, Anthony Hawkins, John Deming, and Matthew Canfield, and all such others as then were, or should afterwards be admitted and made free of the corporation, should for ever after be one body corporate and politic, in fact and name, by the name of the "Governor and company of the English colony of Connecticut in New England in America;" and that by the same name they and their successors should have perpetual succession. They were capacitated, as persons in law, to plead and be impleaded, to defend and be defended, in all suits whatsoever: to purchase, possess, lease, grant, demise, and sell

lands, tenements, and goods, in as ample a manner as any of his majesty's subjects or corporations in England. And it ordained, that there should be, annually, two general assemblies; one holden on the second Thursday in May, and the other on the second Thursday in October; each to consist of the governor, deputy governor, and twelve assistants, with two deputies from every town or city. John Winthrop was appointed governor, and John Mason, deputy-governor, and the gentlemen named above, magistrates, until a new election should be made.

The company were authorized to have a common seal, to appoint judicatories, make freemen, constitute officers, establish laws, impose fines, assemble the inhabitants in marshal array for the common defence, and to exercise martial law in all cases in which it might be necessary. And it was specially ordained, that all the king's subjects in the colony should enjoy all the privileges of free and natural subjects within the realm of England; and that the patent should always have the most favourable construction for the benefit of the governor and company.

The charter did not come over until after the election, which took place on the 15th of May; when the freemen made no alteration in their officers.

Many of the colony of New Haven appear to have been exceedingly opposed to Charles II., and to the royal instructions which they had received; and it had been with great difficulty that the governor and council had managed the government in such a manner as to keep peace among the people, and not incur the displeasure of the king and his council; and although they had done as little as possible in conforming to his majesty's orders, yet they had done more than was pleasing to all; and there had been great complaints and tumults.

Governor Leet, therefore, at the court of election, represented to them the great difficulties and dangers of the year past, and the Divine goodness towards them, in the continuation of their civil and religious privileges; acknowledged himself to be subject to many imperfections, yet professed that, in his office, he had acted conscientiously, consulting the common safety and happiness; declared his readiness to give the reasons of his conduct to any brother, or brethren, who would come to him in an orderly manner; and acknowledged their kind affection and patience towards him in covering and passing by his infirmities.

Upon this the election proceeded, and he was chosen governor, and Matthew Gilbert deputy-governor. Mr. William Jones and Mr. William Gibbard were chosen magistrates for New Haven; Mr. Benjamin Fenn and Mr. Robert Treat, for Milford; and Mr. Jasper Crane, for Branford. Several of the magistrates took the oath this year, with the explanations and exceptions which they had made the last.

Before the session of the general assembly of Connecticut, in October, the charter was brought over; and as the governors and magistrates, appointed by the king, were not authorized to serve after this time, a general election was appointed on the 9th of October. John Winthrop, Esq. was chosen governor, and John Mason, Esq. deputy-governor. The magistrates were, Matthew Allen, Samuel Wyllys, Nathan Gould, Richard Treat, John Ogden, John Tapping, John Talcott, Henry Wolcott, Daniel Clarke, and John Allen, Esquires, Mr. Baker, and Mr. Sherman. John Talcott,

Esq. was treasurer, and D. Clarke, Esq. secretary.

Upon the day of the election, the charter was publicly read to the freemen, and declared to belong to them and their successors. They then proceeded to make choice of Mr. Wylls, Mr. Talcott, and Mr. Allen, to receive the charter into their custody, and to keep it in behalf of the colony; and it was ordered, that an oath should be administered by the court, to the freemen, binding them to a faithful discharge of the trust committed to them.

The general assembly established all former officers, civil and military, in their respective places of trust; and enacted, that all the laws of the colony should be continued in full force, except such as should be found contrary to the tenor of the charter. It was also enacted, that the same colony seal should be continued.

The major part of the inhabitants of Southold, several of the people at Guilford, and of the towns of Stamford and Greenwich, tendering their persons and estates to Connecticut, and petitioning to enjoy the protection and privileges of this commonwealth, were accepted by the assembly, and promised the same protection and freedom, which were common to the inhabitants of the colony in general. At the same time, it was enjoined those, to conduct themselves peaceably, as became Christians, towards their neighbours, who did not submit to the jurisdiction of Connecticut; and that they should pay all taxes due to the ministers, with all other public charges then due. A message was also sent to the Dutch governor, certifying him of the charter, granted to Connecticut, and desiring him by no means to trouble any of his majesty's subjects within its limits, with impositions, or prosecutions from that jurisdiction.

The assembly gave notice to the inhabitants of Winchester, that they were comprehended within the limits of Connecticut; and required that they should conduct themselves as peaceable subjects.

It was also resolved, that the inhabitants of Mystic and Pawcatuck should no more exercise any authority, by virtue of commissions from any other colony, but should elect their town officers, and manage all their affairs according to the laws of Connecticut. It was also resolved that this and some other towns should pay twenty pounds each towards defraying the expense of procuring the charter. It appears from the appropriations made, and taxes imposed, to pay the charges of Governor Winthrop's agency, that the charter cost the colony about thirteen hundred pounds sterling.

Huntingdon, Setauket, Oyster Bay, and all the towns upon Long Island, were obliged to submit to the authority, and govern themselves agreeably to the laws of Connecticut; and a court was instituted at Southold, consisting of Captain John Youngs, and the justices of South and East Hampton. And it was also resolved, that all the towns, which should be received under their jurisdiction, should bear their equal proportion of the charge of the colony, in procuring the patent.

As the charter included the colony of New Haven, Mr. Matthew Allen, Mr. Samuel Wylls, and the Rev. Messrs. Stone and Hooker, were appointed a committee, to proceed to New Haven, and to treat with their friends there, respecting an amicable union of the two colonies; which they accordingly did; and after a conference with the governor, magistrates, and principal gentlemen in the colony, left the following declaration to be communicated to the freemen,

"We declare, that through the providence of the Most High, a large and ample patent, and therein desirable privileges and immunities from his majesty, being come to our hand, a copy whereof we have left with you to be considered, and yourselves upon the sea-coast being included and interested therein, the king having united us in one body politic, we, according to the commission wherewith we are intrusted by the general assembly of Connecticut, do declare in their name that it is both their and our earnest desire that there may be a happy and comfortable union between yourselves and us, according to the tenor of the charter; that inconveniences and dangers may be prevented, peace and truth strengthened and established, through our suitable subjection to the terms of the patent, and the blessing of God upon us therein."

To which the authority of New Haven made the following reply:

"We have received and perused your writings, and heard the copy read of his majesty's letters patent to Connecticut colony; wherein, though we do not find the colony of New Haven expressly included, yet to show our desire that matters may be issued in the conserving of peace and amity, with righteousness between them and us, we shall communicate your writing, and a copy of the patent, to our freemen, and afterwards, with convenient speed, return their answer. Only we desire that the issuing of matters may be respited, until we may receive fuller information from Mr. Winthrop, or satisfaction otherwise; and that in the mean time this colony may remain distinct, entire, and uninterrupted as heretofore: which we hope you will see cause lovingly to consent unto; and signify the same to us with convenient speed."

On the 4th of November, the freemen of the colony of New Haven, convened in general court; when the governor communicated the writings to the court, and ordered a copy of the patent to be read; and after a short adjournment for consideration in an affair of so much importance, the freemen met again, and proceeded to a large discussion of the subject.

The Rev. Mr. Davenport was entirely opposed to a union with Connecticut; and proceeded, therefore, to offer a number of reasons why the inhabitants of New Haven could not be included in the patent of that colony, and for which they ought by no means voluntarily to form a union. He promulgated his reasons in writing, for the consideration of the freemen; wherein it was insisted, that New Haven had been owned as a distinct government, not only by her sister colonies, by the parliament, and the protector, during their administration, but by his majesty King Charles II. That it was against the express articles of confederation, by which Connecticut was no less bound than the other colonies: that New Haven had never been certified of any such design as their incorporation with Connecticut; and that they had never been heard on the subject. It was further urged, that had it been designed to unite them with Connecticut, some of their names at least would have been put into the patent with the other patentees; but none of them were there; and it was urged, that it would be incompatible both with their honour and most essential interests to consent to a union.

Governor Leet excused himself from speaking on the subject, desiring rather to hear the freemen speak their minds freely, and to act themselves. After the affair had been fully debated, the free-

men resolved that an answer to Connecticut should be drawn up under the following heads.

"1. Bearing a proper testimony against the great sin of Connecticut, in acting so contrary to righteousness, amity, and peace.

"2. Desiring that all further proceedings, relative to the affair, might be suspended until Mr. Winthrop should return, or they might otherwise obtain further information and satisfaction.

"3. To represent, that they could do nothing in the affair until they had consulted the other confederates."

The freemen appointed all their magistrates and elders, with Mr. Law, of Stamford, a committee to draw up an answer to the general assembly of Connecticut; and they were directed to subjoin the weighty arguments which they had against a union; and if these should not avail, they were directed to prepare an address to his majesty, praying for relief.

The committee consequently drew up a long letter, in which they declared, that they did not find any command in the patent, to dissolve covenants, and alter the orderly settlement of New England; nor a prohibition against their continuance as a distinct government. They represented, that the conduct of Connecticut, in acting at first without them, confirmed them in those sentiments; and that the way was still open for them to petition his majesty, and obtain immunities, similar to those of Connecticut. They declared, that they must enter their appeal from the construction which Connecticut put upon the patent; and desired that they might not be interrupted in the enjoyment of their distinct privileges. They solicited, that proceedings relative to a union might rest, until they might obtain further information, consult their confederates, and know his majesty's pleasure concerning them.

The committee then proceeded to represent the unreasonable and injurious conduct of Connecticut towards them, in beginning to exercise jurisdiction within their limits, before they had given them any intimations that they were included in their charter; before they had invited them to an amicable union; and before they had any representation in their assembly, or name in their patent. They urged, that in such a procedure, they had encouraged division, and given countenance to disaffected persons: that they had abetted them in slighting solemn covenants and oaths, by which the peace of the towns and churches in that colony was greatly disturbed. Further, they insisted, that by this means, his majesty's pious designs were counteracted, and his interests disserved; that great scandal was brought upon religion before the natives, "and the beauty of a peaceable, faithful and brotherly walking exceedingly marred among themselves." They also represented that these transactions were entirely inconsistent with the engagements of Governor Winthrop, contrary to his advice to Connecticut, and tended to bring injurious reflections and reproach upon him. They earnestly prayed for a copy of all which he had written to the deputy-governor and company on the subject; declared themselves exceedingly injured and grieved; and entreated the general assembly of Connecticut to adopt speedy and effectual measures to repair the breaches which they had made, and to restore them to their former state, as a confederate and sister colony.

Connecticut made no reply to this letter; but at a general assembly, holden March 11th, 1663, ap-

pointed the deputy-governor, Messrs. Matthew and John Allen, and Mr. John Talcott, a committee to treat with their friends at New Haven on the subject of a union. But the hasty measures which the general assembly had taken, in admitting the disaffected members of the several towns, under the jurisdiction of New Haven, to their protection, and to the privileges of freemen of their corporation, and in that way beginning to dismember that colony before they had invited them to incorporate with them, had so soured their minds and prejudiced them, that this committee had no better success than the former.

In consequence of the claims of Connecticut, and of what had passed between the two colonies, Governor Leet called a special assembly at New Haven, on the 6th of May; when it was proposed to the court, whether, considering the present state of the colony, and the affairs depending between them and Connecticut, any alteration should be made with respect to the time or manner of their election? The freemen resolved that no alteration should be made. They then determined upon a remonstrance, or declaration, being sent to the general assembly of Connecticut; in which they gave an historical account of the ends of their coming, with their brethren in the united colonies, into New England, and of the solemn manner in which these colonies had confederated; and repeated many of their former complaints against Connecticut. The court also affirmed, that they were necessitated to bear testimony against the appointment of constables and other officers, in the towns under their jurisdiction, and the dismembering of their colony, by receiving their disaffected people under the protection of a legislature distinct from theirs, and in which they had no representation; and remonstrated against it, as distracting the colony, destroying the comfort, and hazarding the lives and liberties of their confederates; and as giving great offence to their consciences, and as matter of high provocation and complaint before God and man.

While these affairs were transacted in the colonies, the petition and address of New Haven, to the king, arrived in England; upon which Governor Winthrop, who was yet there, by the advice of the friends of both colonies, agreed, that no injury should be done to New Haven, and that the union and incorporation of the two colonies should be voluntary; and he therefore, on the 3d of March, 1663, wrote to the deputy-governor and company of Connecticut, informing them of his engagements to the agent of New Haven; and that, before he took out the charter, he had given assurance to their friends that their interests and privileges should not be injured by the patent. He represented, that they were bound by the assurances he had given; and therefore wished them to abstain from all further injury and trouble of that colony; and imputed what they had done to their ignorance of the engagements which he had made; and at the same time, intimated his assurance, that, on his return, he should be able to effect an amicable union of the colonies.

At the election in Connecticut, Mr. Howell and Mr. Jasper Crane were chosen magistrates, instead of Mr. John Allen and Mr. John Ogdén. Mr. John Allen was appointed treasurer.

Connecticut now laid claim to West Chester, and sent one of their magistrates to cite the inhabitants to the choice of their officers, and to administer the proper oaths to such as they should elect. They

also extended their claim to the Narraganset country, and appointed officers for the government of the inhabitants at Wickford.

Notwithstanding the remonstrance of the court at New Haven, their appeal to the king, and the engagements of Governor Winthrop, Connecticut pursued the affair of a union in the same manner in which it was begun; and at a session of the general assembly, August 19th, 1663, the deputy-governor, Mr. Wyllys, Mr. Daniel Clarke, and Mr. John Allen, were appointed a committee to treat with their friends of New Haven, Milford, Guilford, and Branford, relative to their incorporation with Connecticut. Provided they could not effect a union by treaty, they were authorized to read the charter publicly at New Haven, and to make declaration to the people there, that the assembly could not but resent their proceedings as a distinct jurisdiction, since they were evidently included within the limits of the charter, granted to the corporation of Connecticut; and they were instructed to proclaim that the assembly desired, and could not but expect, that the inhabitants of New Haven, Milford, Guilford, Branford, and Stamford, would yield submission to the government of Connecticut.

At the meeting of the commissioners in September, New Haven was owned by the colonies as a distinct confederate; and Governor Leet and Mr. Fenn, who had been sent from that jurisdiction, exhibited a complaint against Connecticut of the injuries which they had done by encroaching upon their rights, receiving their members under their government, and encouraging them to disown their authority, to disregard their oath of allegiance, and to refuse all attendance on their courts. They further complained that Connecticut had appointed constables in several of their towns, to the great disquiet and injury of the colony; and prayed that effectual measures might be taken to redress their grievances, to prevent further injuries, and secure their rights as a distinct confederate.

Governor Winthrop and Mr. John Talcott, commissioners from Connecticut, replied, that in their opinion New Haven had no just grounds of complaint; that Connecticut had never designed them any injury, but had made to them the most friendly propositions, inviting them to share with them freely in all the important and distinguishing privileges which they had obtained for themselves; that they had sent committees amicably to treat with them; that they were still treating, and would attend all just and friendly means of accommodation.

The commissioners of the other colonies having fully heard the parties, determined that as the colony of New Haven had been "owned in the articles of confederation as distinct from Connecticut, and having been so owned by the colonies jointly in the present meeting, in all their actings, they may not by any acts of violence have their liberty of jurisdiction infringed by any other of the united colonies, without breach of the articles of confederation; and that where any act of power hath been exerted against their authority, that the same ought to be recalled, and their power reserved to them entire, until such time as in an orderly way it shall be otherwise disposed." With respect to the particular grievances mentioned by the commissioners of New Haven, the consideration of them was referred to the next meeting of the commissioners at Hartford.

The extending of the claims of Connecticut to all

the plantations upon Long Island, to West Chester, and the neighbouring towns, alarmed Stuyvesant the Dutch governor; and he therefore appeared before the commissioners at Boston, and complained of the infraction of the articles of agreement, concluded at Hartford, between the English and Dutch, and desired the commissioners to determine whether they considered those articles as binding or not. As this complaint more especially respected Connecticut, Governor Winthrop and Mr. Talcott replied in behalf of their constituents; and pleaded, that, as it was an affair of great concernment, and as Connecticut had not been informed of any such complaint, and they had no instructions relative to the subject, the decision of it might be deferred until the next meeting of the commissioners.

The commissioners resolved, that saving their allegiance to his majesty, and his claim to the lands in controversy, and the right of Connecticut colony, by virtue of their charter, they did for themselves esteem the articles of agreement in 1650 to be binding, and that they would not countenance the violation of them; and they advised the parties concerned to refer all matters respecting the subject to the next meeting of the commissioners; and in the mean time recommended that the articles of agreement should be observed, and that all persons in the places in controversy should be acquitted from penalties and damages on the account of their having resisted the authority of the Dutch.

Connecticut was now attacked from all quarters. While the colony was without a royal grant, its neighbours made encroachments with impunity; and now, when it extended its claims, by virtue of regal authority, they all complained, and took all possible advantage of former encroachments and decisions, at times when they could plead no such authority; and as all the united colonies, except Plymouth, were affected by the claims of the colony, so they were mutually interested in opposing and determining against them.

As Connecticut had now claimed Pawcatuck, or Southerton, and prohibited the exercise of any authority there, except such as was derived from the legislature of that colony, the inhabitants had exhibited three addresses to the general court of Massachusetts, petitioning for relief and protection; and the commissioners from Massachusetts, Mr. Bradstreet and Mr. Danforth, laid the complaints and petitions before the commissioners of the other colonies, and prayed for relief, according to the provision made in such cases, in the articles of confederation.

The court of commissioners advised that the affair should be deferred for the present; that Connecticut should apply to the general court of the Massachusetts for an amicable settlement; and that, if this should not be effected, the aggrieved party might make application to the commissioners at their next meeting. In the mean time, they advised that affairs at Southerton should be managed according to their former decisions.

When the general assembly of Connecticut assembled in October, they paid particular attention to these occurrences; and notwithstanding all that had happened relative to New Haven, the following act passed.

"This court doth declare, that they can do no less for their own indemnity, than to manifest their dissatisfaction with the plantations of New Haven, Milford, Guilford, Stamford, and Branford, in their distinct standing from us in point of government;

it being directly opposite to the tenor of the charter lately granted to our colony of Connecticut, in which these plantations are included. We do also expect their submission to our government, according to our charter, and his majesty's pleasure therein expressed; it being a stated conclusion with the commissioners, that jurisdiction right goeth with patent. And whereas, the aforesaid people of New Haven, Milford, Guilford, Stamford, and Branford, pretend they have power of government distinct from us, we do hereby declare, that our council will be ready to attend them, or a committee of theirs; and if they can rationally make it appear that they have such power, and that we have wronged them according to their complaints, we shall be ready to attend them with due satisfaction."

The assembly appointed a committee to compose a letter to the gentlemen at New Haven, and to enclose to them the preceding resolution.

Agents were sent to this assembly from the Manhadoes, to treat with the legislature, relative to the differences subsisting between them and the Dutch; and a petition at the same time was presented from the English plantations upon Long Island, in the vicinity of the Dutch, praying for the protection and privileges of the corporation of Connecticut. Upon which the assembly resolved, "that, as they were solicitous to maintain in the interests and peace of his majesty's subjects, and yet to attend all ways of righteousness, so that they might hold a friendly correspondence with their neighbours at the Manhadoes, they would for the present forbear all acts of authority towards the English plantations on the west end of Long Island, provided the Dutch would forbear to exercise any coercive power towards them; and this court shall cease from further attendance unto the premises, until there be a seasonable return from the General Stevenson, to those propositions his messengers carried with them, or until there be an issue of the difference between them and us. And in case the Dutch do unjustly molest or offer violence unto them, we declare that we shall not be willing to see our countrymen, his majesty's natural born subjects, and his interests interrupted or molested by the Dutch or any others; but we shall address ourselves to use such just and lawful means as God shall in his wisdom offer to our hands for their indemnity and safety, until his majesty our sovereign lord the king shall please to declare his royal pleasure for their future settlement."

As Governor Winthrop was now returned from England, the assembly embraced the first opportunity to present him with the thanks of the colony for the great pains he had taken, and the special services he had rendered it, in procuring the charter.

The legislature, determining to secure as far as possible the lands within the limits of their charter, authorized one Thomas Pell to purchase of the Indian proprietors all that tract between West Chester and Hudson's river, and the waters which made the Manhadoes an island; and resolved that it should be added to West Chester.

On the towns on the west end of Long Island petitioning to be under the government of Connecticut, the assembly declared, that as the lines of their patent extended to the adjoining islands, they accepted those towns under their jurisdiction.

It was resolved in October, that Hammonasset should be a town; and the same month, twelve planters, principally from Hartford, Windsor, and Guilford, fixed their residence there. It was subsequently

named Killingworth; and in 1703, the assembly gave them a patent, confirming to the proprietors all the lands within the limits of the town. The name originally designed was Kennelworth, and thus it is written for some years on the record of the colony, but by mistake it was recorded Killingworth, and this name finally prevailed.

While these affairs were transacted in Connecticut, the colony of New Haven persisted in their opposition to an incorporation with that government; and on the 22d of October, their general court convened, and Governor Leet stated, that since the meeting of the commissioners, the committee had written to Connecticut. "That as the commissioners had unanimously established the confederation, and the distinct and entire jurisdiction of each confederate colony, they judged that it would not be unacceptable to present to their general assembly a request, that they would act in conformity to the advice of the commissioners, and recall all former acts, inconsistent with their determinations. They insisted, that a compliance with their wishes would be no obstruction to an amicable treaty; but that its tendency would be sooner to effect the union, which they desired: that it could by no means endanger their patent, nor any of their chartered rights; and that they had the countenance of all the confederates, to apologize for them in their present request, and in maintaining their rights as a distinct jurisdiction." Governor Leet further informed the court that their committee had desired an answer to their letter, before the present session of their general court, and previously to their answering the proposals made to them by Connecticut.

The freemen of the colony of New Haven were not only opposed to an incorporation with Connecticut, but even to treating with them, under the then present circumstances; and the court, after a long and serious debate, considering that the general court of Connecticut had not complied with their request, but still claimed a right of jurisdiction over them, and countenanced the malcontents in their several towns, were decidedly against any further treaty; and consequently a resolution was adopted. "That no treaty be made by this colony with Connecticut, before such acts of power, exerted by them upon any of our towns, be revoked and recalled, according to the honourable Mr. Winthrop's letter engaging the same, the commissioners' determination, and our frequent desires."

The court ordered that the magistrates, or other officers where there were no magistrates, should issue warrants according to law, to attach the personal estate of those who upon legal demand had refused, or should refuse, to make payment of their rates. It was provided, that in case of resistance and forcible rescue, violence should not be used to the shedding of blood, unless it were in a man's own defence. The court further determined to make application to the English government, and to petition the king for a bill of exemption from the government of Connecticut, and to leave the affair of procuring a patent to the wisdom of their agents in England, as they should judge to be most expedient.

A tax of 300*l.* was levied upon the colony, for the purpose of enabling them to prosecute this affair; and a day of extraordinary fasting and prayer was appointed to supplicate Divine mercy to direct them to the proper means of obtaining an established and permanent enjoyment of their just rights and privileges.

The affairs of the colony of New Haven were now exceedingly embarrassed, and approached to an important crisis. The colony was much in debt: many were disaffected with the government, and refused to pay any thing for its support: and when the officers attempted to collect the taxes which had been imposed, they repaired to Connecticut for protection; and with too little appearance of justice or brotherly affection, were protected by its legislature. Indeed the colony was so reduced, that it could not pay the stated salaries of its principal officers; and while the court expressed their ardent desire to pay the salaries which had been usual, yet they found they were not able to give the governor more than forty pounds, and the deputy-governor not more than ten.

No sooner did the officers begin to distrain the rates of those who refused to pay, than it produced the most alarming and dangerous consequences. One John Rossiter of Guilford and his son, who had both been punished for misdemeanors by the authority of the colony of New Haven, made a journey to Hartford, and obtained two of the magistrates of Connecticut, a constable, and several others to come down to Guilford on the night of the 30th of December. By firing a number of guns in the night, they greatly alarmed and disturbed the town; and some of the men from Connecticut were rough, and used violent and threatening language. In such a crisis, Governor Leet judged it expedient to send immediately to Branford and New Haven for assistance; and both those towns were alarmed in the night, and forwarded men to the aid of the governor; and the governor and magistrates conducted affairs with such moderation and prudence, that no mischief was done; and the gentlemen from Connecticut remonstrated against collecting taxes from those who had been taken under the protection of that colony, and desired New Haven to suspend the affair for further consideration.

Governor Leet therefore convoked a special court at New Haven on the 7th of January, 1664; and opened the public business by acquainting the court that it was the earnest desire of the magistrates from Connecticut, and of Mr. Rossiter and his son, that the act of the general court of New Haven, relative to the distraining of taxes, might be suspended until there could be another conference between the colonies; at which they were in expectation that all difficulties might be amicably settled. He also laid before the court the representations which the gentlemen from Connecticut had made of the great danger there would be in carrying that act into execution, in direct opposition to the authority of Connecticut; and it was desired that the court would maturely consider the affair.

The court insisted that all former treaties with Connecticut had been without any good effect; and persisted in the resolution, that, until the members, which had been so unrighteously taken from them, should be restored, they would hold no further treaty with that colony. Mr. Davenport and Mr. Street were appointed to make a draught of their grievances, to be transmitted to the general assembly of Connecticut; and they drew up a long and sensible remonstrance, which they termed "New Haven case stated." The subject was introduced with a declaration; that it was their deep sense of the injuries which the colony had suffered by the claims and encroachments which had been made upon their just prerogatives and privileges, which had induced them, unanimously, though with great reluctance,

to declare their grievances to them; and they proceeded then to declare that they settled at New Haven, with the consent of Connecticut; had purchased the whole tract of land, which they had settled upon the sea-coast, of the Indians, the original proprietors of the soil; and had quietly possessed it nearly six-and-twenty years: that they had expended great estates, in clearing, fencing, and cultivating the lands, without any assistance from Connecticut; and had formed themselves, by voluntary compact, into a distinct commonwealth. They then cited a great variety of instances in which Connecticut, the united colonies, the parliament, and protector, the king, and his council, had, owned them as a distinct colony; and they insisted, that notwithstanding they had now procured a patent including New Haven, not only without their concurrence, but contrary to their desire previously expressed; and contrary to the express articles of the confederation, and to their own engagements, not to include them in the charter: further they affirmed, that Mr. Winthrop, before his departure for England, had by his letters given assurance that it was not designed to include New Haven in the patent; and that the magistrates of Connecticut had agreed, that if the patent should include them, they should be at full liberty to incorporate with them or not, as should be most agreeable to their inclinations: they alleged that, contrary to all the premises, to justice, to good faith, to brotherly kindness, to the peace and order of church and commonwealth, Connecticut, even in their first assembly, proceeded to the dismemberment of the colony of New Haven, by receiving its members from Stamford, Guilford, and Southhold; that after such dismemberment, they had preposterously pretended to treat with them relative to a union; and that after a conference with the committee from Connecticut, and the reading of their charter, it did not appear that they were so much as mentioned, or that it had any reference to them: they declared that, in a full persuasion of his majesty's pleasure, to continue them a distinct jurisdiction, they had assured the committee of their design to appeal to him, and know his royal purpose; that though they immediately sent their appeal, yet that out of tender respect to the peace and honour of Mr. Winthrop, they advised their friends in England to acquaint him with their papers, that he might adopt some effectual expedient to compromise the unhappy differences between the two colonies; and that it was on the account of Mr. Winthrop's engagements to their friends, that their rights and interests should not be disquieted nor injured, that the appeal to his majesty was then suspended. From a statement of these, and some other facts and circumstances, they attempted to demonstrate their rights as a distinct colony, and the injustice, unfaithfulness, ingratitude, and cruelty of Connecticut, in their claims upon them, and in the manner of their prosecuting them. Their beginning to dismember their colony, by receiving and protecting their subjects and malcontents, previous to any treaty with them; their appointing officers, creating animosities, and raising alarms in their several towns, were especially insisted on as contrary to all their covenants, as brethren and confederates, and contrary to all order, peace and justice.

The general assembly of Connecticut, at their session in May, avowed their claim to Long Island, as one of the adjoining islands mentioned in their charter, except some preceding right should appear,

approved by his majesty; and officers were appointed by the court at Hampstead, Jamaica, Newtown, Flushing, Oyster Bay, and all the towns upon the west end of the island.

Upon the general election at New Haven, the freemen proceeded to the choice of their civil officers, as had been usual. Governor Leet was rechosen, and Mr. William Jones was elected deputy-governor. Matthew Gilbert, Esq. the former deputy-governor, Mr. Benjamin Fenn, Mr. Jasper Crane, Mr. Treat, and Mr. Nash, were appointed magistrates. The two last would not accept the office. The governor and deputy-governor were chosen commissioners for the next meeting at Hartford.

The colony was now become so weak, and the affairs of it so embarrassed, by the claims and proceedings of Connecticut, that the general court either did no business, or judged it expedient to put nothing upon record. At this crisis an event took place, which alarmed all the New England colonies, and at once changed the opinions of the commissioners, and of New Haven, with respect to their incorporation with Connecticut. King Charles II., on the 12th of March, 1664, gave a patent to his brother the Duke of York and Albany, of several extensive tracts of land in North America, the boundaries of which are given in the account of this transaction in our notice of New York; as are also the results of the Dutch war.

The short time the king's commissioners stayed at Boston, before they proceeded upon their expedition against the Dutch, was sufficient to discover something of their extraordinary powers, and gave such a notion of the high and arbitrary manner in which they proceeded, as spread a general alarm, and awakened in the colonies serious apprehensions for their liberties. Mr. Whiting, who was at Boston, and learned much of their temper, was sent back in haste to give information of the danger, in which it was apprehended the colonies all were; to advise New Haven to incorporate with Connecticut without delay; and to make a joint exertion for the preservation of their chartered rights. This was pressed, not only as absolutely necessary for New Haven, but for the general safety of the country.

In consequence of this intelligence, a general court was convened at New Haven on the 11th of August, 1664; and Governor Leet communicated the intelligence which he had received from their friends at Boston. He acquainted them that Mr. Whiting and Mr. Bull had made a visit to New Haven, and in their own names, and in behalf of the magistrates of Connecticut, pressed their immediate subjection to their government; and the court was further certified, that after some treaty with those gentlemen, their committee had given an answer, purporting, that if Connecticut would, in his majesty's name, assert their claim to the colony of New Haven, and secure them in the full enjoyment of all the immunities which they had proposed, and engage to make a united exertion, for the preservation of their chartered rights, they would make their submission. After a long debate the court resolved, that if Connecticut should come and assert their claim, as had been agreed, they would submit until the meeting of the commissioners of the united colonies. The magistrates and principal gentlemen of the colony seem to have been sensible, not only of the expediency, but necessity of an incorporation with Connecticut; but the opposition, however, was

so general among the people, that nothing further could be effected.

The court of commissioners was so near at hand, that Governor Winthrop and his council adjudged it not expedient to make any further demands upon New Haven until their advice could be known. However, when the general assembly met early in September, they presented a remonstrance against the sitting of Governor Leet and Deputy-governor Jones with the commissioners; and declared in it that New Haven was not a colony, but a part of Connecticut, and avowed their claim to it as such. They insisted, that owning that as a colony distinct from Connecticut, after his majesty had, by his letters patent, incorporated it with that colony, was inconsistent with the king's pleasure; would endanger the rights of all the colonies, and especially the charter-rights of Connecticut; and at the same time declared that they would have a tender regard to their friends and brethren at New Haven, and exert themselves to accommodate them with all the immunities and privileges which were conveyed by their charter.

On the first of September, the court of commissioners met at Hartford; and the commissioners from New Haven were allowed their seats with the other confederates; and the case between them and Connecticut was fully heard; and though the court did not approve of the manner in which Connecticut had proceeded, yet they earnestly pressed a speedy and amicable union of the two colonies. To remove all obstructions on their part, the commissioners recommended it to the general courts of Massachusetts and Plymouth, that, in case the colony of New Haven should incorporate with Connecticut, they might then be owned as one colony, and send two commissioners to each meeting; and that the determinations of any four of the six should be equally binding on the confederates, as the conclusions of six out of eight had been before. It was also proposed to the court, that the meeting, which of course had been at New Haven, should be at Hartford; and it was determined that their meetings for the future should be triennial.

In compliance with the advice of the commissioners, Governor Leet convened the general Court at New Haven, on the 14th of September, and communicated the advice which had been given, and papers from the committee of Connecticut, advising and urging them to unite; who referred it to their most serious consideration, whether, if the king's commissioners should visit them, they would not be much better able to vindicate their liberty and just rights in union with Connecticut, under a royal patent, than in their then present circumstances; but after the fullest discussion of the subject, no vote for union or treaty could be obtained.

New Haven and Branford were more fixed and obstinate in their opposition to an incorporation with Connecticut than any of the other towns in that colony; Mr. Davenport and Mr. Pierson seem to have been among its chief supporters; and they, with many of the inhabitants of the colony, were more rigid, with respect to the terms of church communion, than the ministers and churches of Connecticut generally were. The ministers and churches of the latter were, a considerable number of them, in favour of the propositions of the general council, which met at Cambridge, in 1662, relative to the baptism of children, whose parents were not in full communion; the ministers and churches of New Haven were universally and completely against

them. Mr. Davenport, and others of that colony were of opinion, that all government should be in the church; and no person could be a freeman there, unless he were a member in full communion. But in Connecticut, all orderly persons possessing a freehold to a certain amount, might be made free of the corporation. Those who were so strong in the opposition, were doubtless jealous that a union would mar the purity and order of their churches, and have a bad influence on the civil administrations. The removal of the seat of government; the apprehension which some had of losing their places of trust and general influence; with strong prejudices and passions against Connecticut, on account of the injuries which it was conceived it had done the colony, all operated in forming the opposition.

This event, however, was approaching, and grew more and more urgent. Milford at this time broke off from them, and would not send either magistrate or deputies to the general court; and Mr. Richard Law, a principal gentleman at Stamford, also deserted them.

In this state of affairs, the general assembly of Connecticut met on the 13th of October. It was an important crisis with the colony; and there have been few instances of so many important objects of consideration at one time presenting themselves to a colonial legislature. Their liberties were not only in equal danger with those of their sister colonies, from the extraordinary powers and arbitrary dispositions and measures of the king's commissioners, but the Duke of York, a powerful antagonist, had received a patent, covering Long Island, and all that part of the colony west of Connecticut river: the Massachusetts were encroaching upon them on their northern and eastern boundaries: William and Ann, the duke and duchess of Hamilton, had petitioned his majesty to restore to them the tract of country granted to their father, James, marquis of Hamilton, in the year 1635; and his majesty had on the 6th of May, 1664, referred the case to the determination of Colonel Nichols and the other commissioners; and in addition to all these, the state of affairs with New Haven was unsettled.

In these circumstances, the legislature viewed it as a point of extreme importance to conciliate the commissioners, and obtain the good graces of the king; and for this purpose, they ordered a present of five hundred bushels of corn, to be made to the king's commissioners; and a large committee was appointed to settle the boundaries between Connecticut and the duke of York; and a committee, consisting of Mr. Allen, Mr. Wylys, Mr. Talcott, and Mr. Newbury, was also appointed to settle the boundary line between this colony and Massachusetts, and between Connecticut and Rhode Island.

Mr. Sherman, Mr. Allen, and the secretary, were authorized to proceed to New Haven, and by order of the general assembly, "in his majesty's name, to require the inhabitants of New Haven, Milford, Branford, Guilford, and Stamford, to submit to the government established by his majesty's gracious grant to this colony, and to receive their answer;" and they had instructions to declare all the freemen in those towns, free of the corporation of Connecticut; and to make all others, in the respective towns mentioned, qualified according to law, freemen of Connecticut, and they were directed to administer to them the freeman's oath. They were also authorized to make declaration, that the assembly invested William Leet and William Jones, Esquires,

Mr. Gilbert, Mr. Fenn, Mr. Crane, Mr. Treat, and Mr. Law, with the powers of magistracy; to govern their respective plantations agreeably to the laws of Connecticut, or such of their own laws as were not inconsistent with the charter, until their session in May next; and it was likewise proclaimed, that all other officers, civil and military, were established in their respective places; and that cognisance should not be taken of any case which had been prosecuted to a final adjudication, in any of the courts of that colony.

Governor Winthrop, Mr. Allen, Mr. Gould, Mr. Richards, and John Winthrop, the committee appointed to settle the boundaries between Connecticut and New York, waited on the commissioners upon York Island; and after they had been fully heard in behalf of Connecticut, the commissioners determined, "That the southern bounds of his majesty's colony of Connecticut is the sea; and that Long Island is to be under the government of his royal highness the duke of York, as is expressed by plain words in the said patents respectively. We also order and declare, that the creek or river called Mamaroneck, which is reputed to be about twelve miles to the east of West Chester, and a line drawn from the east point or side, where the fresh water falls into the salt at high-water mark, north-north-west, to the line of Massachusetts, be the western bounds of the said colony of Connecticut; and the plantations lying westward of that creek, and line so drawn, to be under his royal highness's government; and all plantations lying eastward of that creek and line, to be under the government of Connecticut."

In consequence of the acts of Connecticut, and the determination of the commissioners, relative to the boundaries of the colony, a general court was called at New Haven with the freemen, and as many of the inhabitants of the colony as chose to attend, on the 13th of December, 1664; when the following resolutions were unanimously passed.

"1. That, by this act or vote, we be not understood to justify Connecticut's former actings, nor any thing disorderly done by their own people on such accounts.

"2. That, by it we be not apprehended to have any hand in breaking or dissolving the confederation.

"3. Yet, in loyalty to the king's majesty, when an authentic copy of the determination of his majesty's commissioners is published, to be recorded with us if thereby it shall appear to our committee that we are by his majesty's authority now put under Connecticut patent, we shall submit by a necessity brought upon us by the means of Connecticut aforesaid; but with a *salvo jure* of our former rights and claims, as a people, who have not yet been heard in point of plea."

The members of the court then present, the elders of the colony, with Mr. John Nash, Mr. James Bishop, Mr. Francis Bell, Mr. Robert Treat, and Mr. Richard Baldwin, were appointed a committee to consummate a union between the colonies.

Several letters passed between the committees of the two colonies on the subject, in which the committee of New Haven signified that the officers in that colony would continue to act in their respective offices, and expressed their good designs and wishes towards Connecticut, and their loyalty to his majesty. They also represented their expectations that the governor and company, according to their engagements, would give them all the advantages and privileges which they could do, consist

ent with the patent, and their desires still to continue the confederation.

The committee of Connecticut, in answer to New Haven, assured them of their willingness to bestow on them all the privileges granted in their charter; and pleaded the necessity and importance of their incorporation with Connecticut, as they were nearly in the centre of the colony, as an apology for the measures which they had taken. They also expressed their strong desire that New Haven should cordially unite with them, and by no means view it as a matter of constraint; that mutual candour might be exercised; and that all reflections and past conduct, disagreeable to either of them, be entirely buried and for ever forgotten.

(1665.) The general assembly of Connecticut appointed no committee to meet with that chosen by the general court of New Haven; and of this their committee complain in their last letter. However, at a session of theirs, the 20th of April, 1665, they passed several resolutions for the further completion of the union; among which it was resolved, that William Leet, and William Jones, Esquires, Mr. Benjamin Fenn, Mr. Matthew Gilbert, Mr. Jasper Crane, Mr. Alexander Bryan, Mr. Law, and Mr. Robert Treat, should stand in the nomination for magistrates at the next election. They also passed the following declaration: "That all acts of the authority of New Haven, which had been uncomfortable to Connecticut, should never be called to an account, but be buried in perpetual oblivion."

The king's commissioners presented the following propositions, or requisitions from his majesty, to this assembly.

"1. That all householders inhabiting this colony, take the oath of allegiance, and that the administration of justice be in his majesty's name.

"2. That all men of competent estates and of civil conversation, though of different judgments, may be admitted to be freemen, and have liberty to choose, or to be chosen officers, both military and civil.

"3. That all persons of civil lives may freely enjoy the liberty of their consciences, and the worship of God in that way which they think best; provided that this liberty tend not to the disturbance of the public, nor to the hindrance of the maintenance of ministers, regularly chosen, in each respective parish or township.

"4. That all laws, and expressions in laws, derogatory to his majesty, if any such have been made in these troublesome times, may be repealed, altered, and taken off the file."

The assembly answered in the manner following:

"1. That according to his majesty's pleasure, expressed in our charter, our governor formerly appointed meet persons to administer the oath of allegiance, who have, according to their order, administered the said oath to several persons already; and the administration of justice among us hath been, is, and shall be, in his majesty's name.

"2. That our order for the admission of freemen is consonant with that proposition.

"3. We know not of any one that hath been troubled by us for attending his conscience, provided he hath not disturbed the public.

"4. We know not of any law, or expressions of law, that are derogatory to his majesty among us; but if any such be found, we count it our duty to repeal, alter, and take them off the file; and to this we attended upon the receipt of our charter."

About this time the council gave the following

answer to the commissioners relative to the claim and petition of the duke of Hamilton: "That the grant of Connecticut to the nobles and gentlemen, of whom they purchased, was several years prior to the marquis of Hamilton's: that with great difficulty they had conquered a potent and barbarous people, who spread over a great part of that tract of country, which he claimed; and that it was but a small compensation for the blood and treasure which they had expended in conquering it, and defending it for his majesty's interest against the Dutch and other foreigners: that they had peaceably enjoyed that tract for about thirty years: that they had with great labour and expense cultivated the lands to their own and his majesty's interest; and that his majesty, of his grace, had been pleased to confirm it to them by his royal charter, in which these reasons had been recognised."

They at the same time solicited their honours the commissioners, to present their humble acknowledgments to his majesty for his abundant grace, in the granting of their charter, and for his gracious letter, sent them by his commissioners, re-ratifying their privileges, civil and ecclesiastical.

At the general election, May 11th, 1665, when the two colonies of Connecticut and New Haven united in one, the following gentlemen were chosen into office. John Winthrop, Esq. was elected governor, John Mason, Esq. deputy-governor, and Matthew Allen, Samuel Wyllys, Nathan Gould, John Talcott, Henry Wolcott, John Allen, Samuel Sherman, James Richards, William Leet, William Jones, Benjamin Fenn, and Jasper Crane, Esquires, magistrates. John Talcott, Esq. was treasurer, and Daniel Clark secretary. A proportionable number of the magistrates were of the former colony of New Haven; all the towns sent their deputies; and the assembly appears to have been very friendly

This assembly enacted, that Hastings and Rye should be one plantation, by the name of Rye; and county courts were first instituted by that name. It was enacted, that there should be two county courts holden annually in New Haven; one on the second Thursday in June, the other on the third Thursday in November; the court to consist of five judges, two magistrates, and three justices of the quorum. A similar court was appointed at New London; and the following October, that was made a distinct county.

At the session in October, a county court was appointed at Hartford instead of the quarterly courts; which was to be holden annually in the months of March and September. The county courts had cognisance of all cases except those of life, limb, or banishment; but in cases of more than twenty shillings, the law required that a jury should be empannelled. At the same time, a superior court was appointed to be holden at Hartford, the Tuesday before the session of the general assembly in May and October; which was to consist of eight magistrates at least, and always to be attended with a jury. In this court were tried all appeals from the several county courts, and all capital actions, of life, limb, and banishment.

All the towns, formerly under the jurisdiction of New Haven, were satisfied with the union of the colonies, except Branford; where Mr. Pierson and almost his whole church and congregation were so displeased, that they soon removed into Newark, in New Jersey; and carried off the records of the church and town, and after it had been settled about five-and-twenty years, left it almost without inhabitants.

For more than twenty years from that time, there was not a church formed in the town; but people from various parts of the colony gradually moved into it, and purchased the lands of the first planters, so that in about twenty years it became re-settled; and in 1685 it was re-invested with town privileges.

The union of the colonies was a happy event. It greatly contributed to the convenience, strength, peace, and welfare of the inhabitants of both, and of their posterity; greater privileges New Haven could not have enjoyed, had they been successful in their applications to his majesty; and after much expense, they might have failed in their attempts and lost their liberties, or have been joined to Connecticut at last. Had they remained a distinct colony, the charges of government would have been greater; and their situation, in so central a part of the colony, would have been extremely inconvenient, especially for Connecticut.

War was proclaimed this year in London, in the month of March, between England and Holland; and intelligence had been given to the colony, that De Ruyter the Dutch admiral had orders to visit New York. The colony was alarmed, and put into a state of defence; but the admiral was diverted from the enterprise, and the year passed in peace. It was now thirty years since the settlement of the colony commenced, yet after the defalcation of Long Island, it consisted of nineteen towns only which paid taxes. The grand list was no more than £153,620 16s. 5d.

A view of the churches of Connecticut and New Haven—Ecclesiastical laws—Care to diffuse general knowledge; its happy influence—Attempts to found a college at New Haven—No sectaries in Connecticut nor New Haven until after the union—Deaths and characters of several of the first ministers—Dissensions in the church—Laws against the Quakers—A synod proposed and convened—Dissensions continued at Hartford and at Weathersfield—Settlement of Hadley—Synod at Boston.

Connecticut, no less than other parts of New England, was settled with a particular view to religion. It was the design of the first planters to erect churches in the strictest conformity to Scripture example; and to transmit evangelical purity, in doctrine, worship, and discipline, with civil and religious liberty to their posterity. And to see how far they accomplished their desire, we must in some degree retrace the period already travelled over, and view it with regard entirely to ecclesiastical concerns.

The first churches, though their numbers were small, and they had to combat all the hardships, dangers, and expense of new settlements, commonly supported two able experienced ministers: with the first three churches settled in Connecticut, there were at Hartford, the Rev. Mr. Hooker and Mr. Stone; at Windsor, Mr. Warham and Mr. Hewet; and at Weathersfield, Mr. Prudden, in 1638, while his people were making preparations to remove from New Haven to Milford. To the garrison at Saybrook fort, Mr. John Higginson, son of the Rev. Mr. Higginson, of Salem, preached three or four of the first years. At New Haven, at first were Mr. Davenport and Mr. Samuel Eaton, brother to Governor Eaton. At Milford, Mr. Prudden was pastor, and the church invited Mr. John Sherman, afterwards minister of Watertown, in Massachusetts, to be their teacher; but he declined their

invitation, and that church never had but one settled minister at the same time. The Rev. Mr. Whitfield was pastor of the church at Guilford, and about the year 1641 Mr. Higginson removed from Saybrook, and became teacher, as an assistant to Mr. Whitfield in that church. After Mr. Prudden left Weathersfield, Mr. Henry Smith was elected, and ordained pastor of the church and congregation in that town. About the time that Mr. Higginson left Saybrook, the Rev. Mr. Thomas Peters became chaplain to Colonel Fenwick, and the people there. Upon the removal of Mr. Eaton from New Haven, Mr. William Hook was installed teacher, as an assistant of Mr. Davenport. The six first towns in Connecticut and New Haven enjoyed the constant labour of ten able ministers. This was as much as one minister to about fifty families, or to two hundred and sixty or seventy souls. As other towns settled, churches were gathered, and ministers installed or ordained. Mr. Jones was chosen pastor at Fairfield, Mr. Adam Blackman, at Stratford, and Mr. Richard Denton, at Stamford. Mr. Abraham Pierson was pastor of the church at Branford, and it seems one Mr. Brucy assisted him as a teacher for some time. Fourteen or fifteen of these ministers had been episcopally ordained in England before they came into America.

The Rev. Mr. Richard Blynman, first pastor of the church at New London, was also ordained in England. After he came into this country, he settled first, as pastor of the church at Gloucester, in Massachusetts; and from thence he removed to New London in 1648.

From these reverend fathers, the ministers of Connecticut trace their ordinations; especially from Mr. Hooker, Mr. Warham, Mr. Davenport, and Mr. Stone.

With respect to their religious sentiments, and those of their followers, they were puritans; a name given, says Fuller, "to abusive people, who endeavoured to follow the minister with a pure heart, and laboured for a life pure and holy." When arminianism began to prevail, in the latter part of the reign of James I., those who were calvinistic were termed doctrinal puritans; and it was finally used, as a stigma for all Christians who were strict in morals, calvinistic in sentiment, and unconformed to the liturgy, ceremonies, and discipline of the established church.

This was truly the character of the first ministers and churches in this colony; who were strictly calvinistic, agreeing in doctrine with their brethren of the established church, and with all the protestant reformed churches. In discipline, they were congregationalists, and dissented from the national establishment; but they firmly believed that it was the sole prerogative of Christ to direct the mode of worship and discipline in his own house. They were persuaded, that the Scriptures were a perfect rule, not only of faith and manners, but of worship and discipline; and that all churches ought to be formed entirely after the pattern exhibited in the New Testament.

Some of the ministers of Connecticut were distinguished for literature, piety, and ministerial gifts. Mr. Hooker, Mr. Davenport, Mr. Stone, and some others, were men of great learning and abilities; and all were of the strictest morals. Mr. Neal, after giving a catalogue of the ministers who first illuminated the churches of New England, bears this testimony concerning them. "I will not say that all the ministers mentioned were men of the first

for learning, but I can assure the reader, they had a better share of it than most of their neighbouring clergy at that time; they were men of great sobriety and virtue, plain, serious, affectionate preachers, exactly conformable to the doctrine of the church of England, and took a great deal of pains to promote a reformation of manners in their several parishes." They not only fasted and prayed frequently with their people in public, but kept many days of secret fasting, prayer, and self-examination, in their studies; and some of them, it seems, fasted and prayed in this private manner every week. Besides the exercises on the Lord's day, they preached lectures, not only in public, but from house to house; and they were diligent and laborious in catechising and instructing the children and young people, both in public and private.

The people who followed them into the wilderness, were their spiritual children, who imbibed the same spirit and sentiments, and esteemed them as their fathers. Many of them were men of property, as Haynes, Hopkins, Wyllys, Ludlow, Wolcott, Eaton, Gregson, Desborough, Leet, and others, who were governors and magistrates in their respective colonies. The people in general were pious, and strictly moral; and instances of intemperance, wantonness, Sabbath-breaking, fraud, or any other gross immorality, for many years, were rarely found among them.

It was the opinion of the principal divines, who first settled New England and Connecticut, that in every church, completely organized, there was a pastor, teacher, ruling elder, and deacons. These distinct offices they imagined were clearly taught in certain passages of the Epistles; and from these they argued the duty of all churches, which were able to be thus furnished. In this manner were the churches of Hartford, Windsor, New Haven, and other towns organized; but those churches which were not able to support a pastor and teacher, had their ruling elders and deacons. Their ruling elders were ordained with no less solemnity than their pastors and teachers. Where no teacher could be obtained, the pastor performed the duties, both of pastor and teacher. It was the general opinion, that the pastor's work consisted principally in exhortation, in working upon the will and affections; and to this the whole force of his studies was to be directed; that by his judicious, powerful, and affectionate addresses he might win his hearers to the love and practice of the truth; but the teacher was *doctor in ecclesia*, whose business it was to teach, explain, and defend the doctrines of Christianity.

The business of the ruling elder was to assist the pastor in the government of the church. He was particularly set apart to watch over all its members; to prepare and bring forward all cases of discipline; to visit and pray with the sick; and, in the absence of the pastor and teacher, to pray with the congregation, and expound the Scriptures.

The pastors and churches of New England maintained, with the reformed churches in general, that bishops and presbyters were only different names for the same office; and that all pastors, regularly separated to the Gospel ministry, were Scripture bishops. They also insisted, agreeably to the primitive practice, that the work of every pastor was confined principally to one particular church and congregation, who could all assemble at one place, whom he could inspect, and who could all unite together in acts of worship and discipline. Indeed, the first ministers of Connecticut and New England at

first maintained, that all the pastor's official power was confined to his own church and congregation; and that the administering of baptism and the Lord's supper in other churches was irregular.

With respect to ordination, they held that it did not constitute the essentials of the ministerial office. "Ordination is an approbation of the officer, and solemn setting and confirmation of him in his office, by prayer, and laying on of hands," says Mr. Hooker. It was viewed by the ministers of New England, as no more than putting the pastor elect into office, or a solemn recommending of him and his labours to the blessing of God. It was the general opinion that elders ought to lay on hands in ordination, if there were a presbytery in the church; but if there were not, the church might appoint some other elders, or a number of the brethren to that service.

It was acknowledged that synods or general councils were an ordinance of Christ, and in some cases expedient and necessary: that their business was to give light and counsel in weighty concerns, and bear testimony against corruption in doctrines and morals. While it was granted, that their determinations ought to be received with reverence, and not to be counteracted, unless apparently repugnant to the Scriptures, it was insisted that they had no juridical power. The churches of Connecticut originally maintained, that the right of choosing and settling their ministers, of exercising discipline and performing all juridical acts was in the church, when properly organized; and they denied all external or foreign power of presbyteries, synods, general councils, or assemblies. Hence they were termed congregational churches.

The fathers of Connecticut, as to politics, were republicans. They rejected with abhorrence the doctrines of the divine right of kings, passive obedience, and non-resistance. With Sidney, Hampden, and other great thinkers, they believed that all civil power and government was originally in the people; and upon these principles they formed their civil constitutions.

The churches of New Haven, Milford, and Guilford, were formed first by the choice of seven persons, from among the brethren, who were termed the pillars. A confession of faith was drawn up, to which they all assented, as preparatory to their covenanting together in church estate. They then entered into covenant, first with God, to be his people in Christ, and then with each other, to walk together in the strict and conscientious practice of all Christian duties, and in the enjoyment of all the ordinances and privileges of the church of Christ. The confessions of faith contained a summary of Christian doctrine, and were strictly calvinistic. The covenants were full, solemn, and impressive, importing, "that they avouched the Lord Jehovah, Father, Son, and Holy Ghost, to be their sovereign Lord and supreme Good; and that they gave themselves up to him, through Jesus Christ, in the way and on the terms of the covenant of grace." They covenanted with each other to uphold the divine worship and ordinances, in the churches of which they were members; to watch over each other as brethren; to bear testimony against all sin; and to teach all under their care to fear and serve the Lord. The other brethren joined themselves to the seven pillars, by making the same profession of faith, and covenanting in the same manner. The members, previously to their covenanting with each other, gave one another satisfaction with respect to their repentance, faith, and purposes of holy living.

It appears that the churches of New Haven and Milford were gathered to the seven pillars, on the 22d of August, 1639. The tradition is, that soon after, Mr. Davenport was chosen pastor of the church at New Haven; and that Mr. Hooker and Mr. Stone came and assisted in his installation. Mr. Prudden was installed pastor of the church at Milford, April 8th, 1640, upon a day of solemn fasting and prayer. Imposition of hands was performed by Zechariah Whitman, William Fowler, and Edmond Tapp. They were appointed to this service by the other brethren of the church. The installation was at New Haven, and it seems that the hands of the brethren were imposed in the presence of Mr. Davenport and Mr. Eaton.

Though the members of Mr. Whitfield's church were, in the original agreement, at New Haven, engaged to embody into church estate, in the same manner as New Haven and Milford churches did, yet they delayed the completion of the work for a considerable time. Probably, it was because their company were not yet all arrived. But in April, 1643, Mr. Whitfield, Mr. Higginson, Mr. Samuel Desborough, Mr. William Leet, Mr. Jacob Sheaf, Mr. John Mipham, and Mr. John Hoadley, were elected the seven pillars. On the 19th of June, all the other church members were gathered unto these seven persons. Mr. Higginson, who had been preaching about two years at Guilford, with Mr. Whitfield, was, at this time, elected teacher in that church. Mr. Whitfield had not separated from the episcopal church when he came into New England; but as he came over in orders, and his church came generally with him, there are no intimations of his installation.

The circumstance of the seven pillars in these three churches appears to have been peculiar to them; and there are no intimations of it in the formation of any other churches. The churches in the other towns were gathered, by subscribing similar confessions of faith, and covenanting together in the same solemn manner, upon days of fasting and prayer. Neighbouring elders and churches were present on those occasions, assisted in the public solemnities, and gave their consent. When new members were admitted to full communion in any of the first churches of Connecticut, they gave satisfaction to the brethren of their sincere repentance towards God, and faith in Christ. They commonly made a relation of their religious experiences, and were then admitted to full communion, by a public profession of their faith, and by covenanting in the manner which has been represented.

Mr. Eaton continued but a short time at New Haven, and then returned to England. Mr. William Hook succeeded him as teacher in the church. Mr. Denton, after spending three or four years at Stamford, removed to Hampstead on Long Island; and upon his removal the church sent two of their members to seek a minister. They travelled on foot, through the wilderness, to the eastward of Boston, where they found Mr. John Bishop, who left England before he had finished his academical studies, and had completed his education in this country; and they engaged him to go with them to Stamford; and he travelled with them on foot; and continued with them, in the ministry, nearly fifty years.

Mr. Peters, after preaching three or four years at Saybrook, returned to England; and in 1646 a church was formed in that town, by the direction and assistance of the Rev. Mr. Hooker and some

other ministers. At the same time Mr. James Fitch, who had perfected his theological studies, under the direction of Mr. Hooker, was ordained their pastor. The tradition is, that though Mr. Hooker was present, yet that hands were imposed by two or three of the principal brethren, whom the church had appointed to that service.

On the 13th of October, 1652, a church was gathered at Farmington, and Mr. Roger Newton was ordained pastor; and the same year, Mr. Thomas Hanford began to preach at Norwalk, and some time after a church was formed in the town, and Mr. Hanford ordained pastor.

In 1660, Mr. Fitch and the greatest part of his church removed to Norwich. Mr. Thomas Buckingham succeeded him in the ministry at Saybrook. A council of ministers and churches assisted at his ordination, but the imposition of hands was performed by the brethren, as it had been before in the ordination of Mr. Fitch. The council considered it as an irregular proceeding, but the brethren were so tenacious of what they esteemed their right, that it could not be prevented without much inconvenience.

These fifteen churches were the whole number formed in the colony, and in which ministers had been installed or ordained, at the time of the union. The settlements and churches upon Long Island had been adjudged to the jurisdiction of New York; and there were several other towns which paid taxes, where churches were not formed, nor pastors ordained; namely, Stonington, Middletown, Greenwich, and Rye. Nevertheless, at the two former there was constant preaching; and the general court would not suffer any new plantation to be made which would not support an able, orthodox preacher.

At Stonington, Mr. Zechariah Bridgen officiated about three years, until his death in 1663. To him succeeded Mr. James Noyes, the same year, who preached more than fifty-five years in the town, but he was not ordained until more than ten years after his first preaching to the people.

At Middletown, Mr. Nathaniel Collins was preaching, but not ordained. Mr. Stow also preached there, before, or with, Mr. Collins. Greenwich and Rye were but just come under the jurisdiction of Connecticut, and not in circumstances for the support of ministers; and had only occasional preaching for a considerable time.

At the time of the union the colony contained about 1,700 families, eight or nine thousand inhabitants, and they constantly enjoyed the instructions of about twenty ministers. Upon an average, there was as much as one minister to every eighty-five families, or to about 430 souls; and in some of the new plantations, thirty families supported a minister, and commonly there were not more than forty when they called and settled a pastor; and in several of the first churches there were often not more than nine or ten male members. Exclusive of Hartford, Windsor, New Haven, and Guilford, there appears to have been none in which there were more than sixteen or seventeen male communicants at their formation.

The most perfect harmony subsisted between the legislature and the clergy. Many of the latter who first came into the country had good estates, and assisted their poorer brethren and parishioners in making new settlements. They possessed a very great proportion of the literature of the colony, and were the principal instructors of youth. They had given a striking evidence of their integrity and

self-denial, in emigrating into this rough and distant country, for the sake of religion, and were faithful and zealous in their labours; and many of these circumstances combined to give them an uncommon influence over their hearers, of all ranks and characters. For many years they were consulted by the legislature, in all affairs of importance, civil or religious: they were appointed on committees, with the governors and magistrates, to advise and assist them in the most delicate and important concerns of the commonwealth.

The ministers and churches of Connecticut abhorred the Antinomian heresy, which so distracted the church at Boston, and some others in the Massachusetts; and in the first general council in New England (1638), Mr. Hooker and Mr. Davenport bore a noble testimony against the prevailing spirit of that time.

In the next general council (1648) in New England, ten years after, the ministers and churches of Connecticut and New Haven were present, and united in the form of discipline which it recommended. And in this discipline the churches of New England, in general, abided for more than thirty years; which, with the ecclesiastical laws, formed the religious constitution of the colonies.

In the "platform," as it is termed, it is declared to be evident, "That necessary and sufficient maintenance is due to ministers of the word, from the law of nature and nations, the law of Moses, the equity thereof, and also the rule of common reason;" that it is matter of indispensable duty, a debt due, and not an affair of alms or free gift. "That not only members of churches, but all who are taught in the word, are to contribute unto him that teacheth in all good things: and that the magistrate is to see that the ministry be duly provided for."

An early provision was therefore made, by law, in Massachusetts and Connecticut, for the support of the ministry; and in the latter all persons were obliged, by law, to contribute to the support of the church, as well as of the commonwealth. All rates respecting the support of ministers, or any ecclesiastical affairs, were to be made and collected in the same manner as the rates of the respective towns; and special care was taken, that all persons should attend the means of public instruction. The law obliged them to be present at the public worship on the Lord's-day, and upon all days of public fasting and prayer, and of thanksgiving, appointed by civil authority, on penalty of a fine of five shillings for every instance of neglect. The congregational churches were adopted and established by law; but provision was made that all sober, orthodox persons, dissenting from them, should, upon the manifestation of it to the general court, be allowed peaceably to worship in their own way. It was enacted, "That no persons within this colony shall in any wise embody themselves into church estate, without consent of the general court, and approbation of neighbouring elders." The laws also prohibited that any ministry or church administration should be entertained, or attended, by the inhabitants of any plantation in the colony, distinct and separate from, and in opposition to, that which was openly and publicly observed and dispensed by the approved minister of the place; except it was by the approbation of the court and neighbouring churches. The penalty for every breach of this act was 5*l*.

The court declared, that the civil authority esta-

blished in the colony, "Had power and liberty to see the peace, ordinances, and rules of Christ observed in every church, according to his word; and also to deal with any church member in a way of civil justice, notwithstanding any church relation, office, or interest." The law also provided, that no church censure should degrade or depose any man from any civil dignity, office, or authority, which he should sustain in the colony.

In the grant of all new townships, special care was taken by the legislature, that the planters should not be without a minister, and the stated administration of Gospel ordinances; and every town, consisting of fifty families, was obliged, by the laws, to maintain a good school, in which reading and writing should be well taught; and in every county-town a good grammar-school was instituted; and large tracts of land were given, and appropriated by the legislature, to afford them a permanent support.

The select men of every town were obliged, by law, to keep a vigilant eye upon all the inhabitants, and to take care that all the heads of families should instruct their children and servants to read the English tongue well; and that once every week they should catechise them in the principles of religion. The penalty for every instance of neglect in this respect was twenty shillings for any family so neglecting. The select men were also authorized to take care that all families should be well furnished with bibles, orthodox catechisms, and books on practical godliness; and it was provided by the legislature, that the capital laws should be taught weekly in every family.

The colony of New Haven, from the beginning, made provision for the interests of religion, learning, and the good conduct of the inhabitants, with no less zeal than Connecticut.

The care and piety of the first planters did not rest here; but they were careful, as soon as their circumstances would permit, to found public seminaries, in which young men might be instructed in the liberal arts, prepared for the ministry, and all places of importance, in civil or religious life; but as Connecticut and New Haven were not able, of themselves, at first to erect a college, they united with Massachusetts, and contributed to the support of that at Cambridge by frequent private contributions, and money from the public treasury; and for a course of years the inhabitants educated their sons at that university.

By these means knowledge, at an early period, was generally diffused among people of all ranks; and the advantages of this public and private instruction, and constant attention to the morals, industry, and good conduct of the inhabitants, have been made manifest in the high degree of civil, ecclesiastical, and domestic peace and order, which, for so long a period, have rendered them eminent among their neighbours.

Cambridge "platform," in connexion with the ecclesiastical laws, was the religious constitution of Connecticut, for about sixty years, until the compilation of the Saybrook agreement.

The colony of New Haven, sensible of the importance of public seminaries, and of the inconvenience of sending their sons to so great a distance as Cambridge for an education, at an early period, attempted the founding of a college; and a proposal for this purpose was made to the general court, in 1654; and the next year, at the session in May, New Haven made a donation of 300*l*., and Milford

proposed to give 100*l.* more, for the encouragement of the design. The court proposed it to the deputies of the other towns to inquire, and make report what they would give; and Mr. Davenport, who was the principal promoter of the affair, about the same time, wrote to Governor Hopkins, who was then in England, upon the subject; and, it seems, solicited his assistance. Soon after, some lands were given by the people of New Haven for the further encouragement of so laudable an undertaking; and upon these favourable prospects, the legislature, in 1659, proceeded to institute a grammar-school at New Haven; and it was ordered, that 40*l.* annually should be paid out of the public treasury for its support; and 100*l.* were also appropriated for the purchase of books for the school. In 1660 the donation of Governor Hopkins having come into the possession, and being at the disposal of Mr. Davenport, he, on the 30th of May, surrendered it into the hands of the general court, for the purpose of founding a college. He proposed that this donation should be united with the lands which had been already given, and with such other donations as might be made by the legislature, for the same purpose. The elders of the several churches in the colony were nominated as trustees. As Mr. Davenport was the only surviving legatee of Governor Hopkins, with respect to that part of the donation which had fallen to the share of New Haven, he desired that, for the better discharge of the trust which had been reposed in him, he might have a negative upon the corporation, with respect to the disposal of that, whenever he could exhibit substantial reasons, that it was about to be applied to any purpose contrary to the design of the donor.

The general court thankfully accepted the donation, upon the terms on which it had been surrendered: they appropriated the lands which had been given to New Haven to the support of the college; agreed to collect the money given by Governor Hopkins; and besides all other grants previously made, enacted that a 100*l.* stock should be paid in from the treasury of the colony, in such time and manner as the court should order: it was also ordained, that both the grammar-school and college should be at New Haven. One Mr. Peck was appointed master of the school; but this and the college were of short continuance. The troubles in which the colony was involved by the claims of Connecticut, and the defection of such numbers of their inhabitants, so impoverished and weakened it, that a support could not be obtained for the instructor; and he became discouraged, and the court gave up the school; and, by the same means, the design of a college also miscarried. After the union, the colony made further provision for a grammar-school, and all the lands and money, which had been given for that and the college, were appropriated to its support; and the school revived, and has continued to the present time.

For a long course of years the churches enjoyed great peace and harmony.

Mr. Hewett, teacher in the church at Windsor, died September 4th, 1644; and the Rev. Thomas Hooker, the father and pillar of the churches in Connecticut, died July 7th, 1647, in the 61st year of his age. He was born in England, at Marshfield, in the county of Leicester, in 1586; and appears to have been educated at Emmanuel-college, Cambridge, England. Afterwards he was promoted to a fellowship in the same college, where he acquitted himself with such ability and faithfulness, as

commanded universal approbation and applause. While at college, in his youth, he was visited with those strong convictions of sin which characterized the Puritans. He was naturally a man of strong and lively passions; but obtained a happy government of himself. In his day he was one of the most animated and powerful preachers in New England; and in his sermons he insisted much on the application of redemption; was searching, experimental, and practical. In conversation he was pleasant and entertaining, but always grave; and he was exceedingly prudent in the management of church discipline. It was not an uncommon instance with him to give away five or ten pounds at a time to poor widows, orphans, and necessitous people; and at a certain time, when there was a great scarcity at Southampton, upon Long Island, Mr. Hooker, with some friends who joined with him, sent the people a small vessel, freighted with several hundred bushels of corn for their relief. In family religion and government he was strict and prudent. He died of an epidemical fever, which prevailed that year in the country, and when dying, said, "I am going to receive mercy." He closed his own eyes, and appeared to die with a smile in his countenance.

Mr. Henry Smith, first pastor of the church at Weathersfield, died in 1648, and was succeeded by the Rev. Jonathan Russell. The Rev. Mr. Prudden died in 1656, in the 56th year of his age. Before he came into New England, he was a preacher in Herefordshire, and on the borders of Wales. His ministry was attended with uncommon success; and when he came to Connecticut, it seems that many good people followed him, that they might enjoy his pious ministrations. He had the character of a most zealous preacher, and had a singular talent for reconciling contending parties, and maintaining peace among his neighbours.

He was succeeded by Mr. Roger Newton, who removed from Farmington, and was installed at Milford, August 22d, 1660. Hands were imposed at his installation, by Zechariah Whitman, ruling elder, deacon John Fletcher, and Robert Treat, who were appointed to that service by the brotherhood. Mr. Samuel Hooker, son of the famous Mr. Hooker, of Hartford, succeeded Mr. Newton at Farmington. He was ordained in July, 1661. These deaths were all before the charter. There were also a number of removals of some of the principal ministers. The Rev. Mr. Whitfield, after he had laboured eleven years with the people at Guildford, returned again to England. Some time in the year 1650 he took leave of his flock and congregation, and embarked for his native country. He was exceedingly beloved by his congregation, and they accompanied him to the water's side with many tears. He had a large family of nine children, whom he supported principally out of his own estate, as most of his people were poor; but finding that his estate was much exhausted, and that he must still labour under many and great inconveniences, if he continued in this country; and having numerous and pressing invitations to return to England, he at last complied. Before he came to Connecticut he enjoyed one of the best church livings in England, at Okely, in Surrey. His charity was happily proportioned to his opulence; and while he was at Okely he procured another pious and able preacher, that he might go abroad and give assistance to other churches and poor people. While he was in England his house was

a place of resort for the distressed; and though he was, for twenty years, a conformist, yet his house was a place of retreat for Mr. Cotton, Mr. Hooker, Mr. Goodwin, and other pious non-conformists. After he came into New England, he expended much of his interest in assisting his poor people; and was a popular preacher, delivering himself with a peculiar dignity and solemnity. After his return to England, he appears to have finished his life in the ministry, at the city of Winchester. In consequence of Mr. Whitfield's estate and expenses, in purchasing and settling the plantation, and of Mr. Fenwick's gift of the eastern part of the township to him, a large portion of the best land in the town was allotted to him. On his return to England he offered, upon very low terms, to sell all his lands to the town. But the people were poor, and imagined they should soon follow their pastor, and neglected to purchase. Mr. Whitfield, therefore, sold them to Major Robert Thompson, in England, by whose heirs they have been holden, to the great damage of the town, to this time.

Several of the principal men returned to England with Mr. Whitfield; particularly Mr. Samuel Desborough, Mr. Jordan and others. Mr. Desborough, after his return, was made lord-keeper of the great seal, and one of the seven counsellors of the kingdom of Scotland.

Mr. Higginson continued his ministry, as teacher in the church at Guilford, until about the year 1659, when, upon the death of his father, he returned to Salem, and succeeded him in the pastoral office, over the church in that town.

Mr. William Hook, who for about fourteen years had been teacher in the church at New Haven, about the year 1655 returned to England. Mr. Eaton and Mr. Hook have been represented as men of great learning and piety, and as possessing excellent pulpit talents. A writer of Mr. Eaton's character, says, "he was a very holy man, a person of great learning and judgment, and a most incomparable preacher." As he dissented from Mr. Davenport, with respect to the form of civil government; his brother, Governor Eaton, advised him to remove. After his return to England, he became pastor of a church at Duckenfield, in the parish of Stockport, in Cheshire. Mr. Hook, after his return, was sometime minister at Exmouth, in Devonshire; and then master of the Savoy, in the Strand, London, and chaplain to the greatest man then in the nation. After the restoration, he was silenced for non-conformity, May 24th, 1662; and on the 21st of March, 1667, he died in the vicinity of London. Mr. Eaton was a companion with him in tribulation; for soon after the restoration of Charles II., he was silenced, and suffered persecution.

The Rev. Mr. Blynman, after he had laboured about ten years in the ministry at New London, in 1658, removed to New Haven; but after a short stay in that town, he took shipping and returned to England; and lived, to a good old age, in the city of Bristol.

Mr. Nicholas Street succeeded Mr. Hook, as teacher in the church, at New Haven, about the year 1659; and Mr. Blynman was succeeded in office at New London, by Mr. Gershom Bulkley, from Concord, in Massachusetts.

The first ministers in the colonies being thus dead or removed, and a new generation risen up, who had not all imbibed the sentiments and spirit of their pious fathers, alterations were insisted on with

respect to church discipline and baptism; and great dissensions arose in the churches. They began first in the church at Hartford, not many years after Mr. Hooker's decease. The origin of them appears to have been a difference between the Rev. Mr. Stone and Mr. Goodwin, the ruling elder in the church upon some nice points of congregationalism. It seems, that some member had been admitted, or baptism administered, which Elder Goodwin conceived to be inconsistent with the rights of the brotherhood, and the strict principles of the congregational churches; and perhaps he imagined himself not to have been properly consulted and regarded. Thus not only this church became divided and inflamed with the controversy, but it spread into almost all the neighbouring churches, which interested themselves in the controversy, some taking one side, and some another, as their connexions, prejudices, and particular sentiments led them; and finally the whole colony became affected with the dispute, and the general court particularly interested themselves in the affair. The brethren in the church at Hartford became so inflamed, and imbibed such prejudices and uncharitable feelings towards each other, that it was with great difficulty they could be persuaded to keep together; and to prevent an entire division of the church, it appears, that about the years 1654 and 1655, several councils of the neighbouring elders and churches were called to compose the differences between the parties. They laboured to satisfy them with respect to the points in controversy; but the brethren at Hartford imagined, that all the elders and churches in Connecticut and New Haven were prejudiced in favour of one party or the other, and therefore they would not hear their advice. For this reason, it was judged expedient to call a council from the other colonies; and sometime in the year 1656, a number of elders and churches from Massachusetts came to Hartford, and gave their opinion and advice to the church and the aggrieved brethren; but as the church did not comply with the result, the parties became more alienated and embittered; and Elder Goodwin was joined by Governor Webster, Mr. Whiting, Mr. Cullick, and other principal gentlemen at Hartford, in defending what they esteemed the true principles of congregationalism.

Meanwhile, there was a strong party in the colony of Connecticut, who were for admitting all persons of a regular life to a full communion in the churches, upon their making a profession of the Christian religion, without any inquiry with respect to a change of heart; and for treating all baptized persons as members of the church: some carried the affair still further, and insisted, that all persons who had been members of churches in England, or had been members of regular ecclesiastical parishes there, and supported the public worship, should be allowed to enjoy the privileges of members in full communion in the churches of Connecticut; and they also insisted, that all baptized persons, upon owning the covenant, as it was called, should have their children baptized, though they came not to the Lord's table.

Numbers of them took this opportunity to introduce into the assembly a list of grievances, on account of their being denied their just rights and privileges by the ministers and churches. A dispute had arisen in the churches and congregations, relative to the choice of a pastor; and it was urged, that it did not belong to the churches solely to choose the pastor for themselves and the congregation;

but as the inhabitants in general had an equal concern for themselves and their children, with the members of the church, in the qualifications of their pastor, and as they were obliged to contribute their proportion to his support, they had a just right to give their voice in his election. The denying them this right was considered as a great grievance; and many of the churches, and some or other of the members in all of them, it seems, maintained that the choice of a pastor belonged to them solely, exclusive of the congregation: that there was no Scripture example of any person's ever giving a suffrage in the choice of a pastor but members of the church: that pastors were ordained over the churches only, and were termed the elders, pastors, and angels of the churches. These, and a number of other points were now warmly agitated in the colony; and the general state of the country was greatly altered from what it was at its first settlement. The people then were generally church members, and eminently pious. They loved strict religion, and followed their ministers into the wilderness for its sake; but with many of their children, and with others who had since emigrated into this country, it was not so. They had made no open profession of religion, and their children were not baptized; which created uneasiness in them, as well as in their ministers. They wished for the honours and privileges of church members for themselves, and baptism for their children; but they were not persuaded that they were "regenerated," and knew not how to comply with the rigid terms of the congregational churches. A considerable number of the clergy, and the churches in general, zealously opposed all innovations, and exerted themselves to maintain the first practice and purity of the churches; and hence dissensions arose.

The general court, it seems, with a view to reconcile the church at Hartford, and to compose difficulties, which were generally rising in the colony, at their session in May, 1656, took the affair into their serious consideration. They appointed a committee, consisting of Governor Webster, Deputy-governor Wells, Mr. Cullick, and Mr. Talcott, all of Hartford, to consult with the elders of the colony respecting the grievances complained of; and to desire their assistance in making a draft of the heads of them, that they might be presented to the general courts of the united colonies for their advice; and the general courts were desired to give their answers with as much expedition as possible.

While the churches were thus divided, they were alarmed by the appearance of the Quakers; a number of whom arrived at Boston, in July and August, and had been committed to the common gaol. A great number of their books had been seized with a view to burn them; and in consequence of their arrival, and the disturbance they had made at Boston, the commissioners of the united colonies, at their court in September, recommended it to the several general courts, "That all Quakers, Ranters, and other notorious heretics, should be prohibited coming into the united colonies; and that, if any should come, or arise amongst them, they should be forthwith secured, and removed out of all the jurisdictions."

In conformity to this recommendation, the general court of Connecticut, in October, passed the following act:—"That no town within this jurisdiction, shall entertain any Quakers, Ranters, Adamites, or such like notorious heretics; nor suffer them to continue in them above the space of four-

teen days, upon the penalty of five pounds per week, for any town entertaining any such person: but the townsmen shall give notice to the two next magistrates, or assistants, who shall have power to send them to prison for securing them, until they can conveniently be sent out of the jurisdiction. It is also ordered, that no master of a vessel shall land any such heretics; but if they do, they shall be compelled to transport them again out of the colony, by any two magistrates or assistants, at their first setting sail from the port where they landed them; during which time, the assistant or magistrate shall see them secured, upon penalty of twenty pounds for any master of any vessel that shall not transport them as aforesaid."

The court at New Haven passed a similar law: and in 1658 both courts made an addition to this law, increasing the penalties and prohibiting all conversation of the common people with any of those heretics, and all persons from giving them any entertainment, upon the penalty of five pounds. The law, however, was of short continuance, and nothing of importance appears to have been transacted upon it, in either of the colonies.

Upon the representations made of the grievance which had been matter of complaint to the general courts of the confederate colonies, the court of Massachusetts advised that a general council should be called, and sent letters to the other courts, signifying their opinion. The general court of New Haven wrote an answer to the grievances, and to the questions proposed respecting them; which they supposed sufficient: but the general court of Connecticut, nevertheless, on the 26th of February, 1657, determined to have a general council; and they appointed Mr. Warham, Mr. Stone, Mr. Blynnman, and Mr. Russell, to meet the elders, who should be delegated from the other colonies at Boston, the next June; and to assist in debating the questions proposed by the general court of Connecticut, or any of the other courts, and report the determination of the council to the general court.

The church at Hartford continuing their contentions, the court directed the elders, who were going to Boston, to confer with the several ministers in the Massachusetts, who had been of the council, relative to the circumstances of that church, and to desire them to come to Connecticut, and give their assistance in council at Hartford. The court also directed the church there to send for the former council; and to state the matters with which they were not satisfied; and if this council should not be so happy as to give them satisfaction, then they were directed to invite Mr. Sherman of Watertown, and several other ministers from the Massachusetts, to make a visit at Hartford, and attempt the healing of the breach made in the church there.

Governor Webster, Mr. Cullick, and Mr. Steel dissented from the resolution of the assembly, and declared, in open court, that it did not appear to them that the measures adopted by the court were any where directed by the Divine word, or calculated to restore peace to the churches. They appear to have been of the aggrieved brethren at Hartford, and satisfied with the result of the former council, to which the church did not submit. They doubtless judged it more agreeable to Scripture and reason, and especially to the principles of congregational churches, to choose a council for themselves when they should judge it expedient, than to have one imposed upon them by legislative authority.

The general court at New Haven were utterly

opposed to a general council; and, upon receiving a letter from the Massachusetts, inviting them to send a number of their elders to assist in the council, they, in a long letter, remonstrated against it, and excused themselves from sending any of their ministers. They represented, that the petition and questions, exhibited to the general court of Connecticut, were unwarrantably procured, and of dangerous tendency: that they heard the petitioners were confident that they should obtain great alterations both in civil government and church discipline: that they had engaged an agent to prove, "That parishes in England, consenting to and continuing meetings to worship God, were true churches," and that the members of those parishes, coming into New England, had a right to all church privileges; though they made no profession of a work of faith and holiness upon their hearts: they expressed their apprehensions, that a general council at that time would endanger the peace and purity of the churches: they acquainted the general court of Massachusetts that they had sent an answer to all the questions proposed to the court of Connecticut; and that it was their opinion that the legislature and elders of that colony were sufficient to determine all those points without any assistance from abroad: they observed that, on account of the removal of Mr. Whitfield and Mr. Hook, and the late death of Mr. Prudden, their elders could not be spared; and with their letter, they sent the answers, which they had given to the questions to be debated, and they entreated the court and their elders seriously to consider them. They desired that, as the court had formed their civil polity and laws upon the Divine word, and as the elders and churches had gathered and received their discipline from the same, they would exert themselves to preserve them inviolable: and observed that, considering the state of affairs in Connecticut, unless the general court of Massachusetts should firmly adhere to their then constitution, and the council should have the Divine presence with them, their meeting might be of the most unhappy consequence to the churches.

The colonies of Connecticut and Massachusetts persisted in calling a general council; and the questions proposed for discussion, as they stand upon the records, are the following:—

1. Whether federal holiness, or covenant interest, be not the proper ground of baptism?
2. Whether communion of churches, as such, be not warrantable by the word of God?
3. Whether the adult seed of visible believers, not cast out, be not true members, and subjects of church watch?
4. Whether ministerial officers are not as truly bound to baptize the visible disciples of Christ, providentially settled among them, as officially to preach the word?
5. Whether the settled inhabitants of the country, being members of other churches, should have their children baptized amongst us, without themselves first orderly joining in churches here?
6. Whether membership, in a particular instituted church, be not essentially requisite, under the Gospel, to entitle to baptism?
7. Whether adopted children, and such as are bought with money, are covenant seed?
8. Whether things new and weighty may be managed, in a church, without concurrence of officers, and consent of the fraternity of the same church? And if things of common concernment,

then how far the consent of neighbouring churches is to be sought?

9. Whether it doth not belong to the body of a town, collectively taken, jointly to call him to be their minister, whom the church shall choose to be their officer?

10. Whether the political and external administration of Abraham's covenant be not obligatory to Gospel churches?

11. Unto whom shall such persons repair, that are grieved at any church process or censure; or whether they must acquiesce in the church's censure to which they belong?

12. Whether the laying on of hands in ordination belong to presbyters or brethren?

13. Whether the church, her invitation and election of an officer, or preaching elder, necessitates the whole congregation to sit down satisfied, as bound thereby to accept him as their minister, though invited and settled without the town's consent?

14. What is the Gospel way to gather and settle churches?

15. From whom do ministers receive their commission to baptize?

16. Whether a synod hath a decisive power?

17. Whether it be not justifiable, by the word of God, that civil authority indulge congregational and presbyterian churches, and their discipline in the churches?

It appears, by the records, that several other questions were proposed, but these are all which are to be found upon them.

The council convened at Boston, June 4th, 1657, and, after a session of a little more than a fortnight, gave an elaborate answer to twenty-one questions. The elders from Connecticut brought back an authentic copy of the result of the council, and presented it to the general court, at a session on the 12th of August; and the court ordered, that copies should be sent forthwith to all the churches in the colony; and if any of them should have objections against the answers which had been given, they were directed to transmit them to the general court, at the session in October.

The answers were afterwards printed in London, under the title of "A disputation concerning church members and their children." Several of the questions involve each other; but the principal one was that respecting baptism and church membership; and an answer to this, in effect, answered a considerable part of the other questions. With respect to this latter, it was asserted, "That it was the duty of infants, who confederated in their parents, when grown up unto years of discretion, though not fit for the Lord's supper, to own the covenant they made with their parents, by entering therein, in their own persons; and it is the duty of the churches to call upon them for the performance thereof; and if, being called upon, they shall refuse the performance of this great duty, or otherwise continue scandalous, they are liable to be censured for the same by the church. And in case they understand the ground of religion, and are not scandalous, and solemnly own their covenant in their own persons, wherein they give up themselves and their children unto the Lord, and desire baptism for them, we see not sufficient cause to deny baptism unto their children."

The answer to this question was, in effect, an answer to the other respecting the right of towns to vote in the election of ministers; for if they were

all members of the church by baptism, and under its discipline, they doubtless had a right to vote with the church in the election of their pastor. Indeed, there was no proper ground of distinction between them and the church; and hence, it seems, the answer to that question was to this effect, "That though it was the right of the brotherhood to choose their pastor, and though it was among the arts of antichrist to deprive them of this power, yet they ought to have a special regard to the baptized, by the covenant of God, under their watch."

The decisions of the council do not appear to have had any influence to reconcile, but rather to inflame the churches; and a number of ministers, and the churches pretty generally, viewed this as a great innovation, and entirely inconsistent with the principles on which the churches of New England were originally founded, and with the principles of congregationalism.

The church at Hartford, and the aggrieved brethren, instead of being satisfied and reconciled, appeared to be thrown into a state of greater alienation and animosity; and the aggrieved soon after withdrew from Mr. Stone and the church, and were about forming a union with the church at Weathersfield. Among them were Governor Webster, Mr. Goodwin, ruling elder in the church, Mr. Cullick, and Mr. Bacon, principal men both in the church and town. Mr. Stone and the church were about to proceed against the receders, but the general court interposed, and passed an act, prohibiting the church at Hartford to proceed any further against the members who had withdrawn from their communion, and prohibited those members to join with the church at Weathersfield, or any other church, until further attempts should be made for their reconciliation with their brethren. By the act it appears, that the churches in the colony were generally affected with the dispute at Hartford, and viewed it as a common cause, with respect to all the congregational churches; and it exhibits, in so strong a point of light, the authority which the general court imagined they had a right to exercise over the churches, and the spirit of those times, as to deserve to be quoted. It was as follows: "This court orders, in reference to the sad difficulties that are broken out in the several churches in this colony, and in special, betwixt the church at Hartford and the withdrawers; and to prevent further troubles and sad consequences, that may ensue from the premises to the whole commonwealth, that there be, from henceforth, an utter cessation of all further prosecution, either on the church's part at Hartford towards the withdrawers from them; and, on the other part, that those that have withdrawn from the church at Hartford, shall make a cessation in prosecuting their former propositions to the church at Weathersfield, or any other church, in reference to their joining there, in church relation, until the matters in controversy betwixt the church at Hartford and the withdrawn members, be brought to an issue, in that way the court shall determine."

The court having desired the elders of the colony to meet them, and assist in adopting some measures by which the divisions in the churches, and especially in that at Hartford, might be healed, adjourned about a fortnight; but assembled again on the 24th of March. Whether the elders met them, or not, does not appear; but the advice of the assembly at this time was, that Mr. Stone, with the church and brethren who had withdrawn, should meet together; and, in a private conference, if

possible, agree upon some terms by which they might be reconciled. Governor Wells, and Deputy-governor Wintrop were appointed to meet with them, and employ their wisdom and influence to make peace.

It seems, that the church did not comply with this advice; or if there were any meeting of the parties, nothing was done to effect an accommodation; and it appears that Mr. Stone viewed the withdrawn brethren as in the hands of the church at Hartford, and the matters to be determined as not lying before any council or the general court; and he would not admit that he, or the church, had counteracted the advice of the former council; and therefore, at the session in May, petitioned that the following propositions might be entered upon the records of the colony, and that the withdrawn brethren, or some person whom they should appoint, would dispute them with him in the presence of the court.

"1. The former council, at Hartford, June 26, is utterly cancelled, and of no force.

"2. There is no violation of the last agreement, (made when the reverend elders of the Massachusetts were here,) either by the church of Christ at Hartford, or their teacher.

"3. The withdrawn brethren have offered great violence to the fore-mentioned agreement.

"4. The withdrawn brethren are members of the church of Christ at Hartford.

"5. Their withdrawing from the church is a sin exceeding scandalous and dreadful, and of its own nature destructive to this and other churches.

"6. The controversy between the church of Christ at Hartford, and the withdrawn persons, is not in the hands of the churches, to be determined by them. "SAMUEL STONE."

It does not appear that the court gave their consent, that the propositions should be disputed before them, or that they enacted any thing at this court respecting the affairs of the church, or the brethren who had withdrawn; but at a session, in August, they insisted that the church and aggrieved brethren should meet together, according to their former advice, and debate their difficulties among themselves, and that the points in controversy should be clearly stated.

At this time a complaint was exhibited against Governor Webster, Mr. Cullick, Elder Goodwin, and others, who had withdrawn from their brethren; but the court would not hear it at that time; and ordered, that if the church and brethren would not agree to meet together and debate their differences among themselves, each party should choose three as indifferent elders as could be found; who should afford all the light and assistance in their power, towards settling the differences according to the Divine oracles; and that both parties should peaceably submit to their advice; and if either of the parties should refuse to make choice of three gentlemen, for the design proposed, the court determined to choose for them. The church rejected the proposal, and the court chose Mr. Cobbett, Mr. Mitchel, and Mr. Danforth, for them; and as a reserve, if either should fail, Mr. Brown was chosen. The aggrieved brethren chose Mr. Davenport, Mr. Norton, and Mr. Fitch; and, as a reserve, Mr. Street. The council were to meet on the 17th of September; but the church, it seems, would not send for the council, and so it did not assemble.

At a session of the general court the next year, March 9th, 1659, it was determined, that as its past

labours to promote unanimity at Hartford had been frustrated by the non-compliance of the parties, the secretary, in the name of the court, should desire the elders, who had been formerly appointed, to meet at Hartford on the 3d of June succeeding, and afford their assistance in healing the breach which had been made there. It was also enacted, that the church at Hartford, and the brethren who had withdrawn, should jointly bear the expenses of the former council, and of making provision for that which had been then appointed.

The council consisted of the elders and churches of Boston, Cambridge, Charlestown, Ipswich, Dedham, and Sudbury; who assembled, according to appointment, and were zealous in their labours to soften the minds and conciliate the affections of the parties; and though they did not effect a reconciliation, yet they brought the brethren much nearer together than they had been, and left the church and town in a better state than they had enjoyed for years before.

On the 15th of June the court assembled, and perceiving the good effects of this council, desired the same gentlemen to meet again at Hartford, on the 19th of August; and upon the choice and desire of the brethren who had withdrawn, the Rev. John Sherman, and the church at Watertown, and the elder and church at Dorchester, were also invited to come with them.

The general court, in this state of the controversy, ordered the heads of the complaint, which had been exhibited against the withdrawn brethren, to be drawn up and sent to them, and they were required to appear before the court in October, and answer to them. The church agreed to the whole council, and the aggrieved to seven of them. The general court ordered, that both parties should submit to the judgment of the council, and that it should be a final issue.

The council convened again at Hartford, and so far composed the difficulties which had so long subsisted, as to prevent a separation at that time; and some of the chief characters were soon removed by death. Mr. Cullick went to Boston, and a considerable number to Hadley; and, by these means, the church was restored to a tolerable state of peace and brotherly affection; but it was viewed by some of its own members, and others, as having, in some degree, departed from the strict principles of the first congregational churches in New England; and seems afterwards to have divided nearly on the same grounds.

Doctor Mather, in his *Magnalia*, represents that it was difficult, even at the time of the controversy, to find what were the precise points in dispute. Indeed, what the particular act or sentiment in Mr. Stone or the church was, which gave Elder Goodwin disgust, and began the dissension, does not fully appear. Nothing however is more evident, from the questions propounded, which it appears were drawn by the very heads of the parties, and by the gentlemen chosen by the disaffected brethren, and rejected by the church, than that the whole controversy respected the qualifications for baptism, church membership, and the rights of the brotherhood. Mr. Stone's ideas of congregationalism appear to have bordered more on presbyterianism, and less on independence, than those of the first ministers in the country in general; as his definition of congregationalism was, "That it was a speaking aristocracy in the face of a silent democracy."

The Hartford controversy was, for its circum-

stances, duration, and obstinacy, the most remarkable of any in its day; and it affected all the churches, and insinuated itself into all the affairs of societies, towns, and the whole commonwealth. Dr. Mather, in his figurative style, says, "From the fire of the altar, there issued thunderings and lightnings, and earthquakes, through the colony;" which was considered as very remarkable, as the church at Hartford had been famous for its instruction, peace, and brotherly love.

The commissioners of the united colonies, in September, 1656, wrote a friendly and pacific letter on the subject: in which they say, "We have, with much sorrow of heart, heard of your differences, and that the means attended hitherto, for composing them, have proved ineffectual. We cannot but be deeply sensible of the sad effects and dreadful consequences of dissensions, heightened and increased in a church of such eminence for light and love;" and they represented to them, that though all the churches sympathized with them, yet they themselves would be sure, in the first place, to feel the smart; and they most earnestly exhorted them not only to be exceedingly cautious of all further provocations, but to employ all their wisdom and exertions for a reconciliation.

The proclamation for a public thanksgiving in November, recognised the success of the council, in composing the difficulties at Hartford, as an event demanding public joy and praise. The church at Weathersfield interested themselves in the dispute at Hartford, and became divided and contentious; and some of the brethren exhibited a complaint to the court against Mr. Russell, for joining with the church in excommunicating one of the brethren, as it was alleged, without giving him a copy of the complaint exhibited against him, and without acquainting him with his crime. The general court ordered, that Mr. Russell should be reprov'd for acting contrary to the usage of the churches; and the brethren were divided with respect to their church state. Some insisted, that they were no church, because they had never been gathered according to Gospel order; or if they had been a church, that the members of it had moved away in such a manner, as had destroyed its very existence; and many were inviolably attached to Mr. Russell, while others strenuously opposed him.

In this state of affairs, the general court appointed the elders and churches of Hartford and Windsor, a council to hear the difficulties which had arisen in the church and town; but the parties could not be reconciled; and Mr. Russell removed to Hadley, where he and a number of his warm friends from Hartford and Weathersfield planted a new town and church. The general court resolved, that a church had been regularly gathered at Weathersfield by the consent of the general court, and approbation of neighbouring elders; and that, though divers of the members had removed to other places, yet the brethren there were the true and undoubted church of Weathersfield, and so to be accounted, notwithstanding any thing which might appear. Thus terminated the controversy; and Mr. Bulky, in 1666, removed from New London, and succeeded Mr. Russell in the pastoral office. The same year, Mr. Simon Bradstreet, from Charlestown, came to New London, and took the pastoral charge of the church there.

About the time of Mr. Russell's removal from Weathersfield, the minds of the people at Middletown became alienated from Mr. Stow, who appears





to have been the first minister in that town; and a committee of ministers and civilians, appointed by the general court, dismissed him, on account of the evil temper of the people towards him.

Many of the ministers and of the people in the country were for extending baptism, according to the determination of the general council in 1657; but the churches were so generally and warmly opposed to it, that it could not be effected without a synod; and as this and the "consociation" of churches were favourite points, which a large number of the clergy and principal civilians in Massachusetts and Connecticut wished to carry, the general court of Massachusetts appointed a synod of all the ministers in that colony, to deliberate and decide on those points. The questions proposed were,

1. Who are the subjects of baptism?
2. Whether, according to the word of God, there ought to be a consociation of churches?

The council met at Boston, in September, 1662; and their answer to the first question was substantially the same with that given by the council in 1657; and they declared, "That church members, who were admitted in minority, understanding the doctrine of faith, and publicly professing their assent thereunto, not scandalous in life, and solemnly owning the covenant before the church, wherein they give up themselves and children to the Lord, and subject themselves to the government of Christ in his church, their children are to be baptized." They further resolved, "That the members of orthodox churches, being sound in the faith, and not scandalous in life, and presenting due testimony thereof, these occasionally coming from one church to another, may have their children baptized in the church whither they came, by virtue of communion of churches." And they also gave their opinion in favour of the consociation of churches.

However, the council were not unanimous; several learned and pious men protested against the determination relative to baptism. The Rev. Charles Chauncey, president of Harvard-college; Mr. Increase Mather, afterwards doctor in divinity; Mr. Mather, of Northampton; and others, were warmly in the opposition; and President Chauncey wrote a tract against the resolution respecting baptism, entitled *Antisynodalia*; and Mr. Increase Mather also wrote in opposition to the council; and Mr. Davenport, and all the ministers in the colony of New Haven, and numbers in Connecticut, were against the resolutions. The churches were more generally opposed to them than the clergy.

The general court of Connecticut took no notice of the synod, nor of the dispute, but left the elders and churches at liberty to act as they pleased: these were attempting to form a union with New Haven; and, as the ministers and churches of that colony were unanimous in their opposition to the synod, the court probably judged it impolitic at that time to act any thing relative to these ecclesiastical points.

While the churches were agitated with these disputes, Mr. Stone died in England, July 20th, 1663. He had his education at Emmanuel-college, in the university of Cambridge; and was eminently pious and exemplary; abounded in fastings and prayer, and was a most strict observer of the Christian Sabbath. Preparatory to this, he laboured to abstract himself on the Saturday evening, and was careful not to speak a word which was not serious; and spent much time in the instruction of his family,

commonly delivering to them the sermon which he designed to preach on the morrow, or some other, which might be best calculated for their instruction and edification. His sermons were doctrinal, replete with sentiment, and concisely and closely applied. He was esteemed one of the most accurate and acute disputants of his day; and was celebrated for his wit, pleasantry, and good humour.

All the original ministers of Connecticut and New Haven, except Mr. Warham and Mr. Davenport, had now finished their course, or returned to England; and most of their brethren, who composed the first churches, slept with them in the dust; and the first governors and magistrates were now also dead.

The next year the general court of Connecticut came to a resolve, with a view to enforce the resolution of the synod in the words following:—

"This court understanding by a writing presented to them from several persons of this colony, that they are aggrieved, that they are not entertained in church fellowship, this court having duly considered the same, desiring, that the rules of Christ may be attended, do commend it to the ministers and churches in this colony, to consider whether it be not their duty to entertain all such persons, who are of an honest and godly conversation, having a competency of knowledge in the principles of religion, and shall desire to join with them in church fellowship, by an explicit covenant; and that they have their children baptized: and that all the children of the church be accepted and accounted real members of the church; and that the church exercise a due Christian care and watch over them: and that when they are grown up, being examined by the officer, in the face of the church, it appear in the judgment of charity, that they be duly qualified to participate in that great ordinance of the Lord's supper, by their being able to examine themselves and discern the Lord's body, such persons be admitted to full communion.

"The court desireth the several officers of the respective churches would be pleased to consider, whether it be not the duty of the court to order the churches to practise according to the premises, if they do not practise without such order. If any dissent from the contents of this writing, they are desired to help the court, with such light as is with them, the next session of this assembly."

The secretary was directed to send a copy of this resolution to all the ministers and churches in the colony; and the elders and churches who would not comply with the proposed innovation, had not only to combat the arguments and influence of the synod, but the influence of the uneasy people in the congregations, and of the general court; but it was but slowly, and with great difficulty, that the practice of owning the covenant, and baptizing the children of parents who did not enter into full communion, and attend both the sacraments, was introduced. But few churches for many years admitted the practice, and some never did; and it appears that, notwithstanding the influence of the general court, and the resolutions of the synods, or general councils, a majority of the churches in Connecticut were against it. They imagined that such a latitude in baptism, and admission of members to communion, would subvert the very design for which the churches of New England were planted.

The discipline and usages of the Connecticut churches continued yet for some time nearly in the same situation in which they had been from the beginning. The clergy and churches were strict in

the admission of members to full communion; and those who were admitted, generally made a public relation of their Christian sentiments.

The elders and churches were exceedingly strict, with respect to those whom they ordained; examining them not only in the three learned languages and doctrinal points of theology, with respect to cases of conscience, and their ability to defend Christianity and its doctrines against infidels, but with respect to their own sentiments of religion. All those who were to be ordained over any church, previously to their separation to the sacred office, satisfied the brotherhood of their spiritual birth, and were admitted to their communion and fellowship; and none were ordained, or installed over any church, until they had been admitted to its full communion and fellowship; and they were also strict in the formation of churches; none could be formed, nor any minister ordained, without liberty from the general court, and the approbation of the neighbouring elders and churches.

From the preceding view, it appears that before the union there were fifteen churches in Connecticut, exclusive of those which had been formed upon Long Island; and that there had been thirty-one ministers in the colony; of whom about twenty-five or twenty-six had been installed or ordained; and that twenty-one were ministering to the people at the time of the union; nineteen of whom had been installed or ordained. The other two, Mr. Noyes and Mr. Collins, were afterwards settled in the ministry, in the towns where for some years they had been labouring.

Conduct of the king's commissioners—Counties and county courts regulated—Governor Winthrop's estate freed from taxation—Towns settled—Controversy with Rhode Island—The grounds of it—Courts appointed in the Narraganset country—Laws revised and printed—War with the Dutch—Claims and conduct of Major Edmund Andross, Governor of New York—Protest against him—Conduct of Captain Thomas Bull—Proclamation respecting the insult received from Major Andross—Philip's war—Captains Hutchinson and Lothrop surprised and slain—Treachery of the Springfield Indians—Hadley attacked by the enemy—The assembly make provision for the defence of Connecticut—Expedition against the Narraganset Indians—The reasons of it—The great swamp fight—Loss of men—Courage exhibited, and hardships endured—Captain Pierce and his party cut off—Nanunttenoo taken—Success of Captains Denison and Avery—Captain Wadsworth and his party slain—Death and character of Governor Winthrop—Success of Major Talcott—Attack upon Hadley—The enemy beaten and begin to scatter—They are pursued to Housatonic—Sachem of Quabaug and Philip killed—Number of the enemy before the war—Their destruction—Loss of the colonies—Connecticut happy in preserving its own towns and assisting its neighbours

(1665.) After the reduction of the Dutch settlements, Colonel Nichols fixed his residence at New York, to manage the affairs of government; and Sir Robert Carr, Cartwright, and Maverick, the other commissioners, went to Boston, and proceeded upon the business of their commission. After they had communicated their instructions to the general court, and made a number of requisitions inconsistent with the chartered rights of the colony, and some inconsistent with the rights of conscience and of the churches, they went from Boston to Narraganset; and held courts at Warwick and Southerton,

and spent a considerable time in hearing the complaints of the Indians, in determining the titles of the English to their lands; and without any colour of authority from their commission, undertook to make a new province; and amongst other arbitrary resolves, decided that the deed of the Rhode Islanders, from the Indians, was of no force. Captain Atherton, and others, had made a large purchase of the Indians in Narraganset, east of Pawcatuck river, and the planters had put themselves under the government of Connecticut; but the commissioners determined that Captain Atherton's deed was not legal, because there was no mention of the sum which he had paid. However, as it appeared that a full consideration had been paid the Indians for the lands, the commissioners ordered the natives to pay to the purchasers a certain quantity of wampum, and the planters to move off from the lands; and as the Narraganset sachems had in 1664, made their subjection to the king of England, acknowledging themselves to be his subjects, they declared that the country belonged to his majesty, and that in future it should be called "the king's province;" and they determined, that no person of what colony soever should presume to exercise any authority within that tract, except those who should be authorized by them, until his majesty's pleasure should be known. They also further decreed, that the king's province should extend westward to the middle of Pawcatuck river, and northward as far as the south line of Massachusetts; and in the plenitude of their power, they also ordered that the Pequots, to whom the general assembly of Connecticut had, agreeably to a resolution of the commissioners of the united colonies, assigned a tract of land on the east of Pawcatuck, should be removed and settled in some other place, which the assembly should appoint west of that river; and they came to these important decisions, without giving Connecticut any notice, or ever hearing what reasons the colony had to offer against them.

When they had finished their business in Narraganset, they returned to Boston; and there proceeded in the same arbitrary manner. They came to no determination with respect to the claim of the duke of Hamilton, but returned the answer of Connecticut to the king, and made a very friendly report to him of the manner in which they had been received by the colony of Connecticut, and of the loyalty and attachment of the people to his royal person; and in consequence the king sent a gracious letter to the colony; in which he says, "We cannot but let you know how much we are pleased. Although your carriage doth of itself most justly deserve our praise and approbation, yet it seems to be set off with more lustre by the contrary deportment of the colony of Massachusetts. We shall never be unmindful of this your loyal and dutiful behaviour."

At the general election, May 11th, 1666, the former governor and council were re-elected.

The general assembly at this session proceeded to ascertain the limits of the counties and the business of the county courts; and it was enacted, that the towns upon the river, from the north bounds of Windsor, with Farmington, to thirty miles inland, should be one county, to be called the county of Hartford; and that from Pawcatuck river, with Norwich, to the west bounds of Hammonasset, should be one county, by the name of the county of New London; and that from the east bounds of Stratford to the western boundary of the colony, be another county, to be known by the name of the county of Fairfield. The county courts were to

consist of one magistrate at least, and of two justices of the quorum; and if three magistrates were present, they were authorized to proceed to business, though the justices were absent. The probaton of wills and all testamentary matters, which before had been transacted in the court of magistrates, were referred to the county courts, with the liberty of appeal to the superior court.

In 1667, no alteration was made with respect to the governor and council, but Governor Winthrop, at first declined his office; and the assembly appointed a committee, and desired to know the reasons of his desire to leave the chair; and they reported the reasons to the assembly; which it seems were, that the expense of his office was such, that he could not, consistently with his duty to himself and family, continue in it, without some further allowance from the colony. The assembly continued their earnest desire, that he would accept the trust to which he had been chosen; and to enable him to support his office with dignity, the legislature freed all his estate in the colony from taxation, and granted him 110*l*. out of the public treasury. Upon these encouragements, in connexion with the desire and unanimity of the freemen, he consented to accept his appointment.

About the year 1664, settlements had commenced on the east side of Connecticut river, upon the tract, on that side, which originally belonged to the town of Saybrook; and in May, 1667, the inhabitants were so increased, that the assembly made them a distinct town by the name of Lyme. The Indian name for the eastern part of the town was Nehantick.

At the election in 1668 the freemen elected Mr. Alexander Bryan, Mr. James Bishop, Mr. Anthony Hawkins, and Mr. Thomas Wells, magistrates, instead of Mr. Matthew Allen, Mr. Sherman, Mr. Crane, and Mr. Clark.

In this and the next year several new settlements were made and new towns incorporated; and on the 20th of May, 1662, a purchase was made of the Indians, of a township of land termed thirty miles island; the Indian name of the tract, east of the river, was Machemoodus. The original proprietors were twenty-eight; who began their settlements on the west side of the river, and the inhabitants were so increased, that in the session in October, 1668, the plantation was vested with town privileges, and named Haddam. The extent of the township was six miles east and west of the river.

About the same time a settlement was made at Massacoe. In April, 1644, the general court of Connecticut had given liberty to Governors Hopkins and Haynes to dispose of the lands upon Tunxis river, called Massacoe, to such of the inhabitants of Windsor as they should judge expedient; and in 1647 the court resolved that Massacoe should be purchased by the country, and a committee was appointed to dispose of it to such of the inhabitants of Windsor as they should choose; and a purchase of the lands was made of the Indians, and settlements began under the town of Windsor. The plantation, at first, was considered as an appendix or part of that town: but in the session in May, 1670, it was enacted, that Massacoe should be a distinct town, by the name of Symsbury; and the limits were ordered to be ten miles northward from the north bounds of Farmington, and ten miles westward from the western bounds of Windsor.

About the same time New Haven village was incorporated and made a town, by the name of Wal-

lingford. The purchase of the town had been made by Governor Eaton, Mr. Davenport, and other planters of New Haven, in December, 1638; but the settlement was not projected until 1669; when a committee was appointed by the town of New Haven, vested with powers to manage the whole affair of the settlement; which held the lands in trust, and acted in all the affairs of the town, as trustees, until May 1672, when the trust was resigned to the town.

At the general election, May 1670, William Leet, Esq. was chosen deputy-governor, and Major Mason, who for many years had been deputy-governor, was chosen the first magistrate.

Until this time the great body of the freemen had annually convened at Hartford, upon the day of election, to make choice of the governor, magistrates, and civil officers, appointed by charter, to be elected on that day; but the freemen were now become so numerous, and it had been found to be so expensive and inconvenient, that it was judged necessary to alter the mode of election; and the assembly resolved, "That henceforth all the freemen of this jurisdiction, without any further summons, from year to year, shall or may upon the second Thursday in May, yearly, in person or in proxy, at Hartford, attend and consummate the election of governor, deputy-governor, and assistants, and such other public officers as his majesty hath appointed, by our charter, then yearly to be chosen:" at the same time a law was made, regulating the freemen's meetings and the mode of election, nearly the same with that respecting the election at the present time.

While the colony was thus extending its settlements, and regulating its internal police, great dissensions arose respecting the boundaries between Connecticut and Rhode Island; and from year to year Connecticut had appointed committees to settle the boundary line between the colonies, but all their attempts had been unsuccessful.

In 1668 the assembly appointed Mr. Wyllys, and Mr. Robert Thompson, of London, by petition or otherwise, to represent the affair to his majesty, and obtain a resolution respecting the boundary line; but nothing decisive, however, was effected; and meanwhile, the conduct of Rhode Island was such, that the general assembly of Connecticut declared it to be intolerable, and contrary to the settlement made by his majesty's commissioners; and the assembly, therefore, in May 1670, appointed Mr. Leet, the deputy-governor, John Allen, and James Richards, Esquires, Captain John Winthrop, and Captain Benjamin Newbury, a committee to meet at New London, the June following, to treat with such gentlemen from Rhode Island as should be sent, properly authorized to act in the affair; and concerning the injuries which the inhabitants of that colony had done to the people of Connecticut. They were not only vested with plenary powers to compromise these difficulties, but, in case the commissioners from Rhode Island would not agree to some equitable mode of settlement, to reduce the people of Squamacuck and Narraganset to obedience to this colony; and were also authorized to hold courts in the Pequot and Narraganset country, and to hear and determine all cases of injury which had been done to the inhabitants of Connecticut, according to law; and to appoint all officers, necessary for the peaceable government of that part of the colony.

The commissioners of the two colonies met at New London, but could effect no settlement of the controversy; as the commissioners from Rhode

Island insisted that Pawcatuck river was their boundary, according to the express words of their charter; and those from Connecticut, that their charter, which was prior to that of Rhode Island, bounded them easterly upon Narraganset Bay and river, and that the Pequot country, which they had conquered, extended ten miles east of Pawcatuck; and that therefore they had a right to that part, both by charter and conquest. As no agreement could be effected, the committee from Connecticut went into the Narraganset country, and read the charter at Wickford, and the plantations east of Pawcatuck river; and, in the name of the general assembly of Connecticut, demanded the submission and obedience of the people to its authority and laws; and appointed officers for the good government of the people.

Both colonies had something plausible to plead. The case, when truly stated, seems to be, that the old patent of Connecticut, to Lord Say and Seal, Lord Brook, and their associates, bounded the tract conveyed eastward, by Narraganset Bay and river; and the charter granted in April 1662, gave the same boundaries as the old patent in 1631; but Pawcatuck river was never known by the name of Narraganset river, and it made no bay; consequently the mouth of it, and the sea there, could not be called Narraganset bay. But when Mr. John Clark was in England, as agent for the colony of Rhode Island, in 1663, there arose much difficulty between him and Mr. Winthrop, respecting the boundaries between the two colonies; and they were advised, by their friends, to submit the controverted points to arbitrators, in England, to which they consented; and consequently William Breereton, Esq., Major Robert Thompson, Captain Richard Deane, Captain John Brookhaven, and Doctor Benjamin Worsley, were mutually chosen to hear and determine the disputes; and they came to the following determination:—

“First, That a river there commonly called and known by Pawcatuck river, shall be the certain bounds between those two colonies, which said river shall, for the future, be also called alias Narragance or Narraganset river.

“Secondly, If any part of that purchase at Quinebaug doth lie along upon the east side of the river, that goeth down by New London, within six miles of the said river, that then it shall wholly belong to Connecticut colony, as well as the rest which lieth on the western side of the aforesaid river.

“Thirdly, That the proprietors and inhabitants of that land about Mr. Smith's trading-house, claimed or purchased by Major Atherton, Captain Hutchinson, Lieutenant Hudson, and others, or given unto them by Indians, shall have free liberty to choose to which of those colonies they will belong.

“Fourthly, That propriety shall not be altered nor destroyed, but carefully maintained through the and colonies.”

To this the two agents, John Winthrop and John Clark, Esquires, interchangeably set their hands and seals, as an agreement finally terminating the controversy between them, on the 7th of March, 1663; and, in consequence, the charter of Rhode Island, granted July 8th, 1663, bounded that colony westward by Pawcatuck river, and ordained, with particular reference to the agreement, which is recognised in the charter, that this river should be called alias Narragance or Narraganset river; and that the same shall be holden by the colony of Rhode Island, “any grant, or clause in a late grant,

to the governor and company of Connecticut colony in America, to the contrary thereof, in any wise notwithstanding.”

The proprietors mentioned in the agreement, made choice of the government of Connecticut, July 3d, 1663, and were taken under the jurisdiction and protection of this colony.

Connecticut insisted, that Mr. Winthrop's agency was finished before the agreement with Mr. Clark, and that he had never received any instructions from the colony, authorizing him to enter into any such compact; and it was also pleaded, that his majesty could not re-grant that which he had previously granted to Connecticut; at the same time Rhode Island insisted on the agreement between Mr. Winthrop and Mr. Clark, and on the limits granted in the charter of that colony; and hence arose a controversy between the colonies, which continued more than sixty years.

Governor Winthrop, at the session in October, again proposed a resignation of his office, and desired the consent and approbation of the general assembly, who were utterly opposed to it; and through the influence of the houses he was persuaded to keep the chair; and, at the next session, a salary of 150*l.* was granted him, and, at various times after, several valuable tracts of land. These considerations, with the great unanimity and esteem of the freemen, prevailed with him to continue in office until his death.

In 1671 the former officers were all re-chosen.

During eighteen or twenty years, attempts had been making to settle a township at Paugasset; and about the year 1663, it appears that Governor Good year, and several other gentlemen in New Haven, made a purchase of a considerable tract there. About the year 1654 some few settlements were made; and the next year, at the session in October, the planters presented a petition to the general court at New Haven, to be made a distinct town, and to order their affairs independently of the other towns. The court granted their petition; gave them liberty to purchase a tract sufficient for a township; released them from taxes; and appointed Richard Baldwin moderator to call meetings, and conduct the affairs of the plantation. At the next court, however, Mr. Prudden, and the people of Milford, made such strong remonstrances against the act, that the court determined the people at Paugasset should continue, as they had been, under the town of Milford, unless the parties should come to an agreement, respecting the incorporation of the inhabitants there into a distinct township. In 1657 and 1659 a purchase was made of the lands of the chief sagamores, Wetaumow and Raskenute; and the purchase appears to have been confirmed afterwards by Okenuck, the chief sachem. Some of the first planters were Edward Wooster, Edward Riggs, Richard Baldwin, Samuel Hopkins, Thomas Langdon, and Francis French; who preferred a petition to the general assembly of Connecticut, praying for town privileges, in 1671. The assembly determined that their south bounds should be the north line of Milford, and that they should extend their limits twelve miles northward, to a place called the notch. For their encouragement, it was promised that, as soon as there should be thirty families in the plantation, they should be vested with town privileges; and about four years after, (Oct. 1675,) they renewed their application; representing that they then consisted of twelve families, and that eleven more were about moving di-

ectly into the plantation: that they had procured a minister, built him a house, and made provision for the enjoyment of Divine ordinances; and, upon these representations, the assembly formed them into a town, by the name of Derby.

Major John Mason, who for many years had been deputy-governor, and rendered many important services to the colony, being far advanced in years, and visited with many infirmities, about this time excused himself from the service of the commonwealth; and at the next election, May 9th, 1672, Mr. John Nash was chosen magistrate, to fill the vacancy made by his resignation.

Until this time the colony had kept their laws in manuscript, and had promulgated them, by sending copies to be publicly read in the respective towns; and this year the first code of Connecticut was published. It was printed at Cambridge, in Massachusetts; and consisted of between seventy and eighty pages of print, and of nearly the same number of blank pages in small folio. The preface is written in the most religious manner, sufficiently solemn for an introduction to a body of sermons; of which the following introduction is a specimen: "To our beloved brethren and neighbours, the inhabitants of Connecticut, the general court of that colony wish grace and peace in our Lord Jesus." It recognises the design of the first planters, "who," as the court express it, "settled these foundations," for the maintaining of "religion according to the Gospel of our Lord Jesus;" which it declares "ought to be the endeavour of all those that shall succeed to uphold and encourage unto all generations." The assembly enacted, that every family should have a law book; and in the blank pages all the laws enacted after 1672 were inserted in writing, until the year 1699, when the book was filled up.

At the election, May 8th, 1673, Robert Treat, Esq. was chosen into the magistracy; and, at the same court, Richard Smith was appointed a commissioner at Narraganset, and vested with the powers of magistracy through that country. A court of commissioners was also instituted there, which had cognisance of all cases not exceeding twenty pounds, provided that all such as exceeded forty shillings should be tried by a jury. A commissioner, or as we term the same officer, a justice of the peace, was appointed at Pettyquamscot.

As war had been declared in England the last year against the Dutch, the colony was put into a state of defence; and a troop of horse was raised in each county. On the 30th of July a small Dutch fleet, under the command of Commodores Cornelius Everste, and Jacob Benkes, arrived at New York; and one John Manning, who commanded the fort and island there, treacherously delivered them up to the enemy, without firing a gun, or attempting the least resistance; and the inhabitants of New York and New Jersey generally submitted to the Dutch without opposition. About the same time the Dutch captured a vessel of Mr. Sillick's of this colony, near one of the harbours of the western towns.

A special assembly was convoked at Hartford, on the 7th of August; and orders were immediately issued, that the respective troops in the colony, with 500 dragoons, should be ready for service; and that all the trainbands should be complete in their arms. The same day, Mr. James Richards and Mr. William Roswell were dispatched with a letter from the assembly to the Dutch commodores, to know their further intentions; and the assembly

remonstrated against their conduct, in capturing Mr. Sillick's vessel, and in demanding the submission of his majesty's English subjects, upon Long Island, and that they should take the oath of allegiance to the States-general; they declared that the united colonies were, by his majesty, constituted the defenders of the lives and liberties of his subjects, in these parts of his dominions, and assured them that they would be faithful to their trust. The governor, deputy-governor, and a number of the council, were appointed a committee of war, to act as emergencies should require.

The Dutch commanders returned a soldier-like answer to the messengers and letter from Connecticut, purporting that they had a commission to do all damages in their power to their enemies, by land and sea; that they had summoned the towns upon Long Island to submit to them; and that unless they should comply, they would reduce them to their subjection by force of arms; that as the vessel they had taken was their enemy's, it was strange to them that any questions were proposed concerning it: and that while they doubted not of the faithfulness of the united colonies in defending their majesty's subjects, they should not be less zealous and faithful in the service of the States-general.

On the 11th of August the committee of war, which met at Hartford, appear to have apprehended an immediate invasion; as they gave orders that the whole of the militia of the colony should be ready to march at an hour's warning, to any place which might be attacked. They also made such arrangement of the dragoons, and sent such assistance to their friends upon Long Island, as prevented an invasion of any part of the colony, and the plunder and destruction of the English upon the island.

On the meeting of the assembly, in October, letters were sent to Massachusetts and Plymouth, to solicit their united assistance against the Dutch, and to know their opinion relative to proclaiming war, and engaging in offensive operations against them; and Mr. John Banks was sent express to the Dutch commanders, with a spirited remonstrance against the conduct of the Dutch, who had threatened the towns on the island with destruction, by fire and sword, unless they would submit and swear allegiance to the States-general. They had sent ships and an armed force towards the east end of the island to subdue the people, but had been prevented; and the assembly assured them that they knew how to avenge themselves upon their plantations, and not only so, but upon their headquarters, if the colonies should rise, and warned them of the consequences of injuring the English towns upon the island.

Connecticut, upon consulting their confederates, found it to be the general opinion to act offensively against the Dutch; and, consequently, a special assembly was called on the 26th of November, and war was immediately proclaimed against them; by which it was determined, that an expedition should be undertaken against New York, in conjunction with the other confederates. Major Treat was appointed to command the troops from Connecticut.

The Dutch not only threatened the English towns on the island with destruction, but, it seems, made several descents upon it, with a view to attack them: however, by the assistance of the troops from Connecticut, they were, in all instances, repulsed, and driven from the island; and before suitable preparations could be made for an attack upon the Dutch

at their head-quarters, the season was too far advanced for military operations; and early in the spring the news of a general pacification between England and Holland prevented all further proceedings of this kind. The whole militia of the colony, at this time, amounted to no more than 2,070 men; one-fourth of which, it seems, were mounted as dragoons, and employed for the defence of the colony, and of his majesty's English subjects upon Long Island.

The only alteration made by the election in 1674, was the choice of Thomas Topping, Esq. instead of Mr. Hawkins.

As the inhabitants of Long Island had been protected and governed the latter part of the last year by Connecticut, they made application, at this assembly, for the further enjoyment of its protection and government; and the legislature accepted them, and appointed officers in the several English towns, as they had done at their session the preceding October.

Upon the application of the town of Wickford, and other plantations in Narraganset, the legislature took them under the government of this colony; and a court was instituted at Stonington, for the government of the people in Narraganset, that "they might not live in dissolute practices, to the dishonour of God, of the king and nation, and to the scandalizing of the very heathens."

The legislature, in 1672, granted liberty to Mr. Sherman, Mr. William Curtiss, and their associates, to make a plantation at Pomperaug; and such a number of settlements had been made there, in about two years, that the assembly, in May 1674, enacted that it should be a township, by the name of Woodbury.

Scarcely had the colonies recovered from one calamity and danger, before new and more terrible causes of alarm and danger presented themselves; and not only Connecticut, but all the New England colonies, approached a most distressing and important period, in which their very existence was endangered.

Upon the pacification with the Dutch, the Duke of York, to remove all doubt and controversy respecting his property in America, took out a new patent from the king, June 29th, 1674, granting the same territory described in the former patent; and two days after he commissioned Major, afterwards Sir Edmund Andross, so be governor of New York, and all his territories in these parts. The major was a mere tool of the duke, and a tyrant over the people. We have already, in the history of New York, portrayed his despotic and unjust conduct. We have also already given the history of the war with the Indians, usually called Philip's war, in the account of the previous colonies; so that it is only necessary to repeat the circumstances which may appertain more particularly to Connecticut.

Notwithstanding the priority of the patent of Connecticut to the Duke of York's, and the determination of his majesty's commissioners about ten years before, Andross set up the duke's claim to all that part of the colony which lies to the westward of Connecticut river, and he threatened the colony with an invasion; and, at the same time, Philip, sachem of the Wampanoags, commenced his hostilities against the colonies.

On the 20th of June, 1675, his Indians attacked Swanzy, one of the frontier towns of New Plymouth, and insulted the English, rifled their houses, and

killed their cattle. Four days after they killed nine, and wounded seven of the inhabitants; but the troops of that colony marched immediately to the defence of the town; and in four days they were reinforced with several companies from Boston. On the 29th the troops were drawn forth against the enemy: who instantly fled before them for a mile or two, and took refuge in a swamp; and the next day Major Savage arrived with more troops, and a general command from Boston. He marched the army into the Indian towns, to surprise their head-quarters, and give them battle upon their own grounds; but they found the enemy's towns, and even the seat of Philip, deserted with marks of the utmost precipitation. As the Indians fled, they marked their route with the burning of buildings, the scalps, hands, and heads of the English, which they had taken off and fixed upon poles by the wayside. As the troops could not come up with the enemy, they returned to their head-quarters at Swanzy.

About the same time it was discovered that Major Andross was about to make a hostile invasion of the colony, and to demand a surrender of its most important posts to the government of the duke of York; and detachments from the militia were therefore sent, with the utmost expedition, to New London and Saybrook. Captain Thomas Bull, of Hartford, commanded the party sent to Saybrook.

About the 8th or 9th of July the people of that town were surprised by the appearance of Major Andross, with an armed force, in the sound, making directly for the fort; as they had received no intelligence of the affair, nor instructions from the governor and council, how to conduct themselves upon such an emergency, they were at first undetermined whether to make any resistance or not; but they did not hesitate long; and the fort was manned, and the militia of the town drawn out for its defence. At this critical juncture Captain Bull, with his company, arrived, and the most vigorous exertions were made for the defence of the fort and town; and on the 11th, Major Andross, with several armed sloops, drew up before the fort, hoisted the king's flag on board, and demanded a surrender of the fortress and town; but Captain Bull raised the king's colours in the fort, and arranged his men in the best manner; and appeared determined and desirous for action. The major did not like to fire on the king's colours, and perceiving that, should he attempt to reduce the town by force, it would be a bloody affair, judged it expedient not to fire upon the troops; but he, nevertheless, lay off the fort all that day, and part of the next.

The critical state of the colony had occasioned the meeting of the assembly at Hartford, on the 9th of July; which immediately proceeded to draw up a declaration, or protest, against the major, in the words following:—

"Whereas, we are informed that Major Edmund Andross is come with some considerable force into this his majesty's colony of Connecticut, which might be construed to be in pursuance of his letter to us, to invade or intrude upon the same, or upon some part of our charter limits and privileges, and so to molest his majesty's good subjects, in this juncture when the heathen rage against the English, and by fire and sword have destroyed many of his majesty's good subjects, our neighbours of Plymouth colony, and still are carrying their heads about the country, as trophies of their good success; and yet are proceeding further in their cruel designs against the

English; in faithfulness to our royal sovereign, and in obedience to his majesty's commands, in his gracious charter to this colony, we can do no less than publicly declare and protest against the said Major Edmund Andross, and these his illegal proceedings, as also against all his aiders and abettors, as disturbers of the peace of his majesty's good subjects in this colony; and that his and their actions, in this juncture, tend to the encouragement of the heathen to proceed in the effusion of Christian blood, which may be very like to be the consequence of his actions, and which we shall unavoidably lay at his door, and use our utmost power and endeavour (expecting therein the assistance of Almighty God) to defend the good people of this colony from the said Major Andross his attempts; not doubting but his majesty will countenance and approve our just proceedings therein, they being according to the commission we have received from his majesty in his gracious charter to this colony; by which power and trust so committed unto us, we do again forewarn and advise the said Major Andross, and all his aiders and abettors, to forbear and desist such forenamed unjust and unwarrantable practices, as they expect to answer the same, with all such just damages and costs as may arise or accrue thereby. And we do further, in his majesty's name, require and command all the good people, his majesty's subjects of this colony of Connecticut, under our present government, utterly to refuse to attend, countenance or obey the said Major Edmund Andross, or any under him, in any order, instruction, or command, diverse from or contrary to the laws and orders of this colony here established, by virtue of his majesty's gracious charter, granted to this colony of Connecticut, as they will answer the contrary at their peril. God save the king."

This was voted unanimously; and was sent by an express to Saybrook, with instructions to Captain Bull to propose to Major Andross the reference of the affair in dispute to commissioners, to meet in any place in this colony which he should choose; and early in the morning of the 12th of July, the major desired that he might have an interview with the ministers and chief officers. Imagining probably, that if he could read the duke's patent and his own commission, it would make an impression upon the people, and that he should gain by art that which he could not by force of arms. He was allowed to come on shore with his suit; but meanwhile the express arrived with the protest, and instructions from the assembly; and Captain Bull and his officers, with the officers and gentlemen of the town, met the major at his landing, and acquainted him that they had at that instant received instructions to tender him a treaty, and to refer the whole matter in controversy to commissioners, capable of determining it according to law and justice. The major rejected the proposal, and forthwith commanded, in his majesty's name, that the duke's patent, and the commission which he had received from his royal highness, should be read; but Captain Bull commanded him, in his majesty's name, to forbear reading; and when his clerk attempted to persist in reading, the captain repeated his command with such a voice and manner as convinced the major it was not safe to proceed. The captain then acquainted him that he had an address from the assembly to him, and read the protest. Finding he could make no impression upon the officers or people, and that the legislature of the colony were determined to defend themselves, in the possession of their char-

tered rights, he gave up his design of seizing the fort; and represented the protest as a slender affair and an ill requital of his kindness; but said, however, he should do no more. The militia of the town guarded him to his boat, and going on board he soon sailed for Long Island.

The general assembly upon receiving an account of the major's conduct, came to the following resolution.

"This court orders that this declaration shall forthwith be sent forth to the several plantations, sealed with the seal of the colony, and signed by the secretary, to be there published.

"Forasmuch as the good people of his majesty's colony of Connecticut have met with much trouble and molestation from Major Edmund Andross, his challenge and attempts to surprise the main part of said colony, which they have so rightfully obtained, so long possessed and defended against all invasions of Dutch and Indians, to the great grievance of his majesty's good subjects in their settlements, and to despoil the happy government by charter from his majesty granted to themselves, and under which they have enjoyed many halcyon days of peace and tranquillity to their great satisfaction, and to the content of his majesty, graciously expressed by letters to them, so greatly engaging their loyalty and thankfulness, as makes it intolerable to be put off from so long and just settlement under his majesty's government by charter. Hereupon, for the prevention of misrepresentations into England, by the said Major Andross against us for our refusal, and withstanding his attempts made with hostile appearances to surprise us at Saybrook, while we were approaching towards a savage Indian enemy that had committed much outrage and murder by fire and sword upon our neighbours about Plymouth; this court have desired the honourable John Winthrop and James Richards, Esquires, or either of them, (intending a voyage to England upon their own occasions,) to take with them the narrative and copies of all the transactions betwixt us, and to give a right understanding for clearing our innocence, and better securing our enjoyments as occasion shall offer."

Notwithstanding every precaution and exertion of the colonies, the Indians continued plundering, burning, killing, and capturing the colonists, and kept the whole country in continual fear and alarm; especially the inhabitants of Massachusetts, Plymouth, and Rhode Island.

Besides other damages not so considerable, Captain Hutchinson, who had been sent with a party of horse to treat with the Nipmuck Indians, was drawn into an ambush near Brookfield, and mortally wounded; and sixteen of his company were killed. The enemy then rushed in upon the town, and burnt all the dwelling-houses except one, which was defended by the garrison, until it was reinforced two days after by Major Willard; when they retired, having burned twenty dwelling-houses, with all the barns and out-houses, and killed all the cattle and horses which they could find. In September, Hadley, Deerfield, and Northfield, on Connecticut river, were attacked, and numbers of the inhabitants killed and wounded; and most of the buildings in Deerfield were burnt, and Northfield was soon after abandoned to the enemy. There were a number of skirmishes about the same time in that part of the country, in which the English on the whole were losers. Captain Beers was surprised near Northfield, by a large body of the enemy, and he and

twenty of his party were killed; and the officers who commanded in that quarter, finding that by sending out parties they sustained continual loss and disappointment, and effected nothing of importance, determined to collect a magazine at Hadley, and garrison the town. At Deerfield, there were about three thousand bushels of wheat in stack which it was resolved to thresh out, and bring down to Hadley; and while Captain Lothrop, with a chosen corps of young men, the flower of the county of Essex, was guarding the teams employed in this service, seven or eight hundred Indians suddenly attacked him; and though he fought with great bravery, yet he fell with nearly his whole party. Ninety or a hundred men being killed on the spot. Captain Mosely, who was stationed at Deerfield, marched to reinforce Captain Lothrop, but arriving too late was obliged to fight the whole body of the enemy for several hours, until Major Treat of Connecticut, with about a hundred and sixty Englishmen and Moheagan Indians, marched to his assistance, and put the enemy to flight. The fall of Captain Lothrop and such a fine body of men, was a heavy loss to the country; especially to the county of Essex, filling it with great and universal lamentation.

The commissioners about the middle of September, ordered 1000 men to be raised for the general defence, 500 of which were to be dragoons with long arms. Connecticut was required to raise 315 men for her proportion; and a considerable part of this force was employed by Connecticut, under Major Treat, for the defence of the upper towns. Captain Watts had been sent with a company to Deerfield some time before.

During the term of about forty years, the Indians in the vicinity of Springfield had lived in the greatest harmony with the English, and still made the strongest professions of friendship; yet about this time they conspired with Philip's warriors for the destruction of that town. At the distance of about a mile from it they had a fort; and the evening before they made their assault, they received into it about three hundred of Philip's warriors; but one Toto, a Windsor Indian, betrayed the plot, and dispatches were immediately sent off from Windsor to Springfield, and to Major Treat, who lay at Westfield with the Connecticut troops, to apprise them of the danger. The people at Springfield were so strongly persuaded of the friendship of those Indians, that they would not credit the report; and one Lieutenant Cooper, who commanded there, was so infatuated, that as soon as the morning appeared, instead of collecting his men and preparing for the defence of the town, he, with another man, rode out with a design to go to the fort and discover the truth of the report. He soon met the enemy, who killed his companion, and shot several balls through his body; but as he was a man of great strength and courage, he kept his horse, though mortally wounded, until he reached the first garrison-house and gave the alarm. The enemy immediately commenced a furious attack upon the town, and began to set fire to the buildings; and the inhabitants were in the utmost consternation; having no one to command them, and must soon have all fallen a bloody sacrifice to a merciless foe, had not Major Treat appeared to their relief; who upon receiving intelligence of the designs of the enemy, marched without loss of time; but meeting with considerable hinderance in crossing the river for want of boats, his arrival was not in time to prevent the attack. He soon, however, drove

off the enemy and saved the inhabitants, and a considerable part of the town. But great damage had been done; no less than thirty dwelling-houses, besides barns and out-houses, having been burned. Major Pyncheon and Mr. Purchas sustained each the loss of a thousand pounds; and Mr. Pelatiah Glover, minister of the town, lost his house, with a large and excellent library.

In this stage of the war, the general assembly of Connecticut convened, October 14th; and sensible of the good conduct of Major Treat, in defending the colony and the towns on Long Island against the Dutch, and in relieving Captain Mosely and Springfield, returned him public thanks, appointed him to the command of all the troops to be raised in the colony, to act against the enemy, and desired his acceptance of the service.

Upon intelligence from the Rev. Mr. Fitch, that a large body of the enemy were approaching the town of Norwich, Major Treat was directed to march thither for the defence of that part of the colony; but soon after his orders were countermanded, and he proceeded to Northampton; where he arrived in time to render his country another piece of important service. The enemy had been so elated with their various successes, that having collected about eight hundred of their warriors, they made a furious attack upon Hadley; and almost every part of the town was assaulted at the same instant; but it was defended by officers and men of vigilance and spirit, so that the enemy every where met with a warm reception. Several parties of the Massachusetts' troops who were in the neighbouring garrisons, flew to their assistance, and Major Treat advancing with his usual dispatch from Northampton, soon attacked them with his whole force, and they were put to a total flight; and they sustained such loss, and were so disheartened, that from this time the main body of them left that part of the country, and held their general rendezvous in Narraganset. Some few, however, remained, doing damage as they had opportunity, and keeping the people in constant alarm.

From the intelligence communicated to the general assembly of Connecticut during the October session, it appeared that the enemy had designs upon almost all the frontier towns in the colony; and each county was therefore required to raise sixty dragoons, complete in arms, horses and ammunition, for the immediate defence of the colony, wherever their services might be necessary. Captain Avery was appointed to the command of forty Englishmen from the towns of New London, Stonington and Lyme, with such a number of Pequots as he should judge expedient, for the defence of that part of the country, and the annoyance of the enemy as occasion should present. Captain John Mason was appointed to command another party of twenty Englishmen, and the Moheagan Indians; and these parties were ordered to post themselves in the best manner to guard the eastern towns, and to act conjointly or separately as emergencies should require. An army of one hundred and twenty dragoons was appointed to act against the enemy under the command of Major Treat; and it was ordered that all the towns should be fortified, and that every town should provide the best places of defence of which it was capable, for the security of the women and children, who were directed to repair to them upon the first intimations of danger. The inhabitants of the towns on the frontiers, who were few in number, and most exposed, were advised to remove

their best effects, and people unable to defend themselves to retire into the more populous parts of the colony, where they would be in a more probable state of safety.

The proportion which Connecticut sent to the united army of the confederate states, was 315 Englishmen and 150 Mohegan and Pequot Indians; which were divided into five companies, commanded by Captains Seely, Gallup, Mason, Watts, and Marshall; the corps being commanded by Major Treat; and the honourable Josiah Winslow, Esq., governor of New Plymouth, was appointed commander in chief. The orders of the commissioners to Connecticut were issued at Boston, the 12th of November; by which it was required that the troops should rendezvous at New London, Norwich, and Stonington, by the 10th of December.

The Connecticut troops arrived at Pettyquamscot, on the 17th of December; where there had been a number of buildings in which the troops expected to have been covered and kindly entertained; but the enemy, a day or two before, had killed ten men and five women and children, and burned all the houses and barns. The next day they formed a junction with the Massachusetts and Plymouth forces. We shall not recapitulate the history of this war, except only in such particulars as relates to Connecticut.

Of the 300 Englishmen from Connecticut, eighty were killed and wounded; twenty in Captain Seely's, twenty in Captain Gallup's, seventeen in Captain Watts's, nine in Captain Mason's, and fourteen in Captain Marshall's company. Of these about forty were killed or died of their wounds. About half the loss in this bloody action fell upon Connecticut. The legislature of the colony, in a representation of the services they had performed in the war, say, "In that signal service, the fort fight in Narraganset, as we had our full number in proportion with the other confederates, so all say they did their full proportion of service. Three noble soldiers, Seely, courageous Marshall, and bold Gallup, died in the bed of honour; and valiant Mason a fourth captain, had his death's wound. There died many brave officers and sentinels, whose memory is blessed; and whose death redeemed our lives. The bitter cold, the tarled swamp, the tedious march, the strong fort, the numerous and stubborn enemy they contended with, for their God, king and country, be their trophies over death. He that commanded our forces then, and now us, made no less than seventeen fair shots at the enemy, and was thereby as oft a fair mark for them. Our mourners over all the colony witness for our men, that they were not unfaithful in that day." It is the tradition that major, afterwards Governor Treat, received a ball through the brim of his hat, and that he was the last man who left the fort in the dusk of the evening, commanding the rear of the army. The burning the wigwams, the shrieks and cries of the women and children, and the yelling of the warriors, exhibited a most horrible and affecting scene, so that it greatly moved some of the soldiers; and many of them were visited with strong scruples of conscience, feeling it to be contrary to the Gospel, to have waged the war with the Indians, to the burning them in their wigwams.

The Connecticut troops having sustained such a loss of officers, and being so disabled, Major Treat judged it necessary to return to Connecticut, where he might recruit them, and cover them with more convenience than could possibly be done in that part of the country. The wounded men who were

not able to travel, were put on board vessels and carried to Rhode Island. The Connecticut troops in their March from Stonington to Pettyquamscot, killed six and captured seven of the enemy; and on their journey home, killed and captured about thirty more.

The Massachusetts and Plymouth troops kept the field the greater part of the winter, and the Indians still continued their hostilities.

In February, 1676, a number of volunteers from Connecticut, belonging principally to New London, Norwich, and Stonington, formed themselves into companies under Major Palms, Captain George Denison, Capt. James Avery, and Captain John Stanton, for the annoyance of the enemy. They engaged a number of Moheagans, Pequots, and Narragansets, to be associates with them for the sake of plunder, and other rewards. The Moheagans were commanded by Onecho, one of the sons of Uncas; the Pequots by Cassasinamon, their chief; and the Narragansets, consisting of about twenty men, by Catapazet. These latter were Ninigrate's men, who in time past had given the colonies so much trouble; but at this time they remained quiet, and would not join the other Narraganset sachems.

The principal seat of Ninigrate was at Westerly, which formerly belonged to Stonington. He put himself under the English, and he and his Indians were the only ones who were not destroyed or driven from that part of the country.

These companies began to range the Narraganset country, and harass the enemy, the latter part of February, and continued making their incursions from that time until the enemy were driven from those quarters. As soon as one company returned, another went out immediately, so as to keep the enemy in continual alarm. Their success was admirable.

Captain Denison, of Stonington, on the 27th of March, began a very successful incursion into the country.

Nanunttenoo, or Canonchet, the head sachem of all the Narragansets, son of Miantonimoh, inheritor of all his pride, and of his hatred towards the English, had ventured down from the northern wilderness to Seaconk, near the seat of Philip, to procure seed-corn, to plant the towns which the English had deserted upon Connecticut river. He lately had been aiding in the slaughter of a Captain Pierce and his men; and after Captain Denison and his party had wearied themselves for several days in seeking them, they came upon their tracts near Blackston's river, and soon discovered by a squaw whom they took, that Nanunttenoo was in a wigwam not far distant. The captain made dispositions immediately to surprise him; and some of his party discovering them, ran off with great precipitation; but one more faithful than the rest entered the wigwam and acquainted him with his danger. He instantly fled with all his speed; but Catapazet, the friendly Indian chief, suspecting from the manner of his running, that it was Nanunttenoo, gave chase with as much eagerness as he fled; and the other Indians joined in the pursuit. They pressed him so hard that he soon threw off his blanket, and then his silver laced coat, which had been given him at Boston: his pursuers, like blood-hounds, employed their utmost exertions to seize him; and at length his foot slipped upon a smooth stone as he was plunging through a river, and he fell and wetted his gun: one Monopoide, a Pequot, outrunning the other Indians, leaped into the river after him, and soon

laid hold upon him; and although he was a powerful man, and of great courage, yet he made no resistance. One Robert Stanton, a young man, was the first Englishman who came up to him. He asked him several questions; but this haughty sachem, looking with disdain upon his youthful countenance, replied, in broken English, "You too much child; no understand matters of war—Let your captain come; him I will answer." This party, in about sixteen days, killed and took nearly fifty of the enemy, without the loss of a single man; among whom was this chief, and a number of counsellors and war captains.

Nanunttenoo would not accept of life when offered upon the condition that he should make peace with the English; nor would he so much as send one of his counsellors to make a single proposal for that purpose; and when he was told that it was determined to put him to death, he said, "He liked it well; that he should die before his heart was soft, or he had spoken any thing unworthy of himself." He was shot by the Mohegan sachem, and the principal Pequots, at Stonington.

These brave volunteers and their flying parties had, at this time, killed and captured 44 of the enemy, and, before the end of April, 76 more; among whom was another celebrated sachem. They made in the spring, summer, and autumn, ten or twelve expeditions, in which they killed and captured 230 of the enemy, took 59 muskets, and brought in 160 bushels of their corn. They drove all the Narraganset Indians out of their country, except those at Westerly under Ninigrate; and in all these expeditions they had not one man killed or wounded.

While Connecticut had the happiness of giving a check to the war, the colony sustained a heavy loss in the death of Governor Winthrop. He had been chosen one of the commissioners from Connecticut, the May preceding, to the court of the commissioners of the united colonies; and upon the meeting of this court, early in the spring, he went to Boston, where he was taken sick, and died, April 5th, 1676, in the seventy-first year of his age. He was honourably interred at Boston, in the same tomb with his father.

He was the eldest son of the honourable John Winthrop, Esq. the first governor of Massachusetts, and was born at Groton in England, in 1605. His father gave him a liberal education at the University of Cambridge, in England; and afterwards supported him some years at the University of Dublin, in Ireland. As travelling was then considered a necessary accomplishment to a young gentleman, he travelled into France, Holland, Germany, Italy, and Turkey. With these advantages he returned to England, not only a great scholar, rich in experience and literature, but a most accomplished gentleman. He was a puritan of distinguished piety and morals; and, after his return from his travels, he came into New England, with his father's family, in 1631, and was chosen one of the magistrates of the colony of Massachusetts. He afterwards returned into England; and in 1635 came back with a commission to erect a fort at the mouth of Connecticut river, and to be governor of that part of the country. In 1651 he was chosen one of the magistrates of Connecticut; and in 1657 he was elected governor, and the next year deputy-governor. In 1659 he was again chosen governor; from which time he was annually re-chosen to that office, until his death. He was one of the greatest chemists and physicians of his age, a member of the Royal Society

of philosophical transactions, and one of the most distinguished characters in New England. He rendered many important services to the colony, and died greatly and universally lamented.

At the election, May 11th, William Leet, Esq. was chosen governor, and Robert Treat, Esq. deputy-governor. Captain John Mason was chosen magistrate, to fill the vacancy made by the advancement of Major Treat to the office of deputy-governor. No alteration was made with respect to the other officers.

The assembly voted 350 men, who, with the friendly Indians, were to be a standing army. Major John Talcott was appointed to the chief command; and the Rev. Gershom Bulkeley, of Weathersfield, was appointed surgeon, and Mr. James Fitch, chaplain. Mr. Bulkeley was esteemed as one of the greatest physicians and surgeons then in Connecticut. The assembly ordered that the surgeon and chaplain should be of the council of war.

Major Talcott, on his appointment to the command of the army, resigned the office of treasurer, and William Pitkin, Esq. was appointed to that office by the assembly.

The first general rendezvous of the army this year was at Norwich; from whence Major Talcott marched in the beginning of June, with about 250 English soldiers, and 200 Mohegan and Pequot Indians, towards the Wabaquasset country, scouring the woods through that long tract. They found the fort and wigwams at Wabaquasset and the country every where deserted. Nothing more, therefore, could be done than demolish the Indian fortress, and destroy about fifty acres of corn which the enemy had planted. On the 5th of June the army marched to Chanagongum, in the Nipmuck country; where they killed nineteen Indians, and took thirty-three captives. They then proceeded to Quabaug, or Brookfield, and thence to Northampton. This was a long march, in which the troops suffered greatly for want of provisions; and it has ever since, in Connecticut, been known by the name of the long and hungry march. Major Talcott expected to have met with the Massachusetts forces at Brookfield, or in that vicinity, but they did not arrive.

On the 12th of June, four days after the arrival of the Connecticut troops at Northampton, about 700 Indians made a furious attack upon Hadley; but Major Talcott, with his party, soon appeared for the relief of the garrison, and drove off the enemy.

Some time after, the Massachusetts forces arrived, and, in conjunction with Major Talcott and his soldiers, scoured the woods on both sides the river, as far as the falls at Deerfield; but the enemy, by this time, had made their escape from that part of the country. They, however, broke up their fisheries, destroyed their fish and other stores, recovered some stolen goods, and returned, without effecting any thing very important.

After Major Talcott had spent about three weeks in service upon the river, he left that quarter, and marched through the wilderness, towards Providence and the Narraganset country; and on the 1st of July came near a large body of the enemy, of whom he captured four. Two days after, Major Talcott surprised the main body of them, by the side of a large cedar swamp; where he made such a disposition of his men, and attacked them so suddenly, that a considerable number were killed, and taken

on the spot, and the remainder were driven into the swamp, which the troops encompassed; and, after an action of two or three hours, killed and took 171 more.

The troops then marched to Providence, and invested the neck there, and afterwards Warwick neck; in which places they killed and captured 67. About the 5th of July the army returned to Connecticut; and, in their route, took 60 more of the enemy. From about the beginning of April to the 6th of July, the Connecticut volunteers, and the troops under Major Talcott, killed and captured about 420 of the enemy.

The enemy, about this time, fell into a state of division and fear. They found that, by attempting to destroy their English neighbours, they had utterly ruined themselves; and a complication of evils conspired for their destruction. The destruction of their fort and principal stores, in the dead of winter, the burning of their wigwams, and bringing off their corn and beans, in all parts of the country, put them to inexpressible hardships and distresses. They had been able to plant but little in the spring; and what they had planted, the English had destroyed; they had been driven from the sea and rivers, and cut off from almost every kind of subsistence; they had been obliged to lie in swamps and marshes; to feed on horse-flesh, and unwholesome food; all which engendered diseases; so that they became utterly reduced and disheartened. They could not keep together in any considerable bodies, for want of sustenance; and were pursued and hunted from swamp to swamp, and from one lurking place to another; so that in July and August they began to come in to the English in large bodies, and surrender themselves to the mercy of their conquerors.

Major Talcott, after his return from Narraganset, having recruited his men a short time in Connecticut, took his station at Westfield; and while he lay there, a large body of the enemy was discovered fleeing to the westward. He pursued them, and on the third day, about half way between Westfield and Albany, discovered them lying on the west side of Housatonic river, entirely secure. It was judged too late in that day to attack them to any purpose; and the army, therefore, retreated, and lay upon their arms, in great silence, during the night. Towards morning, the troops were formed in two divisions; one of which was ordered to pass the river below the enemy, and to advance and compass them in on that side; and the other party, creeping silently up to the east bank of the river, were to lie prepared instantly to fire, when they should receive the signal from the other division, who, when they had reached their ground, were to fire a single gun. But this well contrived plan was in some measure disconcerted. An Indian had left his companions asleep, and proceeded down the river to catch fish; and, as the division on the west side of the river was advancing to surround the enemy, he discovered them, and cried out, "Awan-nux, Awan-nux." Upon this, one of the party fired, and killed him on the spot; and the other division, on the east bank of the river, supposing this to be the signal gun, discharged upon the enemy, as they were rising in surprise, or lay upon the ground, and killed and wounded a great number of them. Those who were not killed, or disabled by wounds, instantly fled, leaving their camp, baggage, provisions, and many of their arms; but as the division on the west side had not advanced to the ground designed, before the alarm was given, the enemy made their

escape with much less damage than they could otherwise have done. The troops pursued them for some distance, but the woods were so extremely thick, that they were compelled soon to return. The sachem of Quabaug or Brookfield was killed, and 44 other Indians were killed and taken.

This dreadful and distressing war, in which so many of these miserable Indians perished, victims to their want of civilization, was put an end to by the death of Philip, the great sachem, in August (1676). After this event the Indians in this part of the country generally submitted to the English, or fled and incorporated with distant nations.

Connecticut offered the same conditions to these Indians upon their submission, which had been given to the Pequots. That they should have life, liberty, protection, and ground to plant; some principal incendiaries and murderers being excepted. They disdained, however, to accept the terms, and the Nipmucks, Nashawas, Pocomtocks, and the Hadley and Springfield Indians, fled to the French and their Indians, in Canada; and about 200 of them, after their surprise at Housatonic river, fled to the Moheaganders, upon Hudson's river.

When Philip began the war, he and his kinsman Wetamoe had about 500 warriors, and the Narragansets nearly 2,000; and the Nipmuck, Nashawa, Pocomtock, Hadley, and Springfield Indians, were considerably more numerous. It is probable, therefore, that there were about 3,000 warriors combined for the destruction of the New England colonies, exclusive of the eastern Indians; but the war terminated in their entire conquest, and almost total extinction; and, at the same time, opened a wide door to extensive settlement and population.

This, however, in its connexion with the war with the eastern Indians, which commenced about the same time, was the most impoverishing and distressing of any which New England has ever experienced, from its first settlement to the present time. The war with the eastern Indians continued until the spring of the year 1678. The enemy killed and captured great numbers of the people, and nearly twenty fishing vessels, with their crews, and most of the settlements in those parts were swept away, and the country was reduced to their domination.

About 600 of the inhabitants of New England, the greatest part of whom were the flower and strength of the country, either fell in battle, or were murdered by the enemy, and there were few families or individuals who had not lost some near relative or friend. Twelve or thirteen towns in Massachusetts, Plymouth, and Rhode Island, were utterly destroyed, and others greatly damaged; and about 600 buildings, chiefly dwelling-houses, were consumed with fire; and an almost insuperable debt was contracted by the colonies, at a time when their numbers, dwellings, goods, cattle, and all their resources, were greatly diminished.

The foregoing statement is made from an accurate enumeration of the various numbers mentioned, in the ancient histories of the lives lost, and of the towns and buildings burned. But as there were, doubtless, many persons killed, and others who died of their wounds, not mentioned in those accounts, they must have exceeded the number here stated. The histories of those times rarely mention the burning of barns, stores, and out-houses; and sometimes there is notice of the burning of part of a town, and of the buildings in such a tract, without any specification of the number. All the buildings

in Narraganset, from Providence to Stonington, a tract of about 50 miles, were burned, or otherwise destroyed, by the enemy, but the number is not mentioned. The loss of buildings must therefore have been much greater than has been mentioned.

The militia of Connecticut, in 1675, amounted to 2,250 men. Of these, the commissioners required 315, as their proportion of the 1,000 men then to be raised. If the proportion was just, there were about 7,150 of the militia of the united colonies; and reckoning every fifth man a soldier, and five persons to every family, there were 7,150 families, and 35,750 inhabitants, at that time in the united colonies. According to this estimation, about one fencible man in eleven was killed, and every eleventh family was burnt out; or an eleventh part of the whole militia, and of all the buildings of the united colonies, were swept away by this predatory war. This greatly exceeded the loss in the war of independence with Great Britain, in proportion to the numbers and wealth of the United States.

Connecticut, indeed, had suffered little, in comparison with her sister colonies. Her towns and inhabitants had been preserved from the ravages of the enemy; but about a seventh part of the whole militia was out upon constant service, besides the volunteers; and a great proportion was obliged to watch and guard the towns at home. Many towns were necessitated to fortify themselves with an enclosure of palisades, and to prepare and fortify particular dwellings for garrison-houses, to which the aged people, women, and children, might repair, in case of attack. For three years after the war commenced, the inhabitants paid eleven-pence in the pound, upon the grand list, exclusive of all town and parish taxes; and, after the war was finished, they had a considerable debt to discharge. The colony, nevertheless, was comparatively fortunate. The numerous Indians within it were not only peaceable, but the Moheagans and Pequots were of great service in the war. It had not one party of men surprised and cut off during the war; nor did it sustain any considerable loss of men at any time, except in taking the fort in Narraganset. At the same time the legislature and people were happy, in giving seasonable and powerful assistance to their confederates, and in repeatedly rescuing whole towns and parties, when in the most imminent danger.

Measures adopted to discharge the public debt, and settle the country in peace—The reasons of the colony's claim to Narraganset—The former settlers and owners of land there apply to Connecticut for protection—Major Treat goes to the upper towns upon Connecticut river, to treat with the Indians—Fasts appointed through New England—Act concerning the conquered lands in Narraganset—Navigation act grievous to the colonies—Governor Leet takes the oath respecting trade and navigation—Answers to queries from the lords of trade and plantations—Protest against Sir Edmund Andross's claim to Fisher's Island—Character of Governor Leet—Commissioners appointed by his majesty to examine and make report concerning all claims to the Narraganset country, or king's province—They report in favour of Connecticut—Answers to the renewed claim of the duke of Hamilton, and opinions on the case—Connecticut congratulates the arrival of Colonel Dungan, governor of New York, and agrees with him respecting the boundary line between that colony and Connecticut—Petition to King James II.—Settlement of Waterbury—Quo warrantos

against the colony—The assembly petition his majesty to continue their charter privileges—Sir Edmund Andross made governor of New England—Arrives at Hartford, and takes the government, by order of his majesty—The oppression and cruelty of his administration.

Connecticut had now conquered the Narraganset country, and, in conjunction with the other confederates, terminated the war in this part of New England. The legislature, therefore, addressed themselves to discharge the public debt; to settle the friendly Indians in a state of peace among themselves, and with the colonies; and to extend their settlements in the Narraganset country, as well as in other parts of their jurisdiction. To discharge the public debt, they levied a tax of eight-pence in the pound, upon the whole list of the colony, in October annually, during the term of two years. They appointed a committee to hear all affairs, which the Moheagans, Pequots, and Narragansets, under Ninigra, or Ninicraft, had to lay before them; and to do whatever they should judge expedient to promote peace among them, and to preserve their friendship and attachment to the English. For their encouragement, the legislature granted liberty for them to hunt, in all the conquered lands, during their pleasure; and authorized them to kill and destroy any of the enemy who should return to their country, without submitting to the colony, and accepting the terms which had been offered them.

At the election in May 1677, there was no alteration in the legislature, excepting the choice of Andrew Leet, Esq. into the magistracy, instead of Captain John Mason, who died the September before, of the wounds he had received in taking the Narraganset fort. The same governor, deputy-governor, and magistrates were re-elected for several years successively. A committee was appointed by the assembly, to settle all affairs of government in the Narraganset country, and to report what places there were there adapted to the purpose of planting new towns.

As the Rhode Islanders had deserted the country, in the war, and had done nothing in the defence of it, and as the Connecticut volunteers had driven the enemy entirely from that extensive tract, the legislature determined to plant and govern it, as part of this colony.

For various reasons they considered the act of the king's commissioners, determining that Rhode Island and Narraganset should be a province for the king, as a mere nullity; that commission gave no power to make new colonies; and it required that Colonel Nichols should always be one of the council, that any of its acts might be valid; but he was not present at that determination; and Colonel Nichols himself, with two or three of his council, afterwards reversed that judgment.

In the same point of light they viewed the agreement with Mr. Clark, as it was subsequent to Mr. Winthrop's obtaining the Connecticut charter; and moreover, that agreement was entirely alien from the business of his agency, and without any instructions or authority from the colony. It was also considered as a nullity in another point of light, as the charter to Rhode Island recognised and had reference to one article of the agreement only, and as Rhode Island had never submitted to one of the other articles; but in direct contravention of them, they had invaded the property of the settlers named

in it, wantonly carried off the productions of their lands and fruits of their labours, driven off their cattle, forced the inhabitants from their possessions, burned their fences, and even pulled down their houses. They had claimed jurisdiction over them, after they had in the year 1663 chosen to belong to Connecticut, and formally put themselves under the government of that colony; and had not regarded the agreement even with respect to the boundaries, but attempted to extend their limits beyond what was expressed in the charter. Besides, when the king had previously granted that tract to Connecticut, there remained in law and reason no further right in him to that country. He had nothing there further to grant; and therefore he could grant nothing there to Rhode Island. Connecticut well knew that Pawcatuck never was called Narraganset river, and that the Narragansets never extended their claims so far westward; but that Pawcatuck, and the country some miles to the east of it, belonged to the Pequots. For these reasons, the legislature considered their title and claim to this part of the colony as clear and just, as to any other.

Elisha Hutchinson, William Hudson, and others, their associates, claiming a large tract in the Pequot and Narraganset country, applied to the general assembly for their assistance and protection, against Rhode Island, in the re-settlement of their lands; and the assembly determined to extend their protection and government to them.

At the session in October, the upper towns upon Connecticut river sent messengers to the assembly, acquainting them that there were considerable bodies of Indians collected together in their vicinity; and that they made proposals of peace. They therefore solicited the assembly to send Major Treat, the deputy-governor, with a detachment of 40 men, to Northampton, to treat with them, or to defend those towns as occasion might require. The assembly complied with the request, and the deputy-governor proceeded immediately to Northampton; and was instructed, in the first place, to use his utmost endeavours for the redemption of the captives, with money, goods, or by any other means in his power. The terms of peace which he was authorized to propose, were life and liberty, upon the submission of the Indians to the English, in the several places where they should be settled. It does not appear that many of the northern Indians accepted the terms proposed, or ever returned to their former places of abode; and little more appears to have been effected by the treaty, than the redemption of some of the captives.

(1678.) The colonies at this time had many enemies, and the most injurious complaints and unfavourable representations were made of them in England. Edward Randolph, especially, was indefatigable in his complaints against them, and in aggravating whatever he imagined might serve to their disadvantage. He came over to Boston, in 1676, and annually, in person or by writing, made complaints against them; and generally returned to England in the autumn, and in the spring or summer returned fraught with new mischief. He busied himself among other affairs in complaining of the colonies for their opposition to the acts of trade and navigation; and unhappily for Great Britain and the colonies, they were suffering under an arbitrary prince, inimical to the civil and religious rights of his subjects. His ear was open to complaints against those who did not cheerfully submit to his despotic impositions; and he readily promoted

those who made them. The colonies knew how affairs were conducted in England, and were deeply apprehensive of the danger they were in, of a total deprivation of their liberties.

The commissioners of the united colonies, in these circumstances, recommended a general fast to the confederate colonies to humble themselves for their offences, and to pray for the Divine favour in the continuation of their just rights and privileges; and in consequence of this recommendation, the general assembly of Connecticut appointed the third Tuesday in November a public fast, in union with their confederates, to humble themselves, and pray for the purposes recommended.

The general assembly at their session in May 1679, to prevent the people of Rhode Island, and other intruders, from taking up lands in Narraganset, enacted, that none of the conquered lands should be taken up or laid out into farms, without special and express order from them.

The Rhode Islanders in the time of danger had deserted the country and bore no part in the war; but as soon as the inhabitants, who had settled under Connecticut, began to return to their former settlements, to build upon their lands, and cultivate their farms under the government of this colony, the legislature of Rhode Island began to usurp authority and practise their former vexations.

John Cranston, Esq., governor of Rhode Island, held a court in Narraganset, in September, and made attempts to introduce the authority and officers of Rhode Island into that part of Connecticut; and the general assembly, in October, protested against his usurpation, and declared his acts to be utterly void. They also prohibited all the inhabitants to receive any office from the legislature of Rhode Island, or to yield obedience to its authority.

(1680.) The acts of trade and navigation were exceedingly grievous to the colonies; who viewed them as utterly inconsistent with their chartered rights; and were extremely unwilling to submit to them. Massachusetts never would fully submit; but as it was matter of great and continual complaint against the colonies, and as his majesty insisted on the respective governors taking the oath, respecting trade and navigation, it was judged expedient that Governor Leet should take it in the presence of the assembly; and it was accordingly administered to him, at the session in May 1680.

This assembly ordered that a letter should be written to the general court of Massachusetts, desiring their concurrence in mutually settling the line between that colony and Connecticut; and it was requested, that the court would appoint a committee fully authorized for that purpose, to join with one from Connecticut vested with similar powers. If the general court of the Massachusetts should refuse to comply with this proposal, then the governor and his council, with such as they should appoint to that service, were authorized to run the line without them.

The lords of trade and plantations having transmitted a number of queries to the governor and company, the governor and council were desired to answer them; and by their answers, it appears, that there were 26 towns in the colony: that the militia, including horse and foot, consisted, in 1679, of 2,507 men: that the annual exports were about 9,000*l*.: that there were in the colony about twenty small merchants trading to Boston, New York, Newfoundland, and the West Indies: and that its shipping consisted of four ships, three pinks,

eight sloops, and other small vessels, amounting in the whole to 27, the tonnage of which was only 1,050. The number of inhabitants is not mentioned, but, from the number of the militia, it must have been nearly 12,000. To one of the inquiries, the following answer is given: "If so be Hartford, New London, New Haven, and Fairfield, might be made free ports, for fifteen or twenty years, it would be a means to bring trade there, and much increase the navigation and wealth of this poor colony."

About this time, Sir Edmund Andross, governor of New York, asserted his right of jurisdiction over Fisher's Island, as included in the duke of York's patent.

Upon this claim, the legislature of the colony asserted, "that the said island was a part and member of this colony of Connecticut, and under the government thereof; and that they have ever exercised, and shall, and will exercise government there, as occasion shall require; and do hereby declare and protest against Sir Edmund Andross, and all other persons, their claims, or exercise of any authority or government, on, or over the said island."

At the election in 1683, Major Robert Treat was chosen governor, and James Bishop deputy-governor. The former magistrates were generally re-chosen; but by reason of several vacancies which had been made, Captain Robert Chapman, Captain James Fitch, Mr. Samuel Mason, and Mr. Joseph Whiting, were elected magistrates. The change of governors was occasioned by the death of Governor Leet, who after faithfully serving the colonies for many years, had now finished his course.

The Governor William Leet, Esq. was bred a lawyer in England, and was for a considerable time clerk of a bishop's court. In this service he became acquainted with the conduct of the bishops towards the puritans, with the pleas, and serious conversation and conduct of the latter when arraigned before them. He observed the great severity which the court exercised towards them, for going to hear good sermons in the neighbouring parishes when they had none at home, and what light matters they made of licentious and gross sins, and how much better persons guilty of such crimes were treated than the puritans. This brought him to a serious consideration of the affair, and to acquaint himself more thoroughly with the doctrines and discipline of the puritans. In consequence of this he became a puritan, left the bishop's court, and in 1638 came into New England with Mr. Whitfield and his company. He was one of the seven pillars of his church. In 1643, he was chosen magistrate for the colony of New Haven, and was annually re-elected until May 1658. He was then chosen deputy-governor of that colony, in which office he continued until he was elected governor in 1661. He continued chief magistrate of that colony until the union in 1665. He was then chosen one of the magistrates of Connecticut. In 1669, he was elected deputy-governor, and was annually re-elected until 1676, when he was chosen governor of Connecticut. During the term of 40 years, he was magistrate, deputy-governor, or governor of one or other of the colonies. In both colonies he presided in times of the greatest difficulty, yet always conducted himself with such integrity and wisdom, as to meet the public approbation. After he was chosen governor of Connecticut, he removed to Hartford, where he died full of years and good works. He left a numerous offspring.

As there had been long disputes relative to the

Narraganset country, and as the king, in consequence of the act of his commissioners in 1665, claimed it as his province, commissioners were appointed to hear and determine all titles and claims respecting that tract; and on the 7th of April, 1683, King Charles II. granted a commission to Edward Cranfield, Esq., lieutenant-governor of New Hampshire, William Stoughton, Joseph Dudley, Edward Randolph, Samuel Shrimpton, John Fitz Winthrop, Edward Palms, Nathaniel Saltonstall, and John Pyncheon, jun. Esquires, or any three of them, of whom Edward Cranfield, or Edward Randolph, was to be of the quorum, "to examine and inquire into the respective claims and titles, as well of his majesty, as of all persons and corporations whatsoever, to the immediate jurisdiction, government, or propriety of the soil of a certain tract of land within his majesty's dominion of New England, called the king's province, or Narraganset country; and to call before them any person, or persons, and to search records as they shall find requisite, and the proceedings therein, with the opinions upon the matters that shall be examined by them, to state, and with all convenient speed report thereof to make to his majesty."

The commissioners convened on the 22d of August, 1683, at the house of Richard Smith, in the Narraganset country; where they summoned all persons and corporations, in whatever place, who were concerned in the title or government of that country, to appear before them, and to produce all charters, deeds, records, letters, and orders from his majesty and council, or of any of his commissioners, to the respective colonies, governors, or governments, which might give information on the subject. At the time and place appointed, the records represent, "that there was the greatest appearance of the most ancient English and Indians, then living, to testify the truth of their knowledge," respecting the matters then to be determined.

The commissioners, having fully heard every thing respecting the claims and title to that part of New England, adjourned to Boston, and there made a report to his majesty in an ample manner, declaring that the government of it belonged to Connecticut. The following is an abstract of such parts of the report as affected Connecticut.

"In humble obedience to your majesty's commands, we, your majesty's commissioners, have seriously considered the several claims before us. We find that your majesty, by your letters patent, dated at Westminster, the 23d of April, in the fourteenth year of your majesty's reign, granted to the governor and company of Connecticut, and their successors, all that part of your dominions in New England, bounded on the east by Narraganset bay, where the said river falls into the sea, and on the north by the line of the Massachusetts plantation, and on the south by the sea.

'We have also had information, that some time after your majesty's grant and said patent was sent to your colony of Connecticut, the said country of the Narraganset was likewise, by patent, granted by your majesty to the governor and company of Rhode Island plantation, and is, by charter, bounded by a river called Pawcatuck, which by said charter is for ever to be accounted and called the Narraganset river: and this latter grant of your majesty to Rhode Island seems to be founded upon advice submitted to by John Winthrop, Esq., said to be agent for Connecticut colony, and Mr. John Clark, agent for Rhode Island: to which Connecticut plead,

that Mr. Winthrop's agency for them ceased, when he had obtained and sent the patent to them; and that no submission or act of his could invalidate, or deprive them of any of the benefits graciously granted by your majesty's charter: and that, notwithstanding the seeming boundaries, set by said articles, signed by Mr. Winthrop and Mr. Clark, it is in the same articles provided, that the proprietors and inhabitants of the Narraganset country should choose to which of the two governments to belong, and that they unanimously chose and subjected to the government of Connecticut.

"With humble submission, we cannot see any cause to judge that the said Pawcatuck river anciently was, or ought to be, called or accounted the Narraganset river.

"1. Because it lies some miles within the Pequot country, a nation, till extirpated by the English, often, or always at war with the Narragansets, and to which territories the Narragansets never pretended.

"2. Because Pawcatuck river falls into the sea many miles westward of any part of Narraganset bay, which is the river anciently called Narraganset river, both because it on the eastward washes and bounds the whole length of the Narraganset country; and for that Plymouth colony, which hath now been planted near threescore years, have ever since bounded themselves according to the sense and meaning, or limitation of their patent, by the same bay, called Narraganset river, towards the south.

"Thus, after most strict and impartial inquiry and examination, having stated, we most humbly lay before your majesty the several original claims and pretensions offered to us with respect to the propriety, both of jurisdiction and soil in your majesty's province, or Narraganset country; and in further obedience to your said commission, have seriously weighed and considered all evidences, pleas, proofs, and allegations, &c. and with most humble submission and reservation of your majesty's right, offer our opinions, that by virtue of your said letters patent, granted to Connecticut, jurisdiction in, and through the said province, or Narraganset country, of right belongs to the colony of Connecticut; and that propriety of soil, as derived from Mr. Winthrop and Major Atherton, is vested upon the heirs and assigns of said Mr. Winthrop, the heirs of Thomas Chiffinch, Esq., Major Atherton, Mr. Richard Smith, Mr. Simon Lynde, Mr. Elisha Hutchinson, Mr. John Saffin, Mr. Richard Wharton and partners.

"Finally, we hold it our duty humbly to inform your majesty, that so long as the pretensions of the Rhode Islanders to the government of the said province continue, it will much discourage the settlement and improvement thereof; it being very improbable, that either the aforementioned claimers, or others of like reputation and condition, will remove their families, or expend their estates under so loose and weak a government.

"Your majesty's most loyal and obedient subjects,
"EDWARD CRANFIELD, WILLIAM STOUGHTON,
SAMUEL SHRIMPTON, JOHN PYNCHON, jun.,
NATHANIEL SALTONSTALL.

"Boston, Oct. 20th, 1683."

Connecticut had no sooner gained their point against the claims of the king and Rhode Island, than they were obliged to compete with a new antagonist. Edward Randolph, Esq. on the 30th of June, 1683, had received a power of attorney from William and Ann, duke and duchess of Hamilton, and James, earl of Arran, son and heir of William

and Ann, and grandson of James, marquis of Hamilton, to sue for and recover their right and interest in lands, islands, houses, and tenements, in New England; and he appeared before the commissioners at Boston, and in the name of the said duke, duchess, and earl, claimed the lands which they supposed had been granted to their ancestor, in the deed of 1635.

This renewed claim of that tract of country occasioned answers from the proprietors of the lands, and from Connecticut, with several opinions on the case. The following is their substance.

Mr. Saffin, in November, in behalf of the proprietors, replied:—

"The ends aimed at and propounded in the king's charter to the great council of Plymouth, was the propagation of the Gospel among the heathen, and the enlargement of his majesty's empire, by plantation; and whatsoever grants were made by said council, were founded upon those considerations; which being not pursued, rendereth all grants of land void. *Qui sentit commodum, incommodum sentire debet et onus.* (He who enjoys the benefit of a grant, ought to bear its disadvantage and burthen.) And it doth not appear that his grace (as other patentees,) did transport any person, or plant any colony, nor used any other means, either to instruct the natives, or purchase their right in the lands, or appointed any agent to take possession, in order to the improvement of the same. But it is probable, that the duke, understanding a former patent was granted by the council of Devon, to the Lords Say and Brook, &c. in and about the year 1631, and purchased and improved by the colony of Connecticut, might divert him from any procedure therein. The copy of said patent, as we have been informed, when exhibited by John Winthrop, Esq. before the king in council, the then Lord-chancellor Hyde declared the Lords Say and Brooke's title to be good and unquestionable; and upon that interest, we presume, it was that Connecticut made application to his majesty, and that their charter was granted; the Lords Say and Brook, and partners, having expended 9,000*l.* in settlement of the lands claimed by his grace; and had made considerable improvements and fortifications upon the lands in several places, divers years before the date of Duke Hamilton's grant.

"Our present gracious sovereign, &c. hath, by his royal letters, manifested his approbation of the purchase, possession, and improvement of his loyal subjects, the proprietors here. The said proprietors have been necessarily engaged in a bloody war with the Indians, in their late rebellion.

"We further humbly offer, that, in regard that the copy of the duke's deed, presented by Mr. Randolph, in behalf of his grace, seems to have no signification of any hand or seal affixed to it, nor mention made of any witnesses, said to be the original instrument, (yet affirmed to be a true copy thereof,) it may be presumed the said original deed was never completed according to law."

And the governor and council of Connecticut answered, December 13th, 1683, as follows:—

"As to the substance of the duke's claim, so far as it concerns us, it is preceded, some years, by a grant from the right honourable Robert earl of Warwick, to the Lord Say, and other persons of honour and credit, March 19th, 1631, whereas his grace's deed was made four years after, viz. on the 20th of April, 1635.

"By virtue of his majesty's grant to Lords Say,

Brook, &c. they, and their assigns, our predecessors, did, at their own proper charge, about the year 1634, begin to enter upon the said lands, and so have continued ever since, in actual possession and improvement thereof, without challenge or claim from Duke Hamilton: which improvement hath been with great cost, hazard, and labour of his majesty's subjects; yet, by the blessing of God, and his majesty's grace, hath, in a good measure, answered the ends of those grants or patents; as the propagating the Christian religion, and the increase and enlargement of his majesty's empire: of all which his grace Duke Hamilton hath, in these parts, done nothing that we know of.

"His present majesty, understanding the condition of his subjects in this colony, upon our humble address, April 23d, 1662, was graciously pleased to grant us a charter, for holding the lands therein granted firm, to us and our successors for ever; and in his letters, dated April 23d, 1664, sent to us by his majesty's honourable commissioners, he is pleased to call his grant a renewing of our charter, which must relate to that grant made by the earl of Warwick, in the year 1631; for we had no other, before his majesty's grant and confirmation aforesaid."

"Under these securities and encouragements, we laid out our estates, labours, &c. and suddenly after our first settling we were engaged in a bloody war, anno 37, with the Pequots, which was chargeable and expensive to us. Also, in the year 1675, a great people, who inhabited the Narraganset country, rose up against his majesty's subjects, who were planted in these parts, slew many of them, burnt their houses, and destroyed their cattle, whereby we were engaged in another bloody war, which was the cause of great expense of blood and treasure, (his grace Duke Hamilton being no partaker with us in any of those expenses, or helper of us therein,) and by the assistance of Almighty God, and countenance of his majesty, in both these forementioned wars, we overcame our enemies that rose up against us, without which all our grants would have been of little benefit to us.

"It is required by his majesty's good laws, as in the 21st of King James, 16th, that the duke, and all others, should have sued out his claims: the reason of which law, as it is very great, so it is pleadable on our account; for it being latent unto us, for nearly 50 years, would prove our ruin, if thereupon our property be altered. Had the duke's grace, or his predecessors timeously set his claim, in competition with Lord Say's patent, that we had purchased, the people had known how to have applied themselves; but after half a century's settlement, as aforesaid, we hope his majesty will be pleased to secure the same to his good subjects here.

"We desire that we may have a more fit opportunity to make a more full answer, and to present our proofs.

"Per order of the governor and council,

"signed per me,

"JOHN ALLEN, Secretary."

Some years after, several opinions, by gentlemen eminent for their learning in the law, were given on the case, both as it respected the duke of Hamilton and the colony of Rhode Island.

Sir Francis Pemberton, having largely stated the case between Connecticut and the duke of Hamilton, says, "Marquis Hamilton, nor his heirs, or any deriving from him, have ever had possession, or laid out any thing upon the premises, nor made

any claim, in said country, until the year 1683, which was about 48 years after said grant, the said heir by his attorney, claimed the said lands, at Boston in New England, which is above 70 miles from the premises, and in another country.

"The heir of said Marquis Hamilton, after three-score and two years, demands the said premises, or a quit-rent. I am of the opinion, that the heir of M. H. after such purchases, and so long quiet enjoyment of them, &c. ought not to recover any of the lands or grounds or quit-rents out of them.

"I am of opinion, that these purchasers, by virtue of their purchases, and so long and uninterrupted possession under them, have an undoubted right and title to these grounds and lands, and the buildings and improvement of them, and ought not now, after so much money laid out upon them, and such enjoyment of them, to be disturbed in their possession of them.

FRANCIS PEMBERTON."

Mr. Trevor having stated the case between Connecticut and Rhode Island, gives his opinion to the lords of trade and plantations in the words following: "I am humbly of opinion, that this grant to Rhode Island is *void in law*, because the country of Narraganset bay was granted before to Connecticut, and that therefore the government of Narraganset bay doth, of right, belong to Connecticut, and not to Rhode Island: all which is humbly submitted to your honour's great wisdom.

"Oct. 28, 1696.

"THOMAS TREVOR."

The aspects of the colony this year (1683) were exceedingly gloomy. Besides the dangers which threatened them, with respect to their civil and religious privileges, the people were visited with great sickness and mortality; and the instances of death among the clergy were uncommonly numerous. The fruits of the field were also diminished, and the inhabitants in various ways impoverished and distressed.

The general assembly, in October, considered the Divine dispensations so afflictive, as to demand their deepest humiliation; and a general fast was appointed, and the people called upon to repent and humble themselves. The proclamation is introduced in these words, "Whereas it is evident to all who observe the footsteps of Divine Providence, that the dispensations of God towards his poor wilderness people, have been very solemn, awful, and speaking, for many years past; and particularly towards ourselves in this colony, this present year, by occasion of general sickness in most places, and more than ordinary mortality in some, as also excessive rains and floods in several plantations, shortening us in our enjoyments; and considering also the holy hand of God, in bereaving so many churches and congregations of a settled ministry, whereby they are left, and have been, some of them, a long time, as sheep without a shepherd, as if the Lord intended, for our sins, to quench the light of our Israel."

Colonel Dungan, having lately arrived at New York, the assembly, in November, appointed Major Nathan Gould, Captain John Allen, and Mr. William Pitkin, a committee, to congratulate him upon his arrival, at his seat of government; and to agree with him upon a settlement of boundaries between the colonies. The committee were instructed not to exceed his demands of twenty miles east of Hudson's river: to examine his powers to treat, and if they were only conditional, to treat with him upon the same terms. They were directed to insist that there was no mistake with respect to the rise of the

line at Memoronock; and if they should be obliged to give up jurisdiction at any place, to preserve property inviolably to the proprietors; and to insist on the former line, unless it should, in any place, approach nearer to Hudson's river than the distance of twenty miles. In fine, they were required to make his honour sensible that the former line was legal and firm, and that the present settlement was solely for the purpose of promoting peace and a good correspondence between his majesty's colony of Connecticut and the duke's territories, and their successive governors.

As the colony had been certified by letters from the king, of a conspiracy against himself and the duke of York, the assembly addressed him on the subject. They declared, in the strongest terms, their utmost abhorrence of all plots against his royal person and government; that they prayed for kings and all men, and especially for his majesty, and all in authority under him: that they feared God and honoured the king; and in such suppliant language as follows, they prayed for the continuance of their chartered rights.

"Most dread sovereign, we humbly pray the continuance of your grace and favour in the full enjoyment of those former privileges and liberties you have, out of your princely grace and bounty, bestowed upon us in your royal charter, granted this corporation, that our poor beginnings may prosper, under your shadow, to the glory of God, and the enlargement of your majesty's dominions."

The number of persons giving in their lists, Oct. 1683, was 2,735, and the grand list was 159,385.

The committee appointed to agree with Colonel Dungan, with respect to the line of partition between Connecticut and New York, came to an agreement respecting it November 28th, 1683; when it was agreed, "That the line should begin at Byram river, where it falleth into the sound at a point called Lyon's point, to go as the said river runneth to the place where the common road, or wading place, over the said river is; and from the said road or wading place, to go north north-west into the country, as far as will be eight English miles from the aforesaid Lyon's point; and that a line of twelve miles, being measured from the said Lyon's point, according to the line or general course of the sound eastward, where the said twelve miles endeth, another line shall be run from the sound, eight miles into the country, north north-west, and also that a fourth line be run, (that is to say,) from the northernmost end of the eight miles line, being the first mentioned line, which fourth line, with the third mentioned line, shall be the bounds where they shall fall to run; and that from the easternmost end of the fourth mentioned line, (which is to be twelve miles in length,) a line parallel to Hudson's river, in every place twenty miles distant from Hudson's river, shall be the bounds there, between the said territories or province of New York, and the said colony of Connecticut, so far as Connecticut colony doth extend northwards; that is to the south nine of the Massachusetts colony: only it is provided, that in case the line from Byram brook's mouth, north north-west eight miles, and the line, that is then to run twelve miles to the end of the third fore-mentioned line of eight miles, to diminish or take away land within twenty miles of Hudson's river, that then so much as is in land diminished of twenty miles of Hudson's river thereby shall be added out of Connecticut bounds unto the line aforementioned, parallel to Hudson's river, and twenty

miles distant from it; the addition to be made the whole length of the said parallel line, and in such breadth as will make up quantity for quantity, what shall be diminished as aforesaid."

The assembly in the session of May, 1684, approved of this agreement, and appointed Major Nathan Gould, Mr. Jehu Burr, and Mr. Jonathan Selleck, to lay out the lines according to the stipulation; and they accordingly were run, and on the 24th of February, 1685, were ratified by Governor Dungan and Governor Treat.

Great complaints had been made in England against the colonies for harbouring pirates; and that no laws had been made against them; and a letter had been written to the governor and company, by Lyonel Jenkins, Esq., complaining of this neglect, and demanding, in the king's name, that a law should forthwith be made against piracy. A special assembly was consequently called on the 5th of July, and a law enacted against it, and a copy of it forwarded immediately to his majesty's secretary of state.

At the election 1685, Giles Hamlin was chosen into the magistracy, in the place of Mr. Topping, who seems to have died about this time.

The legislature at this session addressed a letter of condolence to his majesty King James II. on account of the death of his brother King Charles II., and congratulating him on his peaceful accession to the throne of his ancestors. They presented him with the strongest assurances of their loyalty and attachment to his royal person and government; and at the same time, sensible of their danger under a prince of his character, they most humbly besought him to continue to them their civil and religious privileges, and that he would preserve to them the peaceable enjoyment of their property.

Upon the petition of a number of the inhabitants of Farmington, presented to the assembly in 1673, a committee was appointed to view Mattatock, and report to the assembly, whether a plantation might not be made in that tract; and in May 1674, the committee reported that it was a place sufficient to accommodate 30 families. Upon this report, a committee was appointed to settle a plantation there; and the settlement commenced. The number of shares was about 28; and on May 13th, 1686, they appear to have been vested with town privileges, by the name of Waterbury.

The despotic conduct of Charles II., in his latter years, and of James, at the commencement of his reign, are well known. The latter particularly, as we have already seen, extended his tyranny to the colonies; and in July 1685, a quo warranto was issued against the governor and company of Connecticut, requiring their appearance before him, within eight days of St. Martin's, to show by what warrant they exercised certain powers and privileges.

The governor having received intelligence of the measures adopted against the colony on the 6th of July, 1686, called a special assembly, to consult what might be done for the preservation of the just rights of the colony; and the assembly, after most serious deliberation, addressed a letter in the most suppliant terms to his majesty, beseeching him to pardon their faults in government, and continue them a distinct colony, in the full enjoyment of their civil and religious privileges; they especially besought him to recall the writ of quo warranto, which they heard had been issued against them, though it had not yet arrived: they pleaded the charter which they received of his royal brother, and his commen-

dation of them, for their loyalty, in his gracious letters, and his assurances of the continuance of their civil and religious rights; and they made the strongest professions of loyalty, and of their constant supplications to the Supreme Ruler, that he would save and bless his majesty.

On the 21st of July, 1686, two writs of quo warranto, brought over by Edward Randolph, that indefatigable enemy of the colonies, were delivered to Governor Treat. The time of appearance before his majesty was passed before the writs arrived.

Upon the reception of the writs, and a letter from Richard Normansel, one of the sheriffs of London, the governor immediately convoked another special assembly, which met on the 28th of July; and the assembly appointed Mr. Whiting to be their agent, to present their petition to the king. He was instructed to represent the time of the colony's receiving the quo warrantos, and of the impossibility of its making its appearance at the time appointed; and also the great injury which the colonists would sustain, by the suspending their charter rights; and especially by a division of the colony. If Connecticut could not be continued a distinct government, he was instructed to supplicate his majesty to continue to them the enjoyment of their property, their houses and lands, and especially their religious privileges.

On the 28th of December, another writ of quo warranto was served on the governor and company, bearing date October 23d, requiring their appearance before his majesty "within eight days of the purification of the Virgin." Though the writs gave no proper time for the appearance of the colony, and consequently no time at all; yet they declared all its chartered rights vacated, upon its not appearing at the time and place; and the design was to re-unite all the colonies to the crown. That James II. was an obstinate and bigoted tyrant, few at the present day dispute. Nearly 50 corporations in England, and the corporation of the Bermudas had had their charters taken from them. The charter of Massachusetts had been vacated, and Rhode Island had submitted to the king. A general government had been appointed over all New England, except Connecticut. By the commission, instituting this general government, Connecticut was totally excluded from all jurisdiction in the Narraganset country, or king's province.

The governor and company of Connecticut, however, in these discouraging circumstances, spared no pains, nor omitted any means for the preservation of their chartered rights. A special assembly was called on the 22th of January, 1687, after the reception of the third writ of quo warranto, to deliberate on the measures to be adopted in the then present circumstances of the colony; but little more, however, was done, than to desire the governor and council to transact all business, which they should judge necessary and expedient, further to be done for the preservation of their privileges.

The election in May proceeded regularly, but the assembly did nothing important. Fear and hesitation appear to have attended the legislature; and they knew not what course to steer, with safety, either to themselves or their constituents. They, with the colony in general, were in great apprehension, lest, after all their expense and dangers in settling and defending the country, and all their self-denial and sufferings for the sake of enjoying the worship and ordinances of Christ, according to the Gospel, they should not only be deprived of all

their civil and religious liberties, but even of their houses and lands; as they felt that there was no security for any thing under a prince like James II.; he had indeed in his letters promised them the preservation of all their liberties; yet without any fault on their part, he was arbitrarily wresting them from their hands. It is difficult to conceive, and much more to express, the anxiety experienced in this terrible crisis.

Mr. Whiting exerted himself in England to procure all the influence, and make all the opposition he possibly could, against a general governor of the colonies, and especially to prevent the suspension of the government of Connecticut, according to charter; but he found his utmost exertions to be in vain; and he wrote to the governor, January 15th, 1687, that if the governor and council would defend their charter at law, they must send over one or more from among themselves. A special assembly was called upon the reception of the agent's letter, which convened on the 15th of June, to deliberate on the expediency of sending another agent; but matters appeared so unfavourable, that it was determined not to send another; and Mr. Whiting was thanked for his services in favour of the colony, and desired to continue them.

Mr. Dudley, while president of the commissioners, had written to the governor and company, advising them to resign the charter into the hands of his majesty, and promising to use his influence in favour of the colony. His commission was superseded by a commission to Sir Edmund Andross to be governor of New England; who arrived at Boston on the 19th of December, 1686. The next day his commission was published, and he took on him the administration of government; and soon after his arrival he wrote to the governor and company, that he had a commission from his majesty, to receive their charter, if they would resign it; and he pressed them, in obedience to the king, and as they would give him an opportunity to serve them, to resign it to his pleasure. At this session of the assembly, the governor received another letter from him, acquainting him that he was assured by the advice which he had received from England, that judgment was by that time entered upon the quo warranto against their charter, and that he soon expected to receive his majesty's commands respecting them. He urged them, as he represented it, that he might not be wanting in serving their welfare, to accept his majesty's favour, so graciously offered them, in a present compliance and surrender. Colonel Dungan also used his influence to persuade them to resign, and put themselves under his government; but the colony insisted on their charter rights, and on the promise of King James, as well as of his brother, to defend and secure them in the enjoyment of their privileges and estates; and would not surrender their charter to either. However, in their petition to the king, in which they prayed for the continuance of their chartered rights, they desired, if this could not be obtained, and it should be resolved to put them under another government, that it might be under Sir Edmund's, as the Massachusetts had been their former correspondents and confederates, and as they were acquainted with their principles and manners; and this was construed into a resignation, though nothing could be further from the design of the colony.

The assembly met as usual in October, and the government continued according to charter, until the last of the month. About this time Sir Edmund,

with his suit, and more than 60 regular troops came to Hartford, when the assembly were sitting, demanded the charter, and declared the government under it to be dissolved. The assembly were extremely reluctant and slow with respect to any motion to bring it forth; and the tradition is, that Governor Treat strongly represented the great expense and hardships of the colonists in planting the country; the blood and treasure which they had expended in defending it, both against the savages and foreigners; to what hardships and dangers he himself had been exposed for that purpose; and that it was like giving up his life, now to surrender the patent and privileges so dearly bought, and so long enjoyed. The important affair was debated and kept in suspense until the evening, when the charter was brought and laid upon the table, where the assembly were sitting; but by this time great numbers of people were assembled, and men sufficiently bold to undertake whatever might be necessary. The lights were instantly extinguished, and one Captain Wadsworth, of Hartford, in the most silent and secret manner, carried off the charter, and secreted it in a large hollow tree, fronting the house of the Hon. Samuel Wyllys, then one of the magistrates of the colony. All remained peaceable and orderly; and the candles were officiously relighted; but the patent was gone, and no discovery could be made of it, or of the person who had conveyed it away. Sir Edmund found from henceforth assumed the government, and the records of the colony were closed in the following words.

"At a general court at Hartford, October 31st, 1687, his excellency, Sir Edmund Andross, knight, and captain-general and governor of his majesty's territories and dominions in New England, by order from his majesty, James II., king of England, Scotland, France, and Ireland, the 31st of October, 1687, took into his hands the government of the colony of Connecticut, it being, by his majesty, annexed to Massachusetts, and other colonies under his excellency's government. FINIS."

Sir Edmund appointed officers, civil and military, through the colony, according to his pleasure. He had a council, at first, consisting of about 40 persons, and afterwards, of nearly 50; and four of this number, Governor Treat, John Fitz Winthrop, Wait Winthrop, and John Allen, Esquires, were of Connecticut.

Sir Edmund began his government with the most flattering professions of his regard to the public safety and happiness. He instructed the judges to administer justice, as far as might be consistent with the new regulations, according to the former laws and customs; but he soon laid a restraint upon the liberty of the press; and then, one far more grievous upon marriage; which was prohibited, unless bonds were previously given, with sureties, to the governor; that were to be forfeited, in case it should afterwards appear that there was any lawful impediment to the marriage. Magistrates only were allowed to join people in wedlock; and the governor not only deprived the clergy of the perquisite from marriages, but soon suspended the laws for their support, and would not suffer any person to be obliged to pay any thing to his minister; and also menaced the people, that if they resisted his will, their meeting-houses should be taken from them, and that any person who should give two-pence to a non-conformist minister, should be punished.

The fees of all officers, under this new administration, were exorbitant. The common fee for the

probate of a will was 50s.; the administrators, how distant soever, were obliged to appear at Boston, to transact all business relative to the settlement of estates; a grievous oppression of the poor people.

We have already enlarged upon Andross's arbitrary proceedings, in the history of Massachusetts; upon which colony it appears he most fully vented his despotism. Connecticut had been less obnoxious to government; and as it was further removed from the seat of government, was less under the notice and influence of this arbitrary governor.

Governor Treat was a father to the people, and felt for them in their distressed circumstances; and the other gentlemen, who were of the council, and had the principal management of affairs in Connecticut, were men of principle and patriotism. They took advantage of Sir Edmund's first instructions, and as far as they possibly could, consistently with the new regulations, governed the colony according to the former laws and customs. The people were patient and peaceable; but they were no strangers to what was transacted in the neighbouring colonies, and expected soon fully to share with them, in all their miseries. It was generally believed, that Andross was a papist; that he had employed the Indians to ravage the frontiers, and supplied them with ammunition; and that he was making preparations to deliver the country into the hands of the French.

All the motives to great actions, to industry, economy, enterprise, wealth, and population, were in a manner annihilated; and a general inactivity pervaded the whole public body. Liberty, property, and every thing which ought to be dear to men, every day, grew more and more insecure; and all the colonies were in a state of general despondency, with respect to the restoration of their privileges, and the truth of the maxim, "when the wicked beareth rule the people mourn," was every where exemplified in a striking manner.

Revolution in New England—Connecticut resume their government—Address to King William—Troops raised for the defence of the eastern settlements in New Hampshire and the province of Maine—French and Indian war—Schenectady destroyed—Connecticut dispatch a reinforcement to Albany—Expedition against Canada—The land army retreats, and the enterprise proves unsuccessful—Leisler's abuse of Major General Winthrop—The assembly of Connecticut approve the general's conduct—Thanks are returned to Mr. Mather, Agent Whiting, and Mr. Porter—Opinions respecting the charter, and the legality of Connecticut's assuming their government—Windham settled—The Mohawk castles are surprised, and the country alarmed—Connecticut send troops to Albany—Colonel Fletcher, governor of New York, demands the command of the militia of Connecticut—The colony petition King William on the subject—Colonel Fletcher comes to Hartford, and, in person, demands that the legislature submit the militia to his command; but they refuse—Captain Wadsworth prevents the reading of his commission, and the colonel judges it expedient to leave the colony—The case of Connecticut relative to the militia stated—His majesty determines in favour of the colony—Committees are appointed to settle the boundary line between Connecticut and Massachusetts—General Winthrop returns, and receives public thanks—Congratulation of the earl of Bellamont,

appointed governor of New York and Massachusetts—Dispute with Rhode Island continues—Committee to settle the boundaries—Expenses of the war—Peace.

Scarcely any thing could be more gloomy and distressful than the state of public affairs in New England at the beginning of the year 1689. But on the 5th of November, 1688, the prince of Orange had landed at Torbay, in England; and immediately published a declaration of his design, in visiting the kingdom. A copy of this was received at Boston, by one Mr. Winslow, a gentleman from Virginia, in April 1689; and Governor Andross and his council were so alarmed with the news, that they ordered Mr. Winslow to be arrested, and committed to gaol, for bringing a false and traitorous libel into the country. They also issued a proclamation, commanding all the officers and people to be in readiness to prevent the landing of any forces, which the prince of Orange might send into that part of America; but the people, who groaned under their burthens, secretly wished and prayed for success to his glorious undertaking. The leaders in the country determined quietly to wait the event; but the great body of the inhabitants had less patience; and stung with past injuries, and encouraged at the first intimations of relief, the fire of liberty re-kindled, and the flame, which for a long time had been smothered in their bosoms, burst forth with irresistible violence.

On the 18th of April the inhabitants of Boston and the adjacent towns rose in arms, made themselves masters of the castle, seized Sir Edmund Andross and his council, and persuaded the old governor and council, at Boston, to resume the government.

On the 9th of May, 1689, Governor Robert Treat, Deputy-governor James Bishop, and the former magistrates, at the desire of the freemen, resumed the government of Connecticut; and Major-general John Winthrop was, at the same time, chosen into the magistracy, to complete the number appointed by charter. The freemen voted, that, for the present safety of that part of New England called Connecticut, the necessity of its circumstances so requiring, "they would re-establish government, as it was before, and at the time when Sir Edmund Andross took it, and so have it proceed, as it did before that time, according to charter; engaging themselves to submit to it accordingly, until there should be a legal establishment among them."

The assembly having met, came to the following resolution: "That whereas this court hath been interrupted in the management of the government in this colony of Connecticut, for nineteen months past, it is now enacted, ordered, and declared, that all the laws of this colony, made according to charter, and courts constituted for the administration of government, as they were before the late interruption, shall be of full force and virtue for the future; and until this court shall see cause to make further and other alterations, according to charter." They then confirmed all military officers in their respective posts, and proceeded to appoint their civil officers, as had been customary at the May session.

It was expected that it might soon be necessary to transact matters of the highest importance, respecting the most essential rights of the colony; and the deputies therefore resolved, that if occasion should require any thing to be acted respecting the charter, the governor should call the assembly, and not leave the affair with the council.

Upon the 26th of May a ship arrived at Boston, with advice that William and Mary were proclaimed king and queen of England. The joyful news soon reached Connecticut; and a special assembly was called, which convened on the 13th of June. On the same day, William and Mary were proclaimed with great ceremony and joy; and never was there greater or more general joy in New England, than upon their accession to the throne of Great Britain.

The legislature addressed his majesty in the most loyal manner; and presented their grateful acknowledgments to him, for his zeal for the welfare of the nation, and for the protestant interest. At the same time, they stated their charter privileges, and the manner in which Sir Edmund Andross had suppressed their government; and they prayed for his majesty's directions, and his gracious confirmation of their charter rights. It was ordered, that Mr. Whiting should present their address.

Meanwhile a revolution had been made at New York; where one Captain Jacob Leisler had assumed the government of that province, and kept the fort and city in behalf of King William. He had written to Connecticut, and solicited assistance in defending the province; and the assembly appointed Major Gould, and Captain James Fitch, to proceed to New York, and confer with Leisler and his council relative to the defence of the frontiers. The committee, with Captain Leisler, were authorized to determine the number of men to be employed, and the measures to be adopted for that purpose; and in consequence of their determination, the governor and council dispatched Captain Bull, with a company, to Albany, for the defence of that part of the country, and to assist in a treaty with the five nations, with a view to secure their friendship and attachment, as far as possible, to the English colonies; a detachment of men was also sent for the defence of the fort and city of New York.

While the French and Indians were threatening the northern frontiers, the eastern Indians were carrying on their depredations in the eastern parts of New England; and in September a special assembly was called on that account. Commissioners were appointed to consult with the commissioners of the other colonies, relative to the war in those parts; and as it was imagined the Indians there had been injured by Governor Andross and his officers, the commissioners were instructed to inquire into the grounds of the war with them; and if it should appear that they had been injured, to use their utmost influence, that justice might be done them, and the country quieted in that way. But if they found the war to be just and necessary, they were authorized to engage the colony's full proportion of men, unless it should amount to more than 200. Two companies were afterwards appointed to that service, under the command of Captains George Denison and Ebenezer Johnson.

At the session in October it was resolved, that in consequence of the great expense of the colony, in defending his majesty's subjects in other parts, it was necessary to withdraw the aid which they had sent to New York.

At this general court, the law respecting the choice of the governors and magistrates was enacted nearly in the words in which it now stands; but it instituted a mode of nomination different from the present; which was to be made on the third Tuesday in March annually, and the votes were to be carried to Hartford by the constables of the county

towns, and on the last Tuesday in the month were, by them, to be sorted and counted in the council-chamber.

While the revolution delivered the nation from vassalage and popery, it involved it in an immediate war with France, and the colonies in a French and Indian war; and a large number of troops, and a considerable fleet, were sent from France, in 1689, with a special view to the reduction of New York. But as we have already given an account of this war in the previous histories, we shall not enlarge on it here.

A special assembly was held on the 11th of April, 1690, when letters were laid before the assembly from Massachusetts, soliciting that soldiers might be sent from Connecticut, to guard the upper towns upon Connecticut river; and that there might be a general meeting of commissioners from the several colonies at Rhode Island, to consult the common defence. There were also letters from Captain Leisler, at New York, and from Colonel Schuyler, and other principal gentlemen at Albany, urging, that Captain Bull and the soldiers there might be continued, and that reinforcements might be forwarded for the defence of that place and the adjacent country; and it was also urged, that Connecticut would unite with the other colonies, in raising an army for the reduction of Canada.

The assembly determined, that there was a necessity for their utmost exertions to prevent the settlement of the French, at Albany; and it was resolved, that two companies, of 100 men each, should be raised and sent forward for that purpose. The colony also gave assistance to the frontier towns of Massachusetts upon the river.

For the defence of Connecticut, it was ordered that a constant watch should be kept in the several towns, and that all the males in the colony, except the aged and infirm, should keep guard in their turns; and if the aged and infirm were registered at more than 50*l*. in the list, they were obliged to procure a man, in their turns, to watch and guard in their stead.

Though the colony had received no instructions from King William, confirming their charter, or directing the mode of government, yet at the general election, the freemen proceeded, as had been usual, to the choice of their officers; and Robert Treat, Esq. was re-chosen governor, and James Bishop, Esq. deputy-governor. Samuel Wyllys, Nathan Gould, William Jones, John Allen, Andrew Leet, James Fitch, Samuel Mason, Samuel Talcott, John Burr, William Pitkin, Nathaniel Stanley, and Daniel Witherell, Esquires, were chosen magistrates.

At this session of the assembly, that part of Weathersfield which lay on the east side of Connecticut river, was made a distinct town, by the name of Glastenbury.

The proposed meeting of commissioners was holden at New York, instead of Rhode Island, on the 1st of May, 1690. The commissioners from Connecticut, were Nathan Gould, and William Pitkin, Esquires.

Though General Winthrop, who had been appointed commander-in-chief, had acted in perfect conformity to the agreement of the commissioners, at New York, and to the instructions which had been given him, and though he had taken all his measures by the advice of his officers, in repeated councils of war, yet Leisler, Milborn, and their party, were filled with the utmost rage and madness

at a retreat he thought necessary. Leisler, now, ever, took advantage of the general, after the army had crossed Hudson's river, and lay encamped on the west side of it, and arrested and confined him, that he might try him by a court-martial of his own appointment. He was some days under the arrest; but when he was brought to trial, the Mohawks, who were in the camp, crossed the river and brought him off, with great triumph, and to the universal joy of the army. Leisler, Milborn, and their party, were so enraged with some of the principal gentlemen in Albany, who were of the general's council, that they were obliged to flee to Connecticut for safety; and Livingston and others resided some time at Hartford. Leisler also confined the commissary of the Connecticut troops, so that the army suffered for want of his assistance.

This was viewed by Connecticut as a most illegal proceeding; not only highly injurious to General Winthrop and the colony, but to all New England. The governor and council remonstrated against his conduct, and demanded the release of General Winthrop and their commissary; and declared, that it belonged not to him to judge of the general's conduct, but to the colonies in general; that it was inconsistent with the very instructions which he had subscribed with his own hand; and that, if he proceeded in his unprecedented and violent measures, they would leave him and New York to themselves, without any further aid from Connecticut, let the consequences be what they might.

At the general court, in October, a narrative of the conduct of the general was exhibited, attested by the officers of the army, and by numbers of the principal gentlemen of Albany; and attested answers of the Indians to the several councils of war, with such other evidence as the assembly judged proper to examine, were heard. Upon a full examination of the affair, the assembly resolved: "That the general's conduct in the expedition had been with good fidelity to his majesty's interest, and that his confinement at Albany, on the account thereof, deserved a timely vindication, as being very injurious and dishonourable to himself, and the colonies of New England, at whose instance he undertook that difficult service;" and the court appointed two of the magistrates, in their name, "To thank the general for his good service to their majesties, and to this colony, and assure him, that, on all seasonable occasions, they would be ready to manifest their good sentiments of his fidelity, valour, and prudence." The assembly made him a grant of 40*l*. as a present, which they desired him to accept, as a further testimonial of their entire approbation of his services.

Besides the troops employed in the expedition against Canada, Connecticut maintained a company upon the river, for the defence of the towns in Hampshire; and upon an alarm in the winter, the governor and council dispatched a company to Deerfield, for the protection of that and the neighbouring towns.

At the election in May 1691, all the former officers were re-elected.

On the account of the death of the Deputy-governor James Bishop, Esq., a special assembly was convened, on the 9th of July, 1691; when William Jones, Esquire, was chosen deputy-governor, and Captain Caleb Stanley, magistrate.

The Rev. Increase Mather, of Boston, was a most faithful friend to the liberties of his country; and though he was agent for the Massachusetts, yet he was indefatigable in his labours, and as opportu-

nity presented, performed essential services for the other colonies. At the accession of William and Mary he had prevented the bill for establishing the former governors of New England; and he had united all his influence with Mr. Whiting for the benefit of Connecticut. One Mr. James Porter had also been very serviceable to the colony; and the assembly, therefore, ordered that a letter of thanks should be addressed to both those gentlemen, for the services which they had rendered the colony. They were also desired to use their influence to obtain from his majesty a letter, approving of their administration of government, according to charter, as legal; and expressing his determination to protect them in the enjoyment of their civil and religious privileges.

The violation of the charters in England had been declared illegal and arbitrary; and the charter of the city of London, and those of other corporations in Great Britain, had been restored. The case of Connecticut, respecting their charter, had been stated, and the opinions of gentlemen of the law had been given relative to the legality of the government assumed by the colony, as follows:—

“Query, Whether the charter belonging to Connecticut, in New England, is, by means of their involuntary submission to Sir Edmund Andross’s government, void in law, so as that the king may send a governor to them, contrary to their charter privileges, when there has been no judgment entered against their charter, nor any surrender thereof upon record?”

“I am of opinion that such submission, as is put, in this case, doth not invalidate the charter, or any of the powers therein, which were granted under the great seal; and that the charter not being surrendered under the common seal, and that surrender duly enrolled of record, nor any judgment of record entered against it, the same remains good and valid in law; and the said corporation may lawfully execute the powers and privileges thereby granted, notwithstanding such submission, and appointment of a governor as aforesaid.

“2d August, 1690. EDWARD WARD.

“I am of the same opinion, J. SOMERS.

“I am of the same opinion; and as this matter is stated there is no ground of doubt.

“GEO. TREBY.”

The people at the eastward, in New Hampshire and the province of Maine, had been extremely distressed by the war, and a very great proportion of them driven from their settlements; and it had also been found exceedingly difficult to persuade men to keep garrison for the defence of that part of the country. The general court of Connecticut, therefore, appointed a contribution through the colony for the encouragement of the soldiers who should keep garrison there, and for the relief of poor families, which had kept their stations, or been driven from them by the ravages of the enemy. The clergy were directed to exhort the people to liberal contributions for these charitable purposes. The number of persons this year, rateable in the colony, was 3,109, and the grand list 183,159.

At the election, May 1692, William Jones, Esq. was chosen deputy-governor by the freemen. Mr. Caleb Stanley and Mr. Moses Mansfield were chosen magistrates. Governor Winthrop and the other magistrates were the same they had been the year before.

The French, the last year, while the troops were employed in the expedition against Canada, made

a descent upon Block Island, plundered the houses, and captured most of the inhabitants. This greatly alarmed the people of New London, Stonington, and Saybrook; and detachments of the militia were sent to the sea-port towns for their defence. The assembly, therefore, about this time ordered that New London should be fortified; and that the fortifications at Saybrook should be repaired.

In February 1693, dispatches were sent to Connecticut, acquainting Governor Treat, that the French had invaded his majesty’s territories, and taken the fortresses of his allies; and a demand was made of 200 men, complete in their arms, to march forthwith to Albany.

A special assembly was called on the 21st of February, 1693, and it was ordered that 150 men should be sent immediately to Albany, or any other place which the governor should judge to be most for his majesty’s interest. Fifty of the troops marched for Albany the next day.

Scarcely had the assembly dispersed, before another express arrived, from Sir William Phipps, requiring a corps of 100 English men, and 50 Indians, to assist in the defence of the eastern settlements, in the province of Maine and Massachusetts; and on the 6th of March another special assembly was convened, and the legislature granted a captain’s company of 60 English men, and about 40 Indians, under the command of Captain William Whiting.

Major-general Fitz John Winthrop was chosen magistrate at the election, which was the only alteration made among the magistrates this year.

The general court ordered a letter to be addressed to the governor of Massachusetts, once more desiring him and that colony amicably to join with Connecticut in running the partition line between the two colonies; and William Pitkin, Esq., Mr. Samuel Chester, and Captain William Whiting, were appointed a committee to run the line. They had instructions to begin, according to the express words of the patent of Massachusetts, three miles south of every part of Charles river, and thence to run to the westernmost bounds of Symsbury.

Colonel Benjamin Fletcher, governor of New York, who had arrived at the seat of his government, Aug. 29th, 1692, had received a commission entirely inconsistent with the charter rights and safety of the colonies; being vested with plenary powers of commanding the whole militia of Connecticut and the neighbouring provinces. He consequently insisted on the command of the militia of Connecticut; but as this was expressly given to the colony by charter, the legislature would not submit to his requisition. They, however, judged it expedient to refer it to the freemen, whether they would address a petition to his majesty, praying for the continuance of the militia in the power of the colony, according to their charter, and for the continuance and preservation of all their chartered rights and privileges. There were 2,180 persons, or suffrages for addressing his majesty, and the freemen declared, that they would bear their proportionable charge with the rest of the colony, in prosecuting the affair to a final issue.

At a special assembly, September 1st, 1693, the court appointed a petition to be drafted, to be presented to his majesty King William, on the subject; and Major-general Fitz John Winthrop was appointed agent to present the petition, and employ his best endeavours for the confirmation of all the chartered privileges of the colony. He was desired,

as soon as possible to take his passage to England, and upon his arrival there, to lay the business as expeditiously as might be, before his majesty, and prosecute the affair to an issue, with all convenient dispatch.

He was instructed to make a full representation of the great hardships, expense, and dangers of the inhabitants, in planting and defending the colony; and that these had been born wholly by themselves, without any assistance from the parent country: that it would endanger and ruin the colony if the militia should be taken from it, and commanded by strangers at the distance of New York and Boston: that it would wholly incapacitate them to defend themselves, their wives, and children: that before they could obtain instructions from such a distance, upon any sudden emergency, the colony might be depopulated and ruined: that a stranger at a distance might not agree with the governor and council in employing the militia for the defence of the property, lives, and liberties of the subjects; and that the life and support of the laws, and the very existence of their civil constitution depended on the militia. He was also instructed further to represent the state of the militia of Connecticut, with respect to its difference from that of the militia of England: that from the scattered state and small number of the inhabitants, it had been necessary that all males, from sixteen years of age, should belong to the militia, and be made soldiers, so that if the militia were taken from the colony, there would be none left but magistrates, ministers, physicians, aged and infirm people, to defend their extensive sea-coasts and frontiers; and that giving the command of the militia to the governor of another colony, was, in effect, to put their persons, interests, and liberties entirely into his power. The agent was also directed to represent the entire satisfaction of the colony with the present government, and the great advantages resulting from it: that giving the command of the militia to the governor of another province, would exceedingly endanger, if not entirely destroy that general contentment, and all the advantages thence arising to his majesty and his subjects: that out of 3000 freemen in the colony, 2,200 actually met, and gave their suffrages for the present address; and that the greatest part of the other 800 were for it, but were by their particular affairs prevented from attending at the respective meetings, when the suffrages were taken: that the inhabitants were universally for the revolution; and that in the whole colony, there were not more than four or five malcontents. He was also charged to assure his majesty, that the militia should be improved with the utmost prudence and faithfulness for his majesty's service, in the defence of the frontiers of Massachusetts and New York; and to lay before him what the colony had already done; especially for the province of New York, in their late distressed condition. That for its defence, and the securing of the five nations in his majesty's interest, they had expended more than 3000*l.*, and lost a number of their men; and further, General Winthrop was directed, so far as might be judged expedient, to plead the rights granted in the charter, especially that of commanding the militia, and the common usage, ever since the grant of the charter, for a long course of years.

The colony wished to serve his majesty's interest, and as far as possible, consistently with their chartered rights, to maintain a good understanding with Governor Fletcher; and William Pitkin, Esq. was, therefore, sent to New York, to treat and make

terms with him respecting the militia, until his majesty's pleasure should be further known; but no terms could be made with him short of an explicit submission of the militia to his command.

On the 26th of October, he came to Hartford, while the assembly were sitting, and in his majesty's name, demanded their submission of the militia to his command, as they would answer it to his majesty; and that they would give him a speedy answer in one word, Yes, or No. He subscribed himself his majesty's lieutenant, and commander-in-chief of the militia, and of all the forces by sea or land, and of all the forts and places of strength in the colony of Connecticut. He ordered the militia of Hartford under arms, that he might beat up for volunteers; and it was judged expedient to call the trainbands in Hartford together; but the assembly insisted, that the command of the militia was expressly vested by charter in the governor and company; and that they could by no means, consistently with their just rights and the common safety, resign it into any other hands; and they further insinuated, that his demands were an invasion of their essential privileges, and subversive of their constitution.

Upon this, Colonel Bayard, by the governor's command, sent a letter into the assembly, declaring that the governor had no design upon the civil rights of the colony; but would leave them in all respects as he found them; he then tendered a commission to Governor Treat, empowering him to command the militia of the colony; and declared that the governor insisted, that they should acknowledge it an essential right, inherent in his majesty, to command the militia; and that he was determined not to set his foot out of the colony until he had seen his majesty's commission obeyed: and that he would issue his proclamation, showing the means he had taken to give satisfaction to his majesty's subjects of Connecticut, and that he should distinguish the disloyal.

The assembly, nevertheless, would not give up the command of the militia; nor would Governor Treat receive a commission from Colonel Fletcher. The trainbands of Hartford assembled, and, as the tradition is, while Captain Wadsworth, the senior officer, was walking in front of the companies, and exercising the soldiers, Colonel Fletcher ordered his commission and instructions to be read. Captain Wadsworth instantly uttered the command, "Beat the drums;" and there was such a roaring of them that nothing else could be heard. Colonel Fletcher commanded silence; but no sooner had Bayard made an attempt to read again, than Wadsworth cried, "Drum, drum, I say." The drummers understood their business, and instantly beat up with all the art of which they were masters. "Silence! silence!" said the colonel; but no sooner was there a pause, than Wadsworth again cried with great vehemence, "Drum! drum! I say;" and turning to his excellency, said, "If I am interrupted again I will make the sun shine through you in a moment." He spoke with such energy in his voice and meaning in his countenance, that no further attempts were made to read or enlist men; and such numbers of people collected together, and their spirits appeared so high, that the governor and his suit judged it expedient soon to leave the town and return to New York.

The assembly at this sitting granted 500*l.* to support Major-general Winthrop in his agency at the court of Great Britain.

On the 7th of February, 1694, a special assembly was called in consequence of a letter from King William, relative to the fortifying of Albany; and in compliance with his majesty's requisition, the assembly granted 600*l.* to be paid into the hands of Colonel Fletcher, for the defence of Albany; and a rate of one penny on the pound was levied to raise the money.

The rateable polls in the colony were at this time about 2,347, and the grand list 137,646*l.*

For the defence of the plantations in New York, and the towns upon the river, in the county of Hampshire, the assembly ordered, that the commissioned officers, who were the nearest to the places, which should at any time be attacked, should dispatch immediate succours to them; and provision was also made that the several detachments of the militia should be furnished with all articles necessary for their marching in any emergency, upon the shortest notice.

Major-general Winthrop arrived safe in England, and presented the petition, with which he had been entrusted, to his majesty; and a statement of the case of Connecticut was drawn and laid before the king; in which, besides the facts stated in the instructions of Mr. Winthrop, it was alleged that in the charter, granted by King Charles, the command of the militia was, in the most express and ample manner, given to the colony; and that the governor had always commanded it for the common safety: that in the charter there was a clause for the most beneficial construction of it for the corporation; and another of *non obstante* to all statutes repugnant to said grant. It was also represented, that whoever commanded the persons in a colony would also command their purse, and be the governor of the colony: that there was such a connexion between the civil authority and the command of the militia, that one could not subsist without the other: that it was designed to govern the colonies in America, as nearly as might be in conformity to the laws of England; and that the king and his lieutenants could not draw out all the militia of a county; but a certain part only, in proportion to its numbers and wealth. It was therefore pleaded, that Governor Fletcher's commission ought to be construed with the same restriction: that were not the command of the king and his lieutenants restricted by acts of parliament, the subjects could not be free; and that for the same reason, Governor Fletcher's command ought to be restrained by the laws of Connecticut, so far as they were not repugnant to the laws of England. It was further stated, that it was impossible for Governor Fletcher so well to judge of the dispositions and abilities of each town and division in Connecticut, or be so much master of the affections of the people in time of need, as those who dwelt among them and had been chosen to command them; and therefore he could not be so well qualified for the local and ordinary command of the militia; nor serve the interests of his majesty, or the colony in that respect, so satisfactorily and effectually as its own officers.

His majesty's attorney and solicitor-general gave their opinion in favour of Connecticut's commanding the militia; and on the 19th of April, 1694, his majesty in council determined according to the report which they had made. The quota of Connecticut, during the war, was fixed at 120 men, to be at the command of Governor Fletcher, and the rest of the militia to be commanded as had been usual by the governor of Connecticut.

Upon the solicitations of Governor Fletcher and Sir William Phipps, agents and a number of troops were sent to attend a treaty with the five nations: the expense of which to the colony was about 400*l.*

A committee was appointed again in the May session, to run the partition line between Connecticut and Massachusetts. Massachusetts was invited to join with them, but as that court refused, the committee of Connecticut, by the direction of the assembly, ran the line without them: and in October 1695, the general assembly renewed their application to the general court of Massachusetts, entreating them to unite amicably in running the boundary line, or to agree to it, as it had been run by Connecticut. They stated how it ran, and what encroachments they had made upon the colony. The Massachusetts insisted, however, upon the old line, made by Woodward and Saffery, and would not take any measures to accommodate the difference.

At the court of election, May 1696, Eleazer Kimberly was chosen secretary; and upon the requisition of Governor Fletcher, a company of 60 men were ordered to Albany, under the command of Captain William Whiting; whilst 40 dragoons were also forwarded to the county of Hampshire, for the security of the inhabitants in that part of Massachusetts.

About this time the town of Danbury was incorporated; the whole number of families amounted to only 24.

At the general court, May 1697, Colonel Hutchinson and Captain Byfield were sent from Boston, to solicit the raising of such a number of troops as should enable Massachusetts to attack the eastern enemy at their head-quarters. The legislature judged themselves unable to furnish such a number, as would be necessary for that purpose, in addition to the troops they must raise for the defence of their own frontiers of New York, and the county of Hampshire; but agreed to furnish a party of about 60 Englishmen and 40 Indians, to range the woods near the walk of the enemy, and to defend the frontiers of the county of Hampshire.

At a general assembly, January 22d, 1698, an alteration was made in the constitution of the county court; by which it was provided, that it should consist of one chief judge and four justices of the quorum in each county, appointed by the assembly.

Major-general Fitz-John Winthrop, having returned from his successful agency at the court of Great Britain, was received with great joy, by the legislature and the people in general; and the assembly presented him with their thanks for the good services he had rendered to the government; and as a further testimonial of the high sense which they entertained of his merit, fidelity, and labours for the public, they voted him a gratuity of 300*l.*

On the 18th of June, 1697, Richard, earl of Belamont, having received his commission to be governor of New York and Massachusetts, and being every day expected at New York; the general court of Connecticut were desirous to display their respect, and to conciliate his good graces; and to that end appointed General Winthrop, Major Jonathan Sillick, and the Rev. Gurdon Saltonstall, upon the first notice of his arrival at New York, to wait upon him, and in the name of the general assembly of Connecticut, to congratulate him.

Notwithstanding the determination of Lieutenant-governor Cranfield, and the king's commissioners, and the report to his majesty concerning the right of Connecticut to the Narraganset country, the con-

troverſy between Connecticut and Rhode Iſland ſtill continued; and the king would not confirm the judgment and report of the commiſſioners. The Rhode Iſlanders, though they had violated every article of the agreement between Mr. Winthrop and Mr. Clark, were yet ready to plead it againſt Connecticut, whenever it ſhould ſuit their convenience. A letter from the lords of trade and plantations was laid before the aſſembly, adviſing Connecticut to a ſettlement of boundaries with that colony; and upon this recommendation, the general court appointed Major James Fitch, Captain Daniel Witherell, and the Rev. James Noyes, commiſſioners to treat with Rhode Iſland, and to attempt an amicable ſettlement.

The peace of Ryswick, September 11th, 1697, once more delivered Great Britain and her colonies from the calamities of war; and the Americans rejoiced at the return of peace. Connecticut had been happy in the preſervation of her frontiers, in the loſs of few men, and in the effectual aid which ſhe had given to her ſiſter colonies; but nevertheless, the war had been very expenſive, and exceedingly vexatious.

Governor Fletcher cauſed the colony much unneceſſary trouble and expenſe; as upon almoſt every rumour of danger, he would ſend on his expreſſes to Connecticut; and the governor and council, and ſometimes the aſſembly, were obliged to meet, and diſpatch troops to ſome place; and by theſe continual falſe alarms, he almoſt wore out the governor and council with meetings, and haraſſed the militia. The whole colony was ſo haraſſed with his vexatious management, that the governor wrote to Mr. Winthrop, while he was in England, deſiring him to repreſent his conduct to his majeſty, and pray for relief.

But theſe miſeries were now at an end. The ſucceſſful agency of General Winthrop, his ſafe return to his country, the bleſſings of peace, and the appointment and arrival of the earl of Bella-mont to the government of the neighbouring provinces, united their influence to diſſuſe univerſal joy; and the legiſlature appointed a day of public thankſgiving.

General Winthrop is elected governor—The aſſembly divide and form into two houſes—Purchase and ſettlement of ſeveral towns—The boundary line between Connecticut and New York ſurveyed and fixed—Attempts for running and eſtabliſhing the line between Maſſachuſetts and Connecticut—Ouaneco and the Moheagans claim Colcheſter and other tracts in the colony—Attempts to compoſe all differences with them—Grant to the volunteers—The aſſembly enacts, that the ſeſſion in October ſhall for the future be in New Haven—An act enlarging the boundaries of New London, and acts relative to towns and patents—Meaſures adopted for the defence of the colony—Appointment of king's attornies—Attempts to deſpoil Connecticut of its charter—Bill for re-uniting the charter governments to the crown—Sir Henry Aſhurſt petitions againſt, and prevents the paſſing of the bill—Governor Dudley, Lord Cornbury, and other enemies conſpire againſt the colony—They exhibit grievous complaints againſt it—Sir Henry Aſhurſt defends the colony, and defeats their attempts—Quakers petition—Moheagan caſe—Survey and bounds of the pretended Moheagan country—Dudley's court at Stonington—The colony proteſt againſt it—Dudley's treatment of colony—Judgment againſt it—Petition to her

majeſty on the ſubject—New commiſſions are granted—Act in favour of the clergy—State of the colony.

At the election in 1698, there was a conſiderable alteration in the legiſlature. Major-general Fitz-John Winthrop, by his addreſs, and the ſucceſs of his agency in England, had rendered himſelf ſo popular, that he was elected governor; and the former governor, Treat, who had for many years preſided, and who had grown old in the ſervice of the colony, was elected deputy-governor; William Jones, Eſq., who for a number of years had been deputy-governor, was left out of the council. Mr. Joſeph Curtis was choſen magiſtrate, to fill the vacancy made by the preferment of General Winthrop.

Until the ſeſſion in October 1698, the aſſembly conſiſted of but one houſe, and the magiſtrates and deputies appear to have acted together; but at this time it was enacted, that the general aſſembly ſhould conſiſt of two houſes: that the governor, or, in his abſence, the deputy-governor and magiſtrates, ſhould compoſe the firſt, which ſhould be called the upper houſe: that the other ſhould conſiſt of the deputies, regularly returned from the ſeveral towns in the colony, which ſhould be called the lower houſe. This houſe was authorized to chooſe a ſpeaker to preſide, and when formed, to make ſuch officers and rules as they ſhould judge neceſſary for their own regulation. It was alſo enacted, that no act ſhould be paſſed into a law of this colony, nor any law, already enacted, be repealed, nor any other act, proper to this general aſſembly, be paſſed, except by the conſent of both houſes.

At the general court, in October, an act paſſed, regulating the county court; which ordained, that it ſhould conſiſt of one chief judge, and two juſtices of the quorum.

In 1699 the governor and deputy-governor were re-elected; and Richard Chriſtopher was choſen into the magiſtracy, and Captain Joſeph Whiting, treaſurer.

At this ſeſſion the lower houſe, for the firſt time, formed ſeparately, and choſe Mr. John Cheſter ſpeaker, and Captain William Whiting clerk. At this aſſembly an act was paſſed, exempting the clergy from taxation; and ſeveral enactments were made, relative to the ſettlement of new townſhips.

In June 1699, Governor Winthrop obtained leave of the aſſembly to purchase a large tract at Quinibaug; and ſoon after, he made a purchase of Allups, alias Hyemps, and Maſhaushawit, the Indian proprietors, of the lands comprized in the townſhips of Plainfield and Canterbury, lying on both ſides of Quinibaug river. There were ſome few families on the lands at the time of the purchase; but the planters were few, until the year 1689, when a number of people, chiefly from Maſſachuſetts, made a purchase of the heirs of Governor Winthrop, and began ſettlements in the northern part of the tract. At their ſeſſion, in May 1699, the general aſſembly veſted the inhabitants with town privileges; and the next year it was named Plainfield.

The legiſlature, in the October ſeſſion, 1698, enacted, that a new plantation ſhould be made at Jeremy's farm; which it was determined ſhould be bounded ſoutherly by Lyme, weſterly by Middletown, and eaſterly by Norwich and Lebanon. This was uſually termed the plantation at twenty mile river. The ſettlement began about 1701; and in 1703, the aſſembly gave the planters a patent, confirming to them the whole tract. Some of the principal plant-

ers were the Rev. John Bulkley, Samuel Gilbert, Michael Tainter, Samuel Northam, John Adams, Joseph Pomeroy, and John Loomis.

At the same session a plantation was granted, upon the petition of the inhabitants of Guilford, at a place called Cogingchaug; which was bounded northerly by Middletown, easterly by Haddam, westerly by Wallingford, and southerly by Guilford. The petitioners were 31, but few of them moved on to the lands; and for this reason, the settlement went on but slowly. The two first planters were Caleb Seward and David Robinson, from Guilford; and some others afterwards removed from the same town, and made settlements there. May 11th, 1704, it was named Durham; but the number of inhabitants was very small; and in 1707 they did not exceed fifteen. The inhabitants held meetings, and acted as a town, but were not incorporated with town privileges, until May 1708; and after this time the plantation increased rapidly. There was a great accession of inhabitants from Northampton, Stratford, Milford, and other towns.

Committees were again appointed, at the session in October, to attempt a settlement of the boundaries between Massachusetts and Connecticut, and between this colony and Rhode Island; but, like all former ones, they were unsuccessful.

March 28th, 1700, the king, in council, confirmed the agreement made between Connecticut and New York, in 1683, respecting the boundary line between the two colonies. New York neglected, however, to run the line; and Connecticut, therefore, about twelve years after, applied to Governor Hunter, to appoint commissioners to complete the running of the line, and mark it with proper bounds. He laid the affair before the legislature of New York; but as they would adopt no measures for that purpose, and as there was no appearance that they ever intended to do so, Connecticut presented a petition to George the First, praying that he would issue his royal commands to his government of New York, that they should forthwith appoint commissioners, in concert with Connecticut, to complete the running of the line, and the erecting of proper monuments. In consequence of this, the legislature of New York, in 1719, passed an act, empowering their governor to appoint commissioners to run the line parallel to Hudson's river, to re-survey the former lines, and to distinguish the boundary; and in May 1725, the commissioners and surveyors of the two colonies met at Greenwich, and, having agreed upon the manner in which the work should be accomplished, the survey was executed, in part, immediately, and a report of what they had done was made to the respective legislatures of Connecticut and New York. On the 14th of May 1731, a complete settlement was made; and by the partition line, finally established, Connecticut ceded to New York a tract of 60,000 acres, as an equivalent for lands which New York had surrendered to Connecticut, lying upon the sound. This tract, from its figure, has been called the Oblong.

But to return. In 1700 the governor and council were all re-elected.

Many acts of violence, since the last session of the assembly, had been committed against the inhabitants of Windsor and Simsbury, by the people of Enfield and Suffield; who had made encroachments two miles upon the land of those towns.

To compose these difficulties, the assembly appointed William Pitkin, Esq., Mr. John Chester, and Mr. William Whiting, a committee, with ple-

nary powers, to address the general court of Massachusetts, and to represent to them the readiness of the legislature of Connecticut, to join with them in any just measures for an amicable settlement of the boundary line. The court of Massachusetts appointed Colonel Hutchinson, Mr. Taylor, Mr. Anthrum, and Mr. Prout, a committee, but with limited powers, to find the southernmost line of Massachusetts, run by Nathaniel Woodward and Solomon Saffery. The general court also, on the 5th of June, passed an act, in answer to the proposal made by Connecticut, in which they insisted on the line run by Woodward and Saffery; who were termed skilful and approved artists. The court also, in their act, insisted that all grants made by them to the inhabitants of Woodstock, or of any other place, should remain good and valid to the grantees, though the places should be found south of the line of Massachusetts; and to these hard terms the committee acceded, upon the condition that all the grants made by Connecticut, to the inhabitants of Windsor and Simsbury, should be acknowledged as valid, and the land granted be reserved to the proprietors. But the court of Massachusetts would not concede even this; and no accommodation could therefore be effected.

The general court of Massachusetts determined to rely upon, and maintain the line run by their sailors, in 1642; and insisted that it had been the boundary between the colonies for nearly 60 years: that the colony of Connecticut was bounded on the south line of Massachusetts, which they said was not an imaginary, but well known line; and also pleaded, that Mr. Winthrop, when he procured the charter, knew that to be the line, and that no other could be intended.

Connecticut, on the other hand, maintained that the south line of Massachusetts, according to the express words of their charter, was a line running due west from a point, or station, three miles south of every part of Charles river; and that the station fixed by Woodward and Saffery was too far south. It was also insisted that, even allowing Woodward's and Saffery's station to be right, a due west line from it would run far north of Bissell's ferry-house at Windsor. The committee, appointed by the court of Massachusetts, reported that the line would run north of Bissell's house; yet the court of Massachusetts would not run the line, nor come to any accommodation; but insisted on the line as it had been run by them in 1642, and on Connecticut's ceding their rights to all the lands which they had granted, whether they lay north or south of said line.

Though Colchester held their lands from the colony, which claimed by virtue of Uncas's deed in 1640, Major Mason's purchase, in behalf of the colony, and surrender of the lands in the presence of the general assembly, and by virtue of Joshua's will; and though the inhabitants had deeds from Owaneeco, and the Mohegan sachems, covering the whole tract, yet they met with great difficulties, in the settlement of the town from Owaneeco and the Mohegans, who were made uneasy, and incited to mischief by designing men. The Masons, Daniel Clark, Nicholas Hallam, Major Palms, Major Fitch, and others, about this time, conceived the plan of obtaining a large tract of land, comprising Colchester, part of Lyme, and New London, Plainfield, Canterbury, and Windham, for themselves; and imagined that the surrender of Major Mason, in the general assembly,

was not legal, and that the circumstances of those early transactions were so far obliterated from the memory of the living, that they should be able to recover in law all the lands made over by Uncas, to Major Mason, acting as agent of the colony in 1659.

The legislature, though they considered their title to the lands in the colony legal and indubitable, yet judged it expedient, rather than to have any difficulty with the Indians, to treat with them; and the governor and council being appointed a committee for these purposes, were instructed to obtain a quit claim of the Indians upon reasonable terms, and to advise the inhabitants, with respect to their settlements. Captain Samuel Mason, who was one of the magistrates, was particularly desired to use his influence with the Indians to promote the design, and quiet the planters.

From the first settlement of the colony, it had been customary to make grants of land to officers, soldiers, and others, who had been specially serviceable to the colony; and grants had been made to Major Mason, to his officers and soldiers, in the Pequot war. This encouraged the volunteers, who had performed such signal services in the Narraganset war, to make application to the assembly for the grant of a new township, as an acknowledgment of their good services; and upon the petition of Captain Thomas Leflingwell, of Norwich, and Mr. John Frink, of Stonington, in behalf of themselves and other volunteers, the general assembly, in October 1696, granted them a township, of six miles square, to be taken up in the conquered lands; and a committee having surveyed the lands, and made their report to the assembly, four years after, a township was confirmed to the petitioners, by the name of Voluntown. It was bounded by a due north line, from the pond at the head of Pawcatuck river to Greenwich path, thence west to the bounds of Preston, thence bounded by Preston and Stonington to Pawcatuck river, and thence by the river to the pond, the first-mentioned bounds. Nineteen years after, the assembly granted an addition of a considerable tract on the north part of the township.

In 1701 Governor Winthrop and Deputy-governor Treat were re-chosen. The magistrates were Andrew Leet, James Fitch, Samuel Mason, Daniel Witherel, Nathaniel Stanley, Moses Mansfield, John Hamlin, Nathan Gould, William Pitkin, Joseph Curtis, John Chester, and Josiah Rossiter, Esquires. Joseph Whiting, Esq. was re-elected treasurer, and Eleazar Kimberly, secretary.

Ever since the union of the colonies the assembly had convened at Hartford, both in May and October; but at this session an act passed, that the assembly, in October, should be holden at the usual time in New Haven; and it was also enacted, that the court of magistrates which had been commonly holden at Hartford in October should, for the future, be holden at New Haven, on the first Tuesday of the same month. A respectable committee was appointed again this year, to make a settlement of the boundary line with Rhode Island, and committees were appointed, from year to year, for the same purpose, but all attempts for a long time were unsuccessful.

The election in 1702 made no alteration in the legislature.

The inhabitants of Windham having agreed upon a division of that town, on the 30th of January, 1700, the assembly, at this session, confirmed the agreement, and enacted that Windham should be divided into two towns, and that the town at the north end

should be called Mansfield; and the following May the assembly vested them with distinct town privileges; and granted patents, at the same time, to both townships. The Indian name of Mansfield was Nawbesetuck. Settlements had been made here soon after they commenced at Windham.

Danbury had been surveyed for a town in 1693, soon after a plantation was made upon the lands. Some of the principal planters were James Beebee, Thomas Taylor, Samuel and James Benedict, John Hoit, and Josiah Starr. The general court, at this session, gave them a patent, granting them a township, extending eight miles in length, north and south, and six miles in breadth, according to the original survey.

In October the general assembly was holden at New Haven.

The colony having received intelligence of the death of King William, and a gracious letter from Queen Anne, voted that a letter should be addressed to her majesty, congratulating her upon her happy accession to the throne of her ancestors, and expressing their thanks for the favourable notice she had taken of the colony.

The only alteration made by the election, in May 1703, was the choice of Peter Burr, Esq. into the magistracy.

At this assembly an addition was made to the town of New London of all that tract, lying north of the former bounds, included in a line drawn from the north-eastern corner of Lyme, to the south-western corner of Norwich, as it goes down to trading cove; and a patent was, at the same time, given to the inhabitants, confirming this and all other parts of the town to them for ever.

At the same session it was enacted, that all the townships in this colony, to which the assembly had given patents, should remain a full and clear estate, with all the privileges and immunities therein granted, in fee simple to the proprietors, their heirs and assigns for ever; and it was also enacted, that all lands sequestered, and given to public or private uses, should remain for ever, for the ends for which they had been given.

England, Germany, and Holland, in May 1702, declared war against France and Spain; and, consequently, the American colonies were again involved in a French and Indian war; and the legislature, at the session in October, found it necessary to adopt measures for the safety of the country. A requisition was made by Governor Dudley, and the general court of Massachusetts, of a detachment of 100 men, to assist them in the war against the eastern Indians; and soldiers were detached, and sent forth for the defence of the western towns in Connecticut. A committee of war was appointed to send troops into the county of Hampshire, in Massachusetts, and to the frontier towns in this colony, as emergencies should require.

At this assembly it was enacted, that the town of Plainfield should be divided, and that the inhabitants on the west side of the river should be a distinct town, by the name of Canterbury. It appears that the settlement of this tract commenced about the year 1690. The principal settlers, from Connecticut, were Major James Fitch and Mr. Solomon Tracy, from Norwich, Mr. Tixhall Ellsworth and Mr. Samuel Ashley, from Hartford; but much the greatest number were from Newtown, Woburn, Dorchester, Barnstable, and Medfield, in Massachusetts; among whom were John, Richard, and Joseph Woodward, William, Obadiah, and

Joseph Johnson, Josiah and Samuel Cleveland, Elisha Paine, Paul Davenport, and Henry Adams.

On the 15th of March, 1704, a special assembly was convened to provide for the common safety; and to prevent mischief from the allied Indians, and preserve them from being corrupted and drawn away by the enemy, both the civil and military officers in the respective towns were directed to take special care of them; to keep them within their own limits, and not to suffer them, upon their peril, to remove from the places which should be assigned them, nor to hold any correspondence with the enemy, or any foreign Indians, nor by any means to harbour them. A premium of ten pounds was also proposed as an encouragement to every friendly Indian who should bring in and deliver up one who was an enemy.

Orders were given requiring every particular town, in the colony, to convene and determine upon the manner of fortifying and defending themselves; and in case of any sudden attack or invasion, the commissioned officers in the several towns were authorized to detach and send forth any number of soldiers, not exceeding half the militia, to repel and pursue the enemy. It was resolved that a grand scout should be employed by the committee of war upon the frontiers, for the discovery and annoyance of the enemy; and until this could be sent forth, it was determined that small scouts from the frontier towns should be constantly kept out, to discover and give notice of the motions of the enemy. It was ordered that the 100 men solicited by the Massachusetts, should be raised forthwith, to act against the Eastern Indians, and that Governor Dudley should be requested to call them out immediately. A detachment of 60 men was ordered for the public service, principally with a view to the defence of the county of Hampshire, to be under the command of the committee of war in Connecticut, and the commanding officer in that county.

At the court of election, May 1704, the former governors and magistrates were re-chosen. John Allen, Esq. was chosen magistrate, to fill the vacancy made by the death of Moses Mansfield, Esq.

Committees were appointed in the several counties to meet together, to consult and determine upon the best measures for the general defence and safety.

As the deserting or giving up of any place would encourage the enemy, and materially effect the welfare of the colony, it was enacted, that if any persons or families, in any of the frontier towns, should desert their habitations or places of residence without leave from the assembly, they should forfeit their freehold of lands and tenements in that place; and it was further enacted, that if any male person, of the age of sixteen years, should so remove from any frontier town, he should pay a fine of 10*l.*, and that the fine should be applied to the defence of the town from which he had removed.

Good policy required, that as great a number of the friendly Indians as possible should be employed in the public service; and gentlemen were, therefore, appointed to enlist them as volunteers. Rewards were given for this purpose; as the Indians were the best troops to scout and range the woods; and in proportion as they offered themselves, Englishmen, whose labours were much more useful, were kept at home.

Besides the 100 men dispatched to the eastward, 400 were raised for the defence of this colony, and of the county of Hampshire; who were required to

be always ready; and that they might be completely so both in summer and winter, it was ordered, that they should be furnished with snow shoes, that they might travel and run upon the snow. A number of men in every town were obliged to prepare themselves in this manner.

For the maintenance of good morals, the suppression of vicious and disorderly practices, and the preservation of the common peace, the assembly ordered, that a sober religious man be appointed by the county court, in each of the counties, to be an attorney for her majesty, to prosecute all criminal offenders.

The colony at this time was in the most critical situation; as it was not only in danger, and put to great expense on account of the war, but it was continually harassed by the demands of Joseph Dudley, Esq., governor of Massachusetts, and of Lord Cornbury, governor of New York and the Jerseys, for men and money, as they pretended for the defence of their respective governments.

At the same time the colony had a number of powerful enemies, who, by misrepresentation and every other artifice in their power, were seeking to deprive them both of their lands and all their chartered rights and privileges. Governor Dudley, Lord Cornbury, and their instruments, combined together to despoil the colony of its charter, and subject it entirely to their government; and it appears, from the letters and acts on file, that Dudley wished to unite all New England under his own government. At the same time, it seems he flattered Lord Cornbury, that if they could effect the re-union of all the charter governments to the crown, he should not only have the government of the southern colonies, but of Connecticut. Dudley was a man of great intrigue and duplicity, as we have already seen in the account of Massachusetts. He had been connected with Sir Edmund Andross in the government of New England, and was an enemy to all the chartered rights of the colonies; and while he was soliciting the government of Massachusetts, he had a view to the government of all New England. As he had conceived this plan as early as the latter part of the reign of King William, he opposed whatever he suspected would operate against it, and prevent the suspension of all government by charter; and when he found, therefore, that Sir Henry Ashurst was appointed agent for Connecticut, he opposed his undertaking the agency with all his influence, because he knew his friendship to the colonies, and that he was a powerful man. He united all his influence with the court party, and the enemies to the liberties of the colonies, to vacate all the charters in America; and so far succeeded, that in the latter part of the reign of King William, a bill was prepared for re-uniting all the charter governments to the crown; and early in the reign of Queen Anne, it was brought into parliament. It imported, that the charters given to the several colonies in New England, to East and West New Jersey, Pennsylvania, Maryland, Carolina, the Bahama and Lucay Islands, were prejudicial and repugnant to the trade of the kingdom, and the welfare of his majesty's subjects in the other plantations, and to his majesty's revenue arising from the customs. It also further alleged, that irregularities, piracies, and unlawful trade, were countenanced and encouraged by the authority in the chartered colonies; and it therefore enacted, "That all and singular, the clauses, matters, and things, contained in any charters, or letters patent, granted by the great seal

of England, by any of his royal predecessors, by his present majesty, or the late queen, to any of the said plantations, or to any persons in them, should be utterly void, and of none effect." It further enacted, "that all such power, authority, privileges, and jurisdictions should be, and were re-united, annexed to, and vested in his majesty, his heirs and successors, in right of the crown of England, to all intents and purposes, as though no such charters or letters patent had been had or made."

Sir Henry Ashurst, viewing the act as unjust, and subversive of the civil and religious rights of the colony, preferred a petition to the House of Lords, representing "that said bill would do great injustice to the inhabitants of Connecticut: that it would make void the charter granted to the colony by King Charles II.: that the government was by said charter granted to them, and was so interwoven with their property, that it could not be taken away, without exposing them to the utmost confusion, if not to utter ruin: that the inhabitants had never been accused of mal-administration, piratical or unlawful trade; and that their case was different from his majesty's other plantations in America. He, therefore, humbly prayed to be heard by his council, at the bar of the house in their behalf." In consequence of this, it was granted, May 3d, 1701, that the petitioner should be heard against the bill.

Sir Henry was a zealous man, had honourable connexions, and his influence at court was very considerable; and he raised all the opposition to the passing of the bill in his power. Representations were made not only of the ample rights and privileges granted to Connecticut, by charter, but that they were granted for important considerations, and particular services performed: that the inhabitants, at great expense and danger, had purchased, subdued, and planted an extensive country; had defended it against the Dutch, French, and other enemies of the nation; had enlarged his majesty's dominions, and increased commerce: that the charter not only gave the inhabitants powers of government, but secured the title of their lands and tenements; and that, under these circumstances, the passing of the bill would be an act of great injustice; would be ruinous to the colony, and prejudicial to the general interest. It was insisted, that it would be still more arbitrary and unjust, as the colony had not been even accused of mal-administration, piratical or illegal practices, or so much as heard on the subject; and it was pleaded, that the colony had ever been loyal and obedient, and if any irregularities or inadvertencies should finally be found in the government, they would, on the first notice of them, undoubtedly be reformed. At the same time, the taking away of so many charters was at once calculated to destroy all confidence in the crown, in royal patents and promises; to discourage all further enterprise in settling and defending the country; to create universal discontent and disaffection in the colonies; and to produce effects much more prejudicial to the nation, than any of those which were then matter of complaint; and it would also afford an alarming precedent to all the chartered corporations in England. These various considerations operated so powerfully against the bill, that it could not be carried through the houses.

Governor Dudley and Lord Cornbury, however, were not discouraged. They determined to make a more open and powerful opposition to the charter rights of Connecticut; and they determined as much stress had been laid on the argument, that Con-

necticut had never been accused of mal-administration, piracy, or any illegal trade, to invalidate it by a direct impeachment of the colony of high misdemeanors. They were both powerful enemies; and the colony had enemies among themselves. Nicholas Hallam, Major Palms, Captain Mason, Daniel Clark, and others, had either appealed to England against the colony, or were scheming to possess themselves of large tracts of land, and for that purpose, were encouraging the Mohegan controversy. Hallam had appealed to England against the colony, and lost his cause; and the king, in council, had established the judgment given against him in the courts of Connecticut. Major Palms, who had married the daughter of John Winthrop, Esq., the first governor of Connecticut, under the charter, had imagined himself injured by the administrators on the governor's estate, and had brought an action against them; and losing his cause before the courts in this colony, he had appealed to England. He was particularly irritated against the colony, and against his brother-in-law, Fitz-John Winthrop, Esq., then governor of the colony. These malcontents all united their influence, by the grossest misrepresentations, to injure the colony in its most essential interests.

Lord Cornbury was poor, and not unwilling by any means to get money. He had made a demand of 450*l*. upon the colony, for the defence of New York; but Connecticut judged that it was not their duty to comply with his demand, as their expenses already were as great as the colony was able to bear.

Dudley and Cornbury, therefore, proceeded to draw up articles of complaint against the colony; and Dudley employed one Bulkeley to write a folio book, which he termed "the Doom or Miseries of Connecticut;" in which he not only exceedingly misrepresented and criminated the colony, but expatiated on the advantages of a general-governor of New England, and highly recommended the government of Sir Edmund Andross.

Among other complaints, the principal articles particularly charged, were, summarily these: that the governor did not observe the acts of trade and navigation, but encouraged illegal commerce and piracy: that the colony was a receptacle of pirates, encouraged and harboured by the government: that the government harboured and protected soldiers, seamen, servants, and malefactors, who made their escape from other places, and would not deliver them up when demanded. It was also charged against the colony that it harboured great numbers of young men from Massachusetts and New York, where they were obliged to pay taxes for the expenses of the war, and induced them to settle there, principally, because it imposed no taxes for that purpose: that the colony would not furnish their quota for the fortification of Albany and New York, and the assistance of Massachusetts Bay, against the French, and Indians: and that if any of her majesty's subjects of the other colonies sued for debt in any of the courts of the colony, no justice could be done them, if the debt were against any of its inhabitants. It was also charged, that Connecticut, under the colour of their charter, made capital laws; tried murders, robberies, and other crimes, and punished with death and banishment; and that their courts of judicature were arbitrary and unjust; that the legislature would not suffer the laws of England to be pleaded in their courts, unless it were to serve their own purposes: that they had refused to grant appeals to her majesty in council, and had given

great vexation to those who had demanded them; that the government had refused to submit to her majesty, and to his royal highness's commission of vice admiralty, and for commanding its militia; and had defeated the powers which had been given to the governors of her majesty's neighbouring colonies for that purpose. Finally, it was charged that the legislature had made a law, that Christians, who were not of their communion, should not meet to worship God without licence from their assembly, which law extended even to the church of England, as well as to Christians of other denominations tolerated in England.

While Governor Dudley was thus attempting the ruin of the colony in the court of England, he kept up the appearance of the most entire friendship towards it, in this country; and in a letter, of about the same date with his complaints, thanked the legislature for the great supplies which they had given him and the colony.

The general assembly had appointed the most respectable committees, and taken great pains to compromise all difficulties with Owaneco and the Moheagans; and though they had made repeated purchases and obtained ample deeds of their lands, yet, rather than have any uneasiness among the Indians, they offered Owaneco such a sum of money as was entirely satisfactory to him; but Mason and the other malcontents, who wished to possess the Indian lands, would not suffer him to accept it, and frustrated all attempts for an accommodation.

While Mason and other enemies were practising these arts in Connecticut, Hallam, assisted by Dudley and his party, with other malcontents on both sides of the water, was making grievous complaints in England, of the injustice and cruelty of the colony towards Owaneco, in driving him from his lands, and depriving the Moheagans even of their planting-grounds. It was pretended, that in the late grant and patent to the town of New London, the legislature had conveyed away all his lands in that quarter, whereas particular care was taken, both in the grant and patent, to secure all the property and privileges of the Moheagans. The assembly had taken the most faithful and tender care of them, from the first settlement of the colony to that time; and according to their agreement with Major Mason, then deputy-governor of the colony, when he resigned the Moheagan land to the assembly, they granted him a farm of 500 acres, and it was laid out to him at a place called by the Indians, Pomakuk. They had also reserved a fine tract of land, of between 4 and 5000 acres to the Moheagans to plant on, which was much more than sufficient for that purpose; but the representations which these evil-minded men were constantly making to Owaneco and his people, at some times made them uneasy, and some of them probably imagined that they were really injured. At the same time, the affair was so represented in England, as made impressions on the minds of many very unfavourable to the colony.

In this situation of affairs, Hallam, assisted by the malcontents in England and America, preferred a complaint and petition to her majesty, Queen Anne, representing, that the sachems of the Mohegan tribe of Indians were the original and chief proprietors of all the lands in the colony: that they were a great people, and had received and treated the first planters in a peaceable and friendly manner: that for an inconsiderable value, they had granted their lands to them, reserving to themselves a small

parcel only for planting-ground; and that the general assembly of Connecticut had passed an act by which they had taken that from them, which, until that time, they had always enjoyed. For these reasons it was prayed that her majesty would appoint commissioners to examine into all these matters, and into all the other injuries and violences which had been done to the Moheagans, and to determine respecting them according to equity.

The queen, imposed upon and deceived by these representations, and not waiting to give the colony an opportunity to be heard, on the 19th of July, 1704, granted a commission to Joseph Dudley, Esq., the great enemy of the colony, Thomas Povey, Esq., lieutenant-governor of Massachusetts, Major Edward Palms, and others, to the number of twelve, authorizing them to hear and determine the whole affair, reserving liberty to either to appeal to her majesty in council.

At the session in May, a respectable committee was appointed, with ample powers, to examine into all the complaints of Owaneco and the Moheagan Indians, and to report to the assembly in October. The committee appointed time and place, and attempted to accomplish the business for which they had been appointed; but Captain Mason, whom Owaneco had chosen for his guardian, had skill enough to frustrate the design; by making a journey to Boston, at the very time, and Owaneco would do nothing without him. In the mean time the commission was granted by the queen, and the colony were unhappily drawn into a long and expensive controversy.

The Masons claimed the lands purchased by their ancestor, Deputy-governor John Mason, by virtue of a deed given to him by Uncas, in 1659, while he acted as agent of the colony, and denied the legality of the surrender which he had made of them in the general assembly, the next year. They insisted, that it respected nothing more than the jurisdiction right, and that the title to the soil was vested in their family, as guardians or overseers of the Indians; but while they pretended great concern for the Indians, their sole object was to hold all those lands included in the deed for themselves and others, who had united with them in prosecution of the affair against the colony.

Sir Henry Ashurst, wishing to preserve the important privileges of the colony, had taken pains to postpone the hearing of the complaints against it, as far as possible, that the governor and company might have intelligence concerning them, and send their answer; but on the 12th of February, 1705, the hearing came on before her majesty in council. Governor Dudley and Lord Cornbury had spared no trouble to carry their point before her majesty; and the former had been careful to procure and lay before her an opinion of the attorney-general, in King William's reign, "that he might send a governor to Connecticut." Further, to prepare the way for the decision which he wished, he procured another opinion of the attorney and solicitor-general, respecting the case of Connecticut, as it then appeared, "that if it were as Governor Dudley had represented, there was a defect in the government: that the colony was not able to defend itself, and in imminent danger of being possessed by the queen's enemies: and that in such case, the queen might send a governor for civil and military government; but not to alter the laws and customs."

The queen had directed Sir Henry to appear and show reasons, if any he had, why she should not

appoint a governor over the colony; and as he considered every thing dear to it at stake, he made exertions in some measure proportionate to the magnitude of the cause. Lord Paget, a man of great influence, was his brother by marriage, and he was related to, or intimately connected with other principal characters at court; and he obtained all the influence which he possibly could, either by himself or his connexions, in favour of the colony. He retained two of the best council in England; both members of parliament, possessing an estate of a 1000*l.* a year. He stood firm against all the charges of Dudley, Lord Cornbury, Congreve, and others, against the colony, and by his counsel for an hour and a half, defended it against all the art and intrigue of its adversaries, and all the law learning and eloquence of the attorney and solicitor-general.

As Connecticut was entirely ignorant of the charges brought against it, and no information or evidence could be thence obtained, Sir Henry and his council were compelled to employ such means as were in their power. They amply stated the rights and privileges granted by the royal charter, the territory it conveyed, and the powers with which it vested the governor and company. They showed, that these patents were confirmed by a *non obstante*, and were always to be construed in the most favourable light for the grantees. It was demonstrated, that the legislature were vested with ample powers to make laws, criminal and capital, as well as civil; to inflict banishment, death, and all other capital punishments, in all capital cases, no less than in others. It was also represented, that the governors, or commanders in chief, were, by charter, vested with plenary powers to assemble in martial array, and put in warlike posture the inhabitants of the colony, for their defence, and to commission others for the like purposes. It was also clearly shown that, by charter, they had the same right to fish, trade, and do all other business, and enjoy all other privileges, by land and sea, which any other of her majesty's subjects had a right to do, or enjoy. It was therefore urged, that all those matters, charged against the colony, respecting their making capital laws, and inflicting capital punishments, whether death or banishment, were no crimes; but things which the legislature not only had a right, but were bound in faithfulness to do, as circumstances might require. For the same reason, it was also insisted, that the colonies claiming a right to command their own militia, and defeating the designs of the governors of the other colonies, who wished to command it, were no crimes. It was insisted, that doing them was no more than defending themselves in the enjoyment of their legal rights.

With respect to the irregularity and injustice of the courts in Connecticut, it was observed, that general charges deserved no reply: that it did not appear that what was charged was any thing more than mere hearsay and clamour; but it was pleaded that, on the contrary, they had substantial evidence of the justice of the courts in Connecticut. That several appeals had been made to her majesty, from the judgment of those courts: that these had been different cases, and in every instance the judgments given by the courts in Connecticut had been approved by her majesty, and the lords committee of council. This, it was said, was a notable evidence of their justice; and that, so far as appeared, there had been no injustice or irregularity in any one court in the colony.

With respect to Governor Dudley's complaint,

that Connecticut did not furnish the men which he demanded, and that of Lord Cornbury, that it did not comply with his demands for money, it was answered, that it did not appear from the charter, that the colony was obliged to comply with those requisitions: that the governors of other colonies had no right to command the legislature and people of Connecticut; and that they were under no obligations to obey them, any further than it should be required by her majesty. It was further observed, with respect to the money, that it appeared from his lordship's letter, that the general assembly of Connecticut had taken the requisition into her consideration, and had determined to know her majesty's pleasure, before they gave away their money. It was affirmed, that there was nothing disloyal in such a determination: that the colony had a right to grant, or not to grant, their money, as they judged it expedient or not: that they had a right to know the purpose for which they granted it; and that their referring it to her majesty's pleasure, was an implication of their obedience to it, whenever it should be known.

With reference to Connecticut's harbouring deserters, malefactors, pirates, and the like, it was observed, that it was a general charge of little weight, and deserved no answer. It was affirmed to be a common thing, even in England, for soldiers and others to go from one country into another, and not to be found; yet it might not be any crime or fault in the country where they secreted themselves. As to Captain Matthews's finding two soldiers at Stamford, and sending for Major Silleck to secure them, it did not appear that there was the least fault in the major. It was evident, from his lordship's letter, that he went to Stamford, that the soldiers were brought, and that, while the major and Matthews were conversing together in a private room, they made their escape. It was said, it might be more the fault of Matthews than of Silleck; for it did not appear that Matthews was kept there by any force or constraint, but was examining into the affair, or talking generally upon the subject.

With relation to the complaint of Lord Cornbury, in his letter of June 1703, "that he laboured under great misfortunes, in relation to the neighbouring provinces: that the coast of Connecticut is opposite to two-thirds of Long Island; by which means they filled all that part of the island with European goods, cheaper than their merchants could, because they paid duties, and those of Connecticut paid none; nor would they be subject to the acts of navigation; by which means there had been no trade between the city of New York and the east end of Long Island, from whence the greatest part of the whale oil came; and that it was difficult to persuade those people that they belonged to that province," it was replied, that there appeared to be no fault in Connecticut in this respect. It was maintained, that the inhabitants had a right to trade where they pleased, if it were not repugnant to the laws of England. It also was pleaded, that there was no evidence that they had been guilty of any illegal trade or practices; and that they were a poor people, and carried on little trade.

In a letter of the same date with the former his lordship had observed, "that he was satisfied this vast continent, which might be made very useful to England, if right measures were taken, would never be so, till all the propriety and charter governments were brought under the crown." To this it was replied, that this might, or it might not be the case:

that the same, as circumstances might be, might be said of all the charters in England.

It was, however, much insisted on, that the attorney and solicitor-general had reported, "that her majesty might appoint a governor for Connecticut." To this the council for the colony answered, that the report was hypothetical, founded on the supposition that the colony was not able to defend itself, and was in danger of falling into the hands of her majesty's enemies; but that there was no evidence of these facts. It did not appear, they said, that Connecticut was in a more defenceless state, or in greater danger of becoming a prey to her majesty's enemies than any of the other colonies; and it was pleaded, that the attorney and solicitor-general had not reported, that either of these was the case, and therefore their opinion could not be made a plea for sending a governor to Connecticut.

Further, it was strenuously maintained, that it was an essential right of every individual and corporation to be heard before they were condemned; and that the governor and company of Connecticut ought to be heard upon the articles exhibited against them, before any judgment be formed respecting them. It was observed, that governors, who, by enlarging their own territories, might increase their honours and profits, were apt to complain: that they were under peculiar temptations, especially at such a distance, where it was so difficult to make inquiry, and obtain the truth: that there was more reason to suspect the governors complaining, than the governor of Connecticut, who acted with a council and an assembly. It was therefore affirmed, that there was every reason that the colony should be heard in its own defence. If either the governor of New England or New York were impeached, and the same complaints made against them, said the counsel, which they have brought against Connecticut, her majesty would do nothing with respect to them until they had been heard. It would be contrary to all law and reason; much more so, to treat a whole colony in this manner, in a case in which their charter might be forfeited, and their fortunes ruined. It was observed, that governors appointed during pleasure, often committed barbarous acts to enrich themselves; and that they had nothing to lose but their office; whereas the colony of Connecticut was of great substance, and had every thing to lose: that even in ordinary cases, in which the character and property of one man only were concerned, nothing was determined, but upon sufficient evidence, given upon oath, and that it could never be reasonable to condemn a colony upon mere suggestions: that it might appear, upon a full examination, that the governor of Connecticut was much better qualified to govern than the governor of New York or Massachusetts. It was therefore pleaded, that the articles of complaint might be sent to the governor and company of Connecticut, and that they might have an opportunity to answer for themselves: that there could be no danger in this; and if any irregularities should be found in the management of their government, they would most certainly reform and obey her majesty's commands.

Upon this full hearing, it was determined that the lords of trade should draw out the principal articles of complaint, and send a copy of them to the governor of Connecticut, and to the two principal complainants, Governor Dudley and Lord Cornbury, and that Connecticut should send their answer, with evidence respecting the several articles, legally taken, and sealed with the public seal of the colony.

Governor Dudley and Lord Cornbury were also directed to transmit their evidence of the articles charged, publicly and legally taken.

By this means, Dudley, Cornbury, and their abettors, were caught in their own snare, their selfishness and duplicity were made to appear, in a strong point of light, and their whole scheme at once totally ruined. They were totally unable to support the charges which they had brought against the colony. At the same time, the legislature of Connecticut could produce the most substantial evidence, that the very reverse of what had been pretended, was true. They had the last, and this year between 500 and 600 men in actual service. Four hundred of this number had been employed, principally in the defence of Massachusetts and New York. The committee of war, consisting of the governor, most of the council, and other principal men in the colony, had met, with officers and commissioners from Massachusetts, and most harmoniously united with them in opinion, and measures for the common defence. The legislature were not only able to prove these facts, from the records of the colony, and from the resolutions of the committee of war, but what was still more confounding to Governor Dudley, to produce a letter of his, under his own hand and signature, acknowledging their generous and prompt assistance in the war, and thanking them for the aid which they had given him. They produced substantial evidence, that when they had scarcely 20000, in circulating medium, in the whole colony, they had, in three years, expended more than that sum in the defence of her majesty's provinces of Massachusetts and New York. They were able to evince, that they had shown the utmost loyalty and attachment to the queen; been punctual in their observance of the acts of trade and navigation; had not been pirates themselves, nor at any time harboured pirates, deserters, servants, or criminals among them.

With respect to appeals to her majesty, the legislature affirmed, that they had not refused to admit them, only in cases in which proper security, or sufficient bondsmen had not been offered. In the appeals of Major Palms, which seem to have been the only instances of which complaint had been made, the court judged that the security offered was insufficient. The men who offered themselves to be bound appeared to have little or no property. As to the vexations complained of, these respected the obtaining of copies of the judgments of the courts in his case. It seems he applied to the assembly for them, but the assembly declined giving them, insisting that it was not their province to give copies of the doings of other courts. He was therefore referred to the courts in which the judgments had been given.

In the appeals of Major Palms, and in all other instances, the judgments of the courts in Connecticut were finally established; and upon a full examination of the complaints, they appeared not only groundless, but invidious. The loyalty, justice, and honour of the colony appeared more conspicuous than they had done before: but it was some time before the evidence of the true state of the case could be collected and transmitted to England.

Meanwhile, Dudley and Cornbury never lost sight of their object, but vigorously prosecuted the design of subverting the government. There had been, nearly 50 years before, a law enacted against the quakers, but it does not appear that it had ever been acted upon in Connecticut, and was, at that

time, become obsolete. It appears by a letter of the governor's, to Sir Henry Ashurst, that he did not know of one person, then in the colony, who was acknowledged to be a quaker; but Governor Dudley, by some means, obtained a copy of the law, and procured a publication of it in Boston. The knowledge of it was communicated to the quakers in England, and they were incited to petition for a repeal of the law of Connecticut against the quakers. A petition, about the beginning of April, was preferred to her majesty on the subject, reciting this law, and representing, that it was calculated to extirpate their friends from that part of her majesty's dominion, and praying that she would disallow the said law. Sir Henry Ashurst presented a petition to the lords of trade and plantation, to whom the petition of the quakers had been referred, praying them to advise her majesty to come to no determination on the subject, until the colony should have notice of the petition, and have time to send their answer. He represented, that the law was made against Adamites and Ranters; that it was become obsolete, and quakers lived as peaceably in Connecticut as in any of her majesty's plantations. He represented to their lordships, that there had been more complaints exhibited against this poor colony, in three or four years, without any crime proved, than had been before from the time of its first settlement, which made him believe that there were disaffected persons, who were attempting by all means to make them weary of their charter government; that before the appointment of a certain governor for New England, the colony had enjoyed uninterrupted peace for many years, and would have done to that time, had it not been for his misrepresentations. He assured them, that he had been informed that Governor Dudley had, about two years before, ordered the act against the quakers to be printed in Boston, on purpose that the quakers in England might join with his other instruments in clamours against Connecticut, to deprive it of its charter privileges.

Her majesty, upon the advice of the lords of trade and plantations, declared the act against the quakers null and void, without giving the colony a hearing.

Sir Henry Ashurst, writing to the colony soon after, says, "You see how you are every way attacked."

The enemies of the colony in Connecticut and New England were no less active than those on the other side of the water. As they had obtained a commission for the trial of the case between Connecticut and the Moheagans, they spared no pains to carry their point; and on the 5th of July, 1705, Captain John Chandler, in behalf of Owaneco, Captain Samuel Mason, Hallam, and others, who interested themselves in recovering the lands from the colony, began the survey of the Moheagan country, and having accomplished the work, drew a map of it, with a view to the trial, before Dudley's court, which was approaching. The governor sent an officer and prohibited his entering upon the survey; but the party gave large bonds to indemnify him, and he proceeded notwithstanding. The boundaries, as surveyed and reported by Chandler, Captain John Parke, Edward Culver, and Samuel Sterry, who assisted him, were on the south from a large rock in Connecticut river, near eight mile island in the bounds of Lyme, eastward, through Lyme, New London, and Groton, to Ah-yo-sup-suck, a pond in the north-eastern part of Stoning-

ton; on the east, from this pond northward, to Mah-man-suck, another pond, thence to Egunk-sank-a-poug, whetstone hills; from thence to Man-hum-squeeg, the whetstone country. From this boundary, the line ran south-west a few miles to Acquunk, the upper falls in Quinibaug river. Thence the line ran a little north of west, through Pomfret, Ashford, Willington, and Tolland, to Mo-she-nup-suck, the notch of the mountain, now known to be the notch in Bolton mountain. From thence the line ran southerly, through Bolton, Hebron, and East Haddam, to the first-mentioned bounds. This it appears was the Pequot country, to the whole of which the Moheagans laid claim, after the conquest of the Pequot nation, except some part of New London, Groton, and Stonington, which had been the chief seat of that warlike tribe. The Moheagans claimed this tract as their hereditary country, and the Wabbequasset territory, which lay north of it, they claimed by virtue of conquest.

On the 23rd of August, 1705, the court of commissioners, appointed by her majesty, to examine into the affair of the Moheagan lands, convened at Stonington. Writs had been previously issued, summoning the governor and company, with the claimers of lands in controversy, and all parties concerned, to attend at time and place. The court consisted of Joseph Dudley, Esq., president, Edward Palms, Giles Sylvester, Jahleel Brenton, Nathaniel Byfield, Thomas Hooker, James Avery, John Avery, John Morgan, and Thomas Leffingwell.

It seems that the governor and general assembly of Connecticut had not been served with a copy of the commission, by which the court was instituted, and viewed it as a court of inquiry only, to examine and make report to her majesty, and not to try and determine the title of the lands in dispute. The committee appointed by the assembly, to appear before the court, were conditionally instructed. Provided the court was instituted for inquiry only, they were to answer and show the unreasonableness of the Moheagan claims, and the false light in which the affair had been represented; but if the design was to determine with respect to the title of the colony, they were directed to enter their protest against the court, and withdraw. All inhabitants of the colony, personally interested in any of the lands in controversy, were forbidden to plead or make any answer before the court.

Governor Winthrop addressed the following letter to the president.

"New London, August 21st, 1705.

"Sir,—I understand by your excellency's letter of July 30th, your intentions to be at Stonington, on the 23d instant, to hear the complaints of Owaneco against this government. I have, therefore, in obedience to her majesty's commands, directed and empowered William Pitkin, John Chester, Eleazar Kimberly, Esquires, Major William Whiting, Mr. John Elliot, and Mr. Richard Lord, to wait on your excellency, and show the unreasonableness of those complaints, and the unpardonable affront put upon her majesty, by that false representation, and the great trouble to yourself thereby; and I conclude, in a short hearing, your excellency will be able to represent to her majesty, that those complaints are altogether groundless. The gentlemen shall assist your excellency's inquiry, in summoning such persons as you shall please to desire, and all things else, reserving the honour and privileges of the government."

When the committee came before the court, they

perceived that they determined to try the title of the colony to the lands, and judicially to decide the whole controversy; and they resolved, therefore, not to make any answer or plea before them, but to protest against their proceedings. The protest is entered as follows:—

“To his excellency, Joseph Dudley, Esq., captain-general and governor-in-chief of her majesty's colony of Massachusetts Bay, &c.

“We, the commissioners of her majesty's colony of Connecticut, are obliged, by our instructions from this government, to certify your excellency, that, in obedience to her majesty's commands to this colony, we are ready to show the injustice of those complaints against the government, made by Owaneco, to her majesty in council, if your excellency sees good that the complaints be produced, (provided the commissioners mentioned in her majesty's commission, with your excellency, be qualified to act as members of the court of inquiry constituted thereby,) that so your excellency and commissioners may, upon inquiry, be enabled to make such a true and just report of the matters of fact, mentioned in said complaints to her majesty, as you shall see meet. But if your excellency (as appears to us,) does construe any expressions in the said commission, so as to empower the said commissioners, by themselves, to inquire and judicially determine concerning the matter in controversy, mentioned in the said complaint, concerning the title of land or trespass, and do resolve to proceed accordingly, as we cannot but judge it to be contrary to her majesty's most just and legal intentions, in said commission; so we must declare against and prohibit all such proceedings, as contrary to law and to the letters patent under the great seal of England, granted to this her majesty's colony, and contrary to her majesty's order to this government, concerning the said commission and complaint, as well as to the known rights of her majesty's subjects, throughout all her dominions, and such as we cannot allow of. We only add, that it seems strange to us, that your excellency should proceed in such a manner, without first communicating your commission to the general assembly of this her majesty's colony.

“WILLIAM PITKIN, &c.

“August 24th, 1705.”

The inhabitants who had deeds of the lands in controversy, made default as well as the colony; but the court proceeded to an *ex parte* hearing. Owaneco, Mason, Hallam, and their council, produced such papers and evidence, and made such representations as they pleased, without any person to confront them; and after such a partial hearing of one day only, the court determined against the colony, and adjudged to Owaneco and the Mohegans a tract of land called Massapeag, lying in the town of New London; and another tract of about 1100 acres in the northern part of the town, which the assembly had granted as an addition to that township, in 1703. The court also adjudged to them a tract in the town of Lyme, two miles in breadth, and nine miles in length, with the whole tract contained in the town of Colchester. The court ordered Connecticut immediately to restore all those lands to Owaneco, and filed a bill of cost against the colony of 573*l*. 12*s*. 8*d*. Thus a cause of such magnitude, in which the essential interests of a whole colony, and the fortunes of hundreds of individuals, were concerned, was carried wholly by intrigue and the grossest misrepresentations. The commission was granted by her majesty, upon an *ex parte* hearing, upon the

representation of the enemies of the colony; and the men who carried on the intrigue, were appointed judges in their own case. Without hearing the case, contrary to all reason and justice, they gave judgment against the colony, and hundreds of individuals; and they gave away lands holden by conquest, purchased, ancient deeds from the original proprietors, well executed and recorded by charter, acts, and patents from the assembly, and by long possession. The chief judge had been using all his art and influence to ruin the colony, and was now supposed to be scheming for a portion of its lands, as well as for the government; Major Palms had been a long time in controversy with the colony, was exceedingly imbibed against it, and against the governor, his brother-in-law; and others of the commissioners were supposed to be confederate with Mason and Clarke, and interested in the lands in controversy. Hallam, Clarke, and several of the commissioners were witnesses and judges in their own cause, and heard themselves, and no others. Owaneco was placed in state on the right hand of the president, and the colony were treated worse than criminals.

After the court had given judgment against the colony, on the 24th of August, they spent three days in hearing such complaints as Owaneco, Mason, and other persons interested in the lands, or inimical to the colony, were pleased to make; and when they had heard all the complaints and misrepresentations which they had to make, they represented to her majesty, that Owaneco complained he was dispossessed of a tract of land, containing about 7000 acres, called Mamaquaog, lying northward of Windham; of another tract called Plainfield, and considerable skirts and parcels of land, encroached upon and taken in by the towns of Lebanon, Windham, and Canterbury. The court prohibited all her majesty's subjects from entering upon, or improving any of those lands, until a further hearing and determination of the case; and further, in the plenitude of their power, they appointed Captain John Mason to be trustee or guardian to Owaneco and his people, and to manage all their affairs; and they represented, from the evidence of Major James Fitch and Captain John Mason, that the colony had left the Indians no land to plant on, and that they consisted of 150 warriors, 100 of whom had been in the actual service of the country that very year.

These Indians were enlisted, and sent out by the colony of Connecticut, and went as cheerfully into service this year as they had done at any time before; which gave demonstrative evidence, that there was no general uneasiness among the Mohegans. Had there been, two-thirds of their warriors would not have enlisted into the service of the government; and indeed Owaneco himself was uneasy only when the Masons, Clarke, Fitch, Hallam, and others, made him so; who were scheming to deprive him and the Mohegans of their lands. So far was it from being true, that Connecticut had injured them, or taken their lands from them, they had treated them with great kindness, defended them by their arms, and at their own expense, and prevented their being overpowered by their enemies. They had left them a fine tract of land, of between 4 and 5000 acres, between New London and Norwich; and both in the grant and patent to New London, there was an express reservation of all the rights and property of the Indians. The colony had not only reserved lands for the Mohegans, but for all other Indians in it, to plant upon; and suffered

them to hunt, fish, and fowl in all parts of it, and even to build their wigwams, and cut such wood and timber as they needed, in any of their uninclosed lands.

Dudley's court, having finished such business as was agreeable to its wishes, adjourned until the next May; but it never met again; and before that time, the intrigue and duplicity of Governor Dudley and the malcontents became so evident, that all their designs were frustrated.

The assembly, at their session in October, appointed a committee to examine into all matters respecting the Indians, and the complaints which had been made against the colony, and, as soon as possible, to transmit a particular and full answer to their agent. They were instructed fully to acquaint him with a true statement of the Mohegan case, and of the whole management of Dudley and his court. They were to represent that Dudley, Palms, and others of the commissioners, were interested, and parties in the cause, and to insist, that the manner in which the commission was procured to Governor Dudley, Major Palms, and others, was matter of intrigue, and the whole process arbitrary and illegal.

Sir Henry Ashurst, on receiving the papers relative to the case, presented a petition to her majesty, representing the title of the colony to all the lands in controversy, by conquest, purchase, royal charter, long possession, and improvement; and further, that Uncas, when the English became first acquainted with him, was a revolted Pequot, expelled his country, and had not a sufficient number of men to make a hunt; and that the lands reserved to him were not reserved to him in consequence of any right of his, but was a matter of mere permission: that Joseph Dudley, Esq., Hallam, Palms, the Averys, Morgan, and Leffingwell, had grants of several parts of the controverted lands, and, in their own names, or in the name of John Mason, were attempting to set up their titles to them: that Dudley and Hallam, by misrepresentation, had obtained a commission from her majesty, by surprise, under the great seal of England, directed to the said Dudley, Palms, the two Averys, Morgan, Leffingwell, and others, most of whom were of Dudley's and Hallam's denomination, and under his influence; and that in the court, thus instituted, they were the accusers, parties, and judges: that they had assumed to themselves jurisdiction, in a summary way, to try her majesty's petitioners' titles to their lands, and to evict and disseise them of their freeholds, properties, and ancient possessions, without any legal process, or so much as the form of a trial. All which, it was represented, tended to the destruction of all the rights of the colony, and was directly contrary to divers acts of parliament, made and provided in such cases; and the agent, therefore, in behalf of the colony, appealed from the judgment of the said court to her majesty, in council, and prayed that the case might be heard before her.

In consequence of this petition, her majesty, some time after, appointed a commission of review; and the affair was kept in agitation nearly 70 years; but it was always, upon a legal hearing, determined in favour of the colony. The final decision was by George the Third, in council.

The commissioners of review, in 1743, not only determined the title of the lands to be in the colony of Connecticut, but "That the governor and company had treated the said Indians with much humanity at all times; and had, at all times, provided

them with a sufficiency, at least, of lands to plant on; and that no act, or thing appeared, either before the judgment of Joseph Dudley, Esq. or since, by which they, the said governor and company, had taken from the Indians, or from their sachem, any tracts of land to which the Indians or their sachem had any right, by reservation, or otherwise, either in law or equity."

The agent of the colony petitioned her majesty in its behalf, to hear the complaints exhibited by Governor Dudley and his accomplices, that it might have an opportunity of demonstrating how false and groundless they were; and he also prayed, that as Dudley had surprised her, to grant a commission of high powers to the subversion of the rights of her loyal subjects, and contrary to her gracious intentions towards them, and had abused her name and authority to serve his own dark designs, that her majesty would, in some exemplary manner, discountenance the said Dudley and his abettors.

However, it does not appear that Dudley or Lord Cornbury were ever obliged to bring forward any evidence in support of the charges which they had exhibited, or that her majesty, by any public act, discountenanced their intrigue and falsehood. They had such powerful friends at court, that they seem to have palliated, and kept the affair, as far as possible, out of public view; and it seems to have been passed by without any further examination.

There was no alteration made in the legislature at the election in 1706.

The assembly adopted the same measures for the defence of Connecticut and the neighbouring colonies, which they had done the year preceding; and the same officers were appointed, and the same number of men sent into the field.

The colony had assurances from their agent, Sir Henry Ashurst, that they had a clear right to command their own militia; that the governors of the neighbouring colonies had no right to command their men, or money; and that this was the opinion of the best council in the nation. He also assured them, that they were under no obligations to them, to do any thing more, than to furnish such quotas as her majesty should require.

At the session in October, the assembly passed the following act in favour of the clergy, "That all the ministers of the Gospel that now are, or hereafter shall be settled in this colony, during the continuance of their public service in the Gospel ministry, shall have their estates, lying in the same town where they dwell, and all the polls belonging to their several families exempted, and they are hereby exempted and freed from being entered in the public lists and payment of rates." By virtue of this act, for the encouragement of the clergy of this colony, they have always from that, to the present time, been exempted from taxation. The legislature had before released their persons from taxation, but not their families and estates.

The colony, at this period, was in very low circumstances. Its whole circulating cash amounted only to about 2000*l*. Such had been its expense in the war, and in defending itself against the attempts of its enemies in England and America, that the legislature had been obliged to levy a tax, in about three years, of more than two shillings in the pound, on the whole list of the colony. The taxes were laid and collected in grain, pork, beef, and other articles of country produce; which were transported to Boston and the West Indies, and by this means money and bills of exchange were obtained, to pay

the bills drawn upon the colony in England, and to discharge its debts at home. These poor circumstances, and the misrepresentations, abuse, and dangers from their enemies, were endured with an exemplary magnanimity; and under the pressure of all this expense and danger, they cheerfully supported the Gospel ministry and ordinances, in their respective towns and parishes. They contemplated their dangers and deliverances with thanksgiving, and rejoiced in the enjoyment of their privileges.

The country is alarmed—Means of defence—New townships granted and settled—The Rev. Gurdon Saltonstall chosen governor—Act empowering the freemen to choose the governor from among themselves at large—Acts relative to the settlement of the boundary line with Massachusetts—Garrisons erected in the towns on the frontiers—Expedition against Canada—First emission of paper money—Address to her majesty—Loss of the colony at Wood Creek—Expedition against Port Royal—Acts respecting the superior court—Settlement of the boundary line between Massachusetts and Connecticut—Return of peace—Towns settled under Massachusetts—State of the colony.

Such reports of the preparations of the French and Indians, to make a descent upon some part of New England, were spread abroad, about the beginning of the year 1707, as gave a general alarm to the country; and on the 6th of February, 1707, a council of war, consisting of the governor, most of the council, and a considerable number of the chief military officers in the colony, convened at Hartford. A letter was received from Deputy-governor Treat, and another from Major Schuyler at Albany, giving intelligence that the French and Indians, in their interest, were about to make a descent upon New England; and information was also communicated, that suspicions were entertained that the Pohtatuck and Owiantuck Indians designed to join the French and Indians from Canada.

The committee resolved, that the western frontier towns, Simsbury, Waterbury, Woodbury, and Danbury, should be fortified with all possible dispatch; and as Waterbury had sustained great losses by inundations, it was further resolved, for their encouragement to fortify their houses strongly, that the governor and council would use their influence with the assembly, that their country rates should be abated. It was also resolved, that each of these towns should keep a scout of two faithful men, to be sent out every day to discover the designs of the enemy, and give intelligence should they make their appearance near the frontier towns.

To prevent damages from the Pohtatuck and Owiantuck Indians, Captain John Minor and Mr. John Sherman were appointed to remove them to Stratford and Fairfield; and if from sickness or any other cause they could not be removed, it was ordered that a number of their chief men should be rried down to those towns, and kept as hostages to secure the fidelity of the rest.

On the 2d of April a special assembly was convened in consequence of letters from Governor Dudley; who had proposed to send an army of 1000 men against L'Acadia, and requested Connecticut to join with Massachusetts in the expedition.

After the affair had been maturely considered, the assembly determined not to comply with the

proposal; and the reasons given were, that they had not been consulted, nor had had any opportunity of consenting to the expedition: that the neighbouring colonies, who were equally interested in the expedition with themselves, were not called upon to do any thing; and that the vast expense of defending the county of Hampshire and their own frontiers, incapacitated them to join in the enterprise.

At the general election this year the governor and council were all re-elected.

Upon the petition of John Pratt, Robert Chapman, John Clark, and Stephen Post, appointed a committee in behalf of the legatees of Joshua Uncas, the assembly granted a township which they named Hebron; the settlement of which began in June 1704. The first settlers were William Shipman, Timothy Phelps, Samuel Filer, Caleb Jones, Stephen Post, Jacob Root, Samuel Curtis, Edward Sawyer, Joseph Youngs, and Benoni Trumbull; who came from Windsor, Saybrook, Long Island, and Northampton. The settlement went on but slowly; partly on account of the opposition made by Mason and the Moheagans, and partly in consequence of the extensive tracts claimed by proprietors, who made no settlements. But several acts of the assembly were made, and committees appointed, to encourage and assist the planters; and by these means they so increased in numbers and wealth, that in about six or seven years they were enabled to erect a meeting-house, and settle a minister among them.

At the session in October the assembly granted a township to Nathan Gould, Peter Burr, Captain John Wakeman, Jonathan Sturges, and other inhabitants of the town of Fairfield, bounded southerly on Danbury, easterly on New Milford, and westerly upon the colony line. It extended fourteen miles northward from Danbury; and was afterwards named New Fairfield. The war, for several years, prevented all attempts for the settlement of this tract.

As the frontier towns had exhibited much zeal in fortifying themselves agreeably to the directions of the governor and council, the assembly made them a liberal compensation.

About this time the colony sustained a great loss, in the death of the honourable Fitz-John Winthrop, Esq., and a special assembly was convoked on the 17th of December, by Deputy-governor Treat, at New Haven, for the purpose of electing another governor; which ordered that the votes of both houses should be mixed before they were sorted and counted, and that the majority of votes should determine the choice. And in this method the Reverend Gurdon Saltonstall was chosen governor.

Four of the magistrates, the speaker of the house, with three of the other deputies, were appointed a committee to acquaint him with the choice, and solicit his acceptance of the important trust to which he had been chosen; and a letter was addressed to him by the assembly, desiring him to accept of the choice which they had made, and, with the committee appointed to wait on him, to answer the letters of their agent, and transact whatever the exigencies of the government might require. A letter was also addressed to his church and congregation at New London, acquainting them with the call, which the assembly imagined Mr. Saltonstall had to leave the ministry, and to dispose of them to submit to such a dispensation. The magistrates, upon Mr. Saltonstall's acceptance of the trust to which he had been

chosen, were directed to administer to him the oath of the governor, and the oath respecting trade and navigation; and on the first of January, 1708, Governor Saltonstall accepted of his office, and took the oaths appointed by law.

This assembly repealed the law which required that the governor should always be chosen from among the magistrates in nomination, and gave liberty for the freemen to elect him from among themselves at large; and, consequently, at the election, May 13th, 1708, Governor Saltonstall was chosen governor by the freemen. Nathan Gould, Esq. was elected Deputy-governor; the former magistrates were re-chosen, and Mr. John Haynes, for the first time, was elected one of the council. The former treasurer and secretary were re-chosen.

A township was granted, in the course of this session, at Pohatuck, afterwards named Newtown.

Connecticut, for a long course of years, had been at great trouble and expense, in attempting the settlement of the boundary line between this colony and Massachusetts; and the inhabitants of Windsor and Simsbury had been often exceedingly injured, in their persons and property, by the people of Suffield and Enfield, more especially by the former; who had not only encroached upon their lands and cut down their timber, but often seized upon their tar and turpentine, and even upon their persons, and forcibly carried them to Suffield; and in consequence of these outrages, great animosities had arisen between the inhabitants of these towns, and many lawsuits had been commenced. The assembly, as far as possible, to terminate these evils, enacted, that commissioners should be appointed, with full powers, to run the line with such commissioners as Massachusetts should appoint for that purpose. These commissioners were directed to take care that the line should be run by skilful artists, with good instruments; and to take their station three miles south of every part of Charles river, whence Mr. James Taylor and the commissioners of this colony ran the line in 1702; and to run thence a due west line, and to make and set up substantial marks and monuments in the line between the colonies. And to prevent all further contention, it was enacted, that the inhabitants of Windsor, Simsbury, Suffield, and Enfield, should not make any improvement on the contested lands, until the line should be run and settled; and also, that all suits should rest until the county court at Hartford, in October. But it was at the same time provided, that the court of Massachusetts should give the same orders to the people of that province, who claimed upon the line, and should immediately unite with Connecticut in settling the boundary between the colonies.

It was also further enacted, that, upon running the line, all the most ancient grants made to the proprietors, by either government, should give title and property to the settlers on either side of the line; and that unless the court of Massachusetts would agree to the running of the line in this manner, a petition should be addressed to her majesty, praying her to give orders that the divisional line might be run.

The assembly, at this session, ordered that a township should be laid out east of Woodstock, eight miles in length, and six in breadth; the inhabitants of which district were vested with the privileges of a distinct town, by the name of Killingly. At this session the assembly ordered, "that the ministers of the Gospel preach a sermon to the freemen, on the

day appointed by law to choose their civil rulers, in the towns where they meet, proper for their direction in the work before them;" which seems to have been the origin of preaching freemen's meeting sermons in Connecticut.

The affairs of the war were conducted this year in the same manner as they had been the preceding. Colonel William Whiting commanded a body of horse and infantry in the county of Hampshire, and scouting parties and garrisons were maintained on the frontiers of the colony.

At the session in October, it was enacted, that two garrisons should be maintained, at the public expense, at Simsbury, and two at Waterbury; and garrisons were to be kept at Woodbury and Danbury, as the council of war should judge expedient.

At the election in 1709, Mr. Saltonstall was re-chosen governor, and Nathan Gould, deputy-governor. The magistrates were Daniel Witherell, Nathaniel Stanley, John Hamlin, William Pitkin, John Chester, Joseph Curtis, Josiah Rossiter, Richard Christopher, Peter Burr, John Allen, John Haynes, and Samuel Eells, Esquires; and Captain Joseph Whiting was treasurer, and Caleb Stanley secretary.

A letter was laid before this assembly from her majesty, relative to an expedition against the French in Canada, an account of which has already been sufficiently given in the histories of the previous colonies.

The legislature of Connecticut voted and raised their quota, of 350 men, with cheerfulness and expedition; and Colonel Whiting was appointed to command them. The assembly also voted an address of thanks to her majesty, for her royal care and favour to the colonies, in devising means for the removal of an enemy, by whom the colonies had been so great and repeated sufferers.

This undertaking, which proved so fruitless, was a great loss and expense to the colonies; but Connecticut only sustained the loss of about 90 men.

This expedition occasioned the first emission of paper money in Connecticut; which was ordered at a special assembly, on the 8th of June, by the following enactment:—

"It is resolved, that to assist in the expedition, for want of money otherwise to carry it on, there be forthwith imprinted a certain number of bills of credit on the colony, in suitable sums, from two shillings to 5*l*., which, in the whole, shall amount to the sum of 8000*l*. and no more." It was also enacted, that the bills should be issued from the treasury as money, but should be received in payments at one shilling on the pound better than money; one half only to be signed and issued at first, and the other to remain unsigned, until it should be found necessary to put it into circulation; and taxes were imposed for the calling in of one half of it within the term of one year, and the other at the expiration of two years.

Notwithstanding the war, the colony made progress in settlement; and in 1708 John Belden, Samuel Keeler, Matthew Seymour, Matthias St. John, and other inhabitants of Norwalk, to the number of 25, purchased a large tract, between that town and Danbury, bounded west on the partition line between Connecticut and New York. The purchase was made of Catoonah, the chief sachem, and other Indians, who were the proprietors of that part of the country; and the deed bears date September 30th, 1708. At this session it was ordained that it should be a distinct township, by the name of Ridgefield.

The only alteration made, by the election, in 1710, was the choice of Matthew Allen, Esq. in the place of Daniel Witherell, Esq.

As we have very fully related the particulars of the war of this period in the account of Massachusetts, we shall proceed with the home affairs of Connecticut.

In May 1711, Joseph Talcott was chosen into the magistracy in the place of Josiah Rossiter, Esq.; and an important alteration was also made respecting the superior court; which until this time had been holden at two places only, Hartford and New Haven, and at two terms annually; which was found to occasion much expense and inconvenience; and it was therefore resolved, that the superior court should sit twice annually, in each of the counties, and that all actions should be tried in the county in which they originated.

This assembly also made a grant of a township at a place called Pohatuck, from a river of that name upon which part of it lies. At this session it was incorporated and named Newtown.

When the assembly met in October, an address was prepared to be presented to her majesty representing the exertions of the colony in her service, condoling her on the disappointment with respect to the expedition, and praying for the continuance of her favour to the colony.

A township had been given several years previous to this period by Uncas, sachem of the Moheagans, lying north of Lebanon and west of Mansfield, to certain legatees in Hartford; and the donation was approved by the assembly. The legatees conveyed their right to William Pitkin, Joseph Talcott, William Whiting, and Richard Lord, to be a committee to lay out the township and make settlements on the lands; and on the 9th of May, 1706, the general assembly had authorized those gentlemen to act as a committee for this purpose; and on October 11th, 1711, this committee was re-appointed, with one Nathaniel Rust, who had already settled upon the lands, more effectually to carry into execution the design of their former appointment; and the township, at the same session, was named Coventry. Nathaniel Rust and some others first settled in the town about the year 1700; but the settlement of it has generally been dated from 1709; as in that year a number of householders from Northampton and other places, moved into the town, and the inhabitants were so increased in about two years, that they were now incorporated with the privileges of other towns.

In consequence of letters from Governor Dudley, of Boston, and from General Nicholson, relative to the unsuccessfulness of the late expedition, a special assembly was called, November 3d, 1711. The design of which was to consult the best means of acquainting her majesty truly how the affair was; what exertions the colonies had made, and that it was not through any fault of theirs that the enterprise was frustrated; and it was resolved, that the colonies should make a joint representation, and that the pilots should be sent to England, to be examined concerning the unfortunate naval expedition against Canada. The assembly accordingly determined that John Mayhew, of New London, who was the only pilot from Connecticut, should forthwith proceed to Great Britain, with the pilots from Massachusetts.

The election in 1712 made little or no alteration with respect to public officers; and nothing very material appears to have been transacted this year.

The legislature made the usual provision for the defence of this colony and the county of Hampshire.

Nathan Gould, Esq. the deputy-governor, was appointed chief Judge of the superior court; and William Pitkin, Richard Christopher, Peter Burr, and Samuel Eells, Esquires, were appointed assistant judges. In the absence of the deputy-governor, William Pitkin was appointed chief judge; and in case either of the other judges were absent, any one of the magistrates was authorized to sit in his stead. Until this time, the judges of the superior court had been allowed nothing more than the fees of it; and an act was therefore passed at the October session, that the judges for the time being, upon laying their accounts before the assembly, should be allowed an honourable compensation for their expenses and services.

About this time, the inhabitants of New Milford were incorporated and vested with town privileges.

About this time, William Partridge, Esq. of Newbury, and Jonathan Belcher, of Boston, opened a copper mine at Simsbury: and for their encouragement, the assembly exempted the miners, operators, and labourers from military duties, for the term of four years.

At the election in May 1713, Mr. John Sherman, who had been some time speaker of the lower house, was chosen into the magistracy.

In October 1687, a grant of lands, commonly called the Mashamoquet purchase, had been made by the general assembly, to Major James Fitch, Lieutenant William Ruggles, Mr. John Gore, Mr. John Pierpont, Mr. John Chandler, Mr. Benjamin Sabin, Mr. Samuel Craft, Mr. John Grosvenor, Mr. Joseph Griffin, Mr. Samuel and John Ruggles, and Mr. Nathan Wilson; most of whom were planters from Roxbury, in Massachusetts; and some of whom had moved on to the lands in 1686, before the grant was made; and ultimately in the year 1713, the inhabitants were incorporated and vested with town privileges; and the name was changed from Mashamoquet to Pomfret.

In 1708, the assembly of Connecticut had determined, that, unless the province of Massachusetts would accept of the terms which they had proposed, relative to the line between them, they would make application to her majesty, desiring that orders might be given, that Massachusetts forthwith should mutually join with Connecticut in running and settling the boundary line between the colonies; but Massachusetts at that time would not consent to run the line as it had been proposed; and would not even grant that there had been any mistake in running it; and insisted, if there had, that, as it had been ran so long before the charter was granted to Connecticut, and they had been in possession of the lands in controversy for 66 years, and several towns and plantations had been settled upon them, it was not then reasonable to draw it into question. The assembly of Connecticut, therefore, in 1709, approved a letter, addressed to the lords of trade, giving reasons why the line run by Woodward and Saffery ought not to be established; and it seems to have been the determination of the legislature to have appealed to her majesty with respect to the partition line; but several circumstances finally prevented their so doing. Governor Dudley who was a man of great duplicity, had many friends and great influence at court; and Connecticut had none. Sir Henry Ashurst, also their agent for many years, appears now to have been no more; and they had not yet sufficient time to fix upon and have proof of

the fidelity and ability of another in his place; the colony was poor, and had been put to great expense, in defending itself against the complaints of Governor Dudley, Lord Cornbury, and other enemies, and against the claims of Mason and his party; and the English ministry were high Tories, and inimical to all charter governments. The legislature were therefore apprehensive that their enemies were again concerting measures to deprive them of all the privileges which they had so dearly bought; and as Massachusetts in some measure agreed to the terms proposed in 1708, it was, under all the circumstances, judged most expedient to make the best settlement which could be obtained, without an appeal to England.

Consequently upon the 13th of July, 1713, commissioners, fully empowered from each of the colonies, came to an arrangement which was adopted by each court. As they were both careful to secure the property to the persons to whom they had made grants of lands, and to maintain the jurisdiction over the towns which they had respectively settled; it was expressly stipulated as a preliminary, that the towns should remain to the governments by which they had been settled; and that the property of as many acres as should appear to be gained by one colony from the other, should be conveyed out of other unimproved land, as a satisfaction or equivalent. With respect to about two miles, claimed by Windsor upon the town of Suffield, concerning the validity of which there had been a long contest, it was agreed, that if the tract fell within the line, it should belong to Connecticut.

On running the line, it was found at Connecticut river, to run 90 rods north of the north-east bounds of Suffield; and it appeared that Massachusetts had encroached upon Connecticut 107,793 acres, running a due-west line from Woodward's and Saffery's station; and Massachusetts, therefore, made a grant of such a quantity of land to Connecticut, which was accepted as equivalent; and the whole was sold in sixteen shares, in 1716, for the sum of 683*l*. New England currency; a little more than a farthing per acre, and shows of what small value land was esteemed at that day. It affords also a striking demonstration, that, considering the expense of purchasing them of the natives, and of defending them, they cost originally often ten times their value. The money was applied to the use of the college.

Notwithstanding the long and expensive controversy of Connecticut with the colony of Rhode Island, relative to the Narraganset country, and notwithstanding the king's commissioners, and lawyers, of the greatest note, determined, that the title was undoubtedly in the governor and company of this colony, yet it was judged expedient to give up the claim. Lands were of so little value, and controversies before the king and council so expensive, and the event so uncertain, that the legislature determined rather to comply with Governor Winthrop's and Clark's agreement, than to prolong the controversy. The court party, both in King William's and Queen Anne's reign, appeared reluctant to establish the charter limits of Connecticut at Narraganset river and bay; otherwise they would have advised to establish the judgment of the king's commissioners. The court probably were influenced by political principles; and the establishment of the eastern boundary of Connecticut at Narraganset river and bay, would have ruined Rhode Island, by reducing them to limits too small for a colony. Connecticut was, doubtless, fully sensible of these dis-

positions of the sovereigns and court of Great Britain, and it probably operated as a strong motive to induce them to give up their claim.

In October 1702, a committee had been appointed to make a complete settlement of the boundary line between the colonies, reserving to all persons concerned, their entire property in lands and buildings, according to the agreement of Governor Winthrop and Mr. Clark; and on the 12th of May, 1703, the committees from the two colonies had agreed, "that the middle channel of Pawcatuck river, alias Narraganset river, as it extends from the salt water upwards, till it comes to the mouth of Ashaway river, where it falls into the said Pawcatuck river, and from thence to run a straight line till it meet with the south-west bounds or corner of Warwick grand purchase, which extends 20 miles due west from a certain rock, lying at the outmost point of Warwick neck, which is the south-easterly bounds of said purchase; and from the said south west bounds, or corner of said purchase, to run upon a due north line, till it meet with the south line of the province of Massachusetts Bay, in New England; this to be, and for ever remain to be, the fixed and stated line between the said colonies of Connecticut and Rhode Island. Always provided, and it is hereby intended, that nothing in the afore-mentioned agreement, or any clause thereof, shall be taken or deemed to be the breach or making void of the fourth article in the agreement made between the agents of the said colonies of Connecticut and Rhode Island, viz. John Winthrop, Esq. and Mr. Daniel Clark, for maintaining property, dated April 7th, 1663, but that the same shall be kept and justly performed, according to the true intent and meaning thereof; and that all former grants and purchases, granted by, or made within either of the colonies, and all other ancient grants confirmed by the authority of Connecticut colony within the township of Westerly, in the colony of Rhode Island, shall be duly preserved and maintained, as fully and amply to all intents and purposes, as if they were lying or continued within the bounds of the colony, by the authority of which it was granted or purchased." But notwithstanding this agreement, Rhode Island, about this time, disowned its authenticity, pretending that their commissioners were not empowered to conclude fully and finally upon such settlement; and the cause was heard by the king in council, some years after, and decided according to the agreement of the commissioners as stated above; and subsequently, on September 27th, 1728, the line was finally ascertained and distinguished by proper monuments and boundaries. Roger Wolcott, James Wadsworth, and Daniel Palmer, on the part of Connecticut, and William Wanton, Benjamin Ellery, and William Jenks, in behalf of Rhode Island, being the committees for running and final fixing of the line.

No colony, perhaps, had ever a better right to the lands comprised in its original patent than Connecticut, yet none has been more unfortunate with respect to the loss of territory. Charles II., in favour of his brother the duke of York, granted great part of the lands contained within its original limits to him, and the legislature, for fear of offending those royal personages and losing their charter, gave up Long Island, and agreed to the settlement of the boundary line with the king's commissioners and for the reasons which have been suggested they lost a considerable tract on the north, and on the east. Indeed, considering the enemies and difficulties with which they had to combat, it is astonish-

ing that they retained so much territory, and so firmly defended their rights and privileges.

The peace of Utrecht was signed by the plenipotentiaries of Great Britain and France, March 30th, 1713; and official accounts of the pacification and orders for immediately proclaiming the peace were received by the governor of Connecticut, on the 22d of August; and the governor having called together the deputy-governor and council, they on the 26th, made a formal proclamation of peace between the two nations.

Upon the pacification with France, the Indians buried the hatchet, and peace once more gladdened the colonies.

Connecticut had not been less fortunate in this, than in former wars. A single town had not been lost, nor had any considerable number of the inhabitants fallen by the hands of the enemy. In Philip's, King William's, and this war, only the buildings and part of the effects of one town, Simsbury, were destroyed; the inhabitants of which, according to tradition, when consisting of about 40 families, supposing themselves in danger of a surprise, buried a considerable part of their effects, and generally removed back to Windsor; and the enemy, finding the town nearly deserted, fell upon it, burned the buildings, and captured several of the inhabitants. When the people moved back, such an alteration had been made by the burning of the buildings and the growth of weeds and bushes, that the particular spot in which they had buried their effects could not be found, and they were never recovered. This most probably was in the spring of 1676, when the Narraganset and other Indians appeared in strong parties upon the river above.

The expense of the last war was very considerable. Some years the colony paid a tax of about seven-pence and eight-pence in the pound, on the whole list of the colony; and it was found necessary to issue at several times, from June 1709, to October 1713, 33,500*l.* in bills of credit. Provision had been made by acts of assembly, for the calling in of the whole, within the term of about seven years from the termination of the war; and 20,000*l.* only were in circulation in October 1713. The emissions were all in the same form, and, by a law of the colony, the bills of each were to be received in all payments at the treasury, at five per cent. better than money, or more than expressed on the face of the bill; and in all other payments, it was enacted, that they should be received as money; and so small was the sum, and such was the advance at which the bills were received at the treasury, that they appear to have suffered little or no depreciation. As some of the small bills had been altered, and the sum expressed made greater than in the original ones, the assembly passed an act for calling them all in, and emitting 20,000*l.* in new bills, which the treasurer was directed to issue.

After pursuing the history of the colony from its first settlements, it appears, that notwithstanding the many difficulties which it had to combat with, its advance was considerable; as the following list will prove.

Counties and Towns, October 8th, 1713.

County of	Time of	County of	Time of
Hartford.	Settlement.	Hartford.	Settlement.
Hartford,	1635	Simsbury,	1650
Weathersfield,	1634	Haddam,	1668
Windsor,	1635	Glastenbury made	
Farmington,	1644	a town,	1690
Middletown,	1651	Waterbury,	1686

County of	Time of	County of	Time of
Hartford.	Settlement.	New Haven.	Settlement.
Windham,	1692	New Haven,	1638
Plainfield,	1689	Milford,	1639
East Haddam,	1713	Guilford,	1639
Canterbury,	1703	Branford,	1644
Mansfield,	1703*	Wallingford,	1670
Colchester,	1699	East Haven,	1607
Hebron,	1704*	Derby,	1675
Killingly,	1708*	Durham,	1699
Coventry.	1709*	New Milford.	1713*
County of		County of	
New London.		Fairfield.	
New London,	1648	Fairfield,	1639
Saybrook,	1639	Stratford,	1639
Norwich,	1660	Greenwich,	1640
Lyme,	1667	Stamford,	1641
Stonington,	1658	Norwalk,	1651
Killingworth,	1663	Woodbury incor-	
Preston,	1686	porated,	1674
Lebanon incorpo-		Danbury,	1693
rated,	1697	Newtown incorpo-	
Voluntown,	1700	rated,	1711*
Pomfret incorpo-		Ridgefield incor-	
rated,	1713*	porated,	1709*

It was customary with the assembly, from the first settlement of the colony, to release the infant towns two, three, or four years, at first, from all taxes to the commonwealth; and especially while they were building meeting-houses and settling ministers; and for these reasons, the eight towns marked with asterisks, at this time, appear to have been released from public taxation.

Attempts had been made for the settlement of Ashford; and two families moved on to the lands in 1710, but it was not incorporated until October 1714. The assembly had also appointed committees, and passed several acts respecting the settlement of New Fairfield, but it does not appear to have been incorporated at this time. Exclusive of the towns on Long Island, and some others in New York, and the town of Westerly, in Rhode Island, Connecticut had settled 45 towns under its own jurisdiction; 40 of which sent deputies. The house of representatives, when full, consisted of 80 members.

The grand list of the colony was 281,083*l.* The militia consisted of a regiment in each county, and amounted to nearly 4000 effective men. The number of inhabitants was about 17,000.

The shipping consisted of two brigantines, about 20 sloops, and some other small vessels; the number of seamen did not exceed 120.

There were three considerable towns in the colony under the government of Massachusetts, Suffield, Enfield, and Woodstock. Suffield and Enfield were part of Springfield, which had been purchased by Mr. Pyncheon and his company, of the natives, the original proprietors of the soil. This township was of great extent; and at first it was supposed to belong to Connecticut, and it always would, had not the boundary line been fixed contrary to the expectations of the first planters. In 1670, a grant of Suffield had been made to Major John Pyncheon, Mr. Elizur Holyoke, Mr. Thomas Cooper, Mr. Benjamin Cooley, George Cotton, and Rowland Thomas, by the general court of Massachusetts, as a committee to lay it out and plant a township; and about that time it was settled, and incorporated with town privileges. Enfield was settled by people from Massachusetts, about the year 1681; and a grant of the township, which is six miles square, was made to several planters about two years before.

We take this opportunity of giving a brief account of the courts of Connecticut.

The general court or assembly usually met in May and October; when the sessions generally did not exceed ten or twelve days. The expense of the two sessions annually hardly amounted to 400*l*.; the salary of the governor was 200*l*., and that of the deputy-governor 50*l*.; and the whole expense of government probably did not exceed 800*l*. annually.

The superior court was made ambulatory in 1711; and at the May session, 1711, it was enacted, that "there should be one superior court of judicature over the whole colony: that this court should be holden annually, within and for the county of Hartford on the third Tuesdays in March and September: within and for the county of New Haven, on the second Tuesdays in March and September: within and for the county of Fairfield, at Fairfield, on the first Tuesdays in March and September; and within and for the county of New London on the fourth Tuesdays in said months."

This court consisted of one chief judge and four other judges, three of whom made a quorum. The judges of the court were all magistrates. William Pitkin, Esq. was chief judge; and Richard Christopher, Peter Burr, Samuel Eells, and John Haynes, Esquires, assistant judges. The salary of the chief judge was ten shillings a day while on the public service; and the others were allowed the fees, by law, payable to the bench.

At the session in May 1665, counties were first established; and from that time each county had a court of its own; which consisted of a chief judge and four justices of the quorum.

In each county there was also a court of probates, consisting of one judge and a clerk; in which all testamentary affairs were managed; and from this court appeals might be had to the county court. One of the magistrates of the county was commonly judge of this court. It met frequently, and business was transacted with ease and dispatch, and with little expense.

The manufacturers of Connecticut at this time were very inconsiderable; there was but one clothier in the colony; and the utmost he could do was to full the cloth which was made; and a great proportion of it was worn without shearing or pressing.

The trade of the colony was also very inconsiderable; and its foreign commerce was scarcely any thing. The only articles exported directly to Great Britain were turpentine, pitch, tar, and fur; which more generally were sent directly to Boston or New York, and were exchanged for such European goods as were consumed in the colony. The principal trade was with Boston, New York, and the West India Islands. To the two former of which the merchants traded in the produce of the colony, wheat, rye, barley, Indian corn, peas, pork, beef, and fat cattle. To the West Indies the merchants exported horses, staves, hoops, pork, beef, and cattle; and in return received rum, sugar, molasses, cotton wool, bills of exchange, and sometimes small sums of money. But little more was imported, than was found necessary for home consumption.

At this period there was not a printer in the colony; and consequently a great proportion of the laws were only in manuscript. The assembly had now desired the governor and council to procure a printer to settle in the colony; and it was determined to revise and print the laws. The council obtained Mr. Timothy Green, a descendant of Mr.

Samuel Green of Cambridge in Massachusetts, the first printer in North America; and the assembly, for his encouragement, agreed that he should be printer to the governor and company, and that he should have 50*l*., the salary of the deputy-governor annually. He was to print the election sermons, the proclamations for fasts and thanksgivings, and such laws as were enacted at the several sessions of the assembly. In 1714, he arrived in Connecticut, and fixed his residence at New London; and he and his descendants were for a great number of years, printers to the governor and company of Connecticut.

It appears that one Thomas Short, a printer, had previously settled, though not officially, at New London about the year 1709; and that in 1710, he printed Saybrook Platform, and soon after died.

In the period to which we have arrived, almost all the east side of Connecticut was settled. Ashford, Tolland, Stafford, Bolton, and two or three other towns have been settled in that part of the colony, and the greatest part of the county of Litchfield since; but the settlement of the latter has been attended with little difficulty in comparison with what was experienced in the planting and defending of the former.

ECCLESIASTICAL AFFAIRS OF CONNECTICUT, from 1666 to 1714.

The general assembly appoint a synod to determine points of religious controversy—The ministers decline meeting under the name of a synod—The assembly alter the name, and require them to meet as a general assembly of the ministers and churches of Connecticut—Seventeen questions were proposed to the assembly to be discussed and answered—The assembly of ministers and churches meet and discuss the questions—The legislature declare that they had not been decided, and give intimations that they did not desire that the ministers and churches of Connecticut should report their opinion upon them—They express their desires of a larger council from Massachusetts and New Plymouth—The Rev. Mr. Davenport removes to Boston—Dissension at Windsor—Mr. Bulkley and Mr. Fitch are appointed by the assembly to devise some way in which the churches might walk together, notwithstanding their different opinions relative to the subjects of baptism, church communion, and the mode of church discipline—The church at Hartford divides, and Mr. Whiting and his adherents are allowed to practise upon congregational principles—The church at Stratford allowed to divide, and hold distinct meetings—Mr. Walker and his hearers, upon advice, remove and settle the town of Woodbury—Deaths and characters of the Rev. Messrs. John Davenport and John Warham—General attempts for a reformation of manners—Religious state of the colony in 1680—Attempts for the instruction and christianizing of the Indians in Connecticut—Act of the legislature respecting Windsor—The people there required peaceably to settle and support Mr. Mather—Owning or subscribing the covenant introduced at Hartford—College founded, and trustees incorporated—Worship according to the mode of the church of England performed, in this colony, first at Stratford—Episcopal church gathered there—Act of assembly requiring the ministers and churches of Connecticut to meet and form a religious constitution—They meet and compile the Saybrook Platform—

Articles of discipline—Act of the legislature adopting the Platform—Associations; consociations—General association—Its recommendations relative to the examination of candidates for the ministry, and of pastors elect previous to their ordination—Ministers, churches, and ecclesiastical societies in Connecticut, in 1713.

(1666.) Although the legislature of Connecticut, during the controversy respecting the union of the colonies, judged it expedient to transact nothing relative to the religious controversies then in the country, yet, as soon as the union was well established, they entered seriously upon measures to bring them to a final issue; and, for this purpose, they passed the following act:—

“This court doth conclude, to consider of some way or means to bring those ecclesiastical matters, that are in difference in the several plantations, to an issue, by stating some suitable accommodation and expedient thereunto. And do therefore order, that a synod be called to consider and debate those matters; and that the questions presented to the elders and ministers that are called to this synod, shall be publicly disputed to an issue. And this court doth confer power to this synod, being met and constituted, to order and methodize the disputation, so as may most conduce, in their apprehension, to attain a regular issue of their debates.”

The court ordered that all the preaching elders, or ministers, who were or should be settled in this colony, at the time appointed for the meeting of the synod, should be sent to, to attend as members of it: and it was also ordered, that Mr. Mitchell, Mr. Brown, Mr. Sherman, and Mr. Glover, of Massachusetts, should be invited to assist as members of the synod; that upon the meeting of a majority of the preaching elders in the colony, they should proceed as a synod; and that the questions proposed by this assembly, should be the questions to be disputed. The meeting of the synod was appointed on the third Wednesday in May 1667; and the secretary was directed to transmit to all the ministers in this colony, and those invited from the Massachusetts, a copy of this act of assembly, and of the questions to be disputed.

It seems, that the ministers had objections to meeting as a synod, and to the order of the assembly vesting them with synodical powers; and the legislature, to relieve this difficulty, in their May session, judged it expedient to alter the name of the council, and to call it an assembly of the ministers of Connecticut, called together by the general court, for the discussing the questions stated, according to their former order.

The assembly of ministers convened at the time appointed, and having conversed on the questions, and voted not to dispute them publicly, adjourned until the autumn, determining then to meet again, and make their report, should it be the desire of the legislature. The questions were the same which had been exhibited ten years before, and have already been given. The churches continued in their former strict method of admitting members to their communion, and maintained their right to choose their ministers, without any control from the towns or parishes of which they were a part; and it does not appear, that one church in the colony had yet consented to the baptism of children, upon their parents owning the covenant, as it was then called; and it was insisted, as necessary to the baptism of children, that one of the parents, at least, should be

a member in full communion with the church, and in regular standing.

It seems, that the assembly's particularly inviting the gentlemen from the Massachusetts, in their name, to attend the general assembly of ministers and churches, was to enlighten and soften the minds of the ministers of Connecticut in those points, and to obtain a majority in the assembly for a less rigid mode of proceeding. Mr. Mitchell was the most powerful disputant of his day, in New England, in favour of the baptism of children, upon their parents owning the covenant, though they neglected to obey and honour Christ, in attending the sacrament of the Lord's Supper. It appeared, however, that this party were not able to carry any point in the assembly, and that the questions were not likely to be determined according to the wishes of the majority of the legislature; and measures were therefore adopted to prevent the meeting and result of the assembly, at their adjournment in the autumn.

In September, the commissioners of the united colonies met at Hartford, and they interposed in the affair; and resolved, “That when questions of public concernment, about matters of faith and order, do arise in any colony, that the decision thereof should be referred to a synod, or council of messengers of churches, indifferently called out of the united colonies, by an orderly agreement of all the general courts; and that the place of meeting be at or near Boston,” which vote was, doubtless, obtained by the act of those gentlemen, among the civilians and ministers, who wished to prevent the meeting of the assembly of ministers, and their resulting upon the questions.

The reverend elders, Warham, Hooker, and Whiting, in a writing under their hands, represented to the assembly, at their session in October, that it was the desire of the assembly of ministers, that there might be a more general meeting of ministers from Massachusetts, to assist in the consideration and decision of the questions proposed; and it was also represented to the assembly, that though they and others were for disputing the questions publicly, and offered to do it, yet the major part of the assembly refused the offer.

The Rev. Mr. Bulkley and Mr. Haynes, on the other hand, in a letter addressed by them to the assembly, represented that the assembly had authorized a major part of the ministers to methodize the proceedings of the assembly, and that a majority were against a public disputation of the questions: that it was considered it would dishonour God, disserve the peace and edification of the churches, and the general interests of religion; and it was judged most expedient to deliberate upon and decide the questions among themselves, as was usual in councils, without a public disputation. They therefore observed, that whatever offers were made them to dispute the questions publicly, they could not consistently do it, as it was contrary to a major vote of the assembly of the ministers, and, in their opinion, would prejudice the interest of the churches. With respect to the present application, made by Messrs. Warham, Hooker, and Whiting, they observed, that it appeared strange to them, as a considerable number of the ministers were positively against it, and others were neuter, and not in the vote for a more general council; and that it was the vote of the assembly of ministers, to meet again on the third Wednesday in October. They assured the legislature, that they were ready and determined to obey all their lawful commands; and they desired inter-

mation from them, whether the assembly of ministers should meet again, according to adjournment, or not? The general assembly voted, that the questions had not been decided, and desired the several churches and plantations in the colony to send their teaching elders, at their own expense, to sit in council, with such of the elders of Massachusetts and Plymouth as should be appointed, to consider and determine the points in controversy. The assembly desired, that the general court of Massachusetts might be certified of the affair, and would appoint time and place for the meeting of a synod, if they should judge it expedient.

Whether the assembly really wished to have a general council, or whether this was only a matter of policy to prevent a determination of the questions contrary to their wishes, is not certain. No general council, however, was called; nor does it appear that any motion was made afterwards for that purpose; and indeed the legislature seem to have felt a conviction, that the clergy and churches would not give up their private opinions, in faith and practice, to the decisions of councils; that honest men would often think differently, and that they could not be convinced and made of one mind by disputing; and no further attempts were ever made by them, to bring those points to a public discussion.

While these affairs were transacting in Connecticut, a remarkable transaction took place in the first church at Boston, the most considerable church in New England. Their pastor, the Rev. Mr. Wilson, was one of the synod in 1662, and one who had adopted its determinations relative to the subjects of baptism. His church also appeared to have consented to the practice of admitting persons to own their covenant, and bring their children to baptism; but, nevertheless, after Mr. Wilson's decease, they elected the Rev. Mr. Davenport, of New Haven, for their pastor. He had publicly written against the synod, and was one of the most strict and rigid ministers, with respect to the admission of members to full communion, the subjects of baptism, and with respect to church discipline in New England. He had now arrived nearly to 70 years of age, yet, in 1667, upon the application of the church and congregation at Boston, he accepted their invitation, and the next year removed to that capital. He had been about 30 years minister at New Haven, and was greatly esteemed and beloved by his flock; and this circumstance, with his advanced period of life, made his removal very remarkable. His church and people were exceedingly unwilling that he should leave them, and, it seems, never formally gave their consent: and the result, on the whole, was unfortunate. It occasioned a separation from the first church in Boston; and the church and congregation at New Haven, for many years, remained in an unsettled state, unable to unite in the choice of any person to take the pastoral charge of them.

The town of Windsor had, for many years, been almost in perpetual controversy, relative to the settlement of a minister; and after Mr. Warham became advanced in years he wished for a colleague, to assist him in ministerial labours. Various young gentlemen were invited to preach in the town; but this occasioned a violent controversy on each election; and it appears that their passions were so inflamed, that, occasionally at of their meetings, their language and deportment were unbromtherly and irritating. One Mr. Chauncey was preaching in the town, and parties were warmly engaged for and against him; when the general as-

sembly enacted, "That all the freemen and householders in Windsor and Massacoe should meet at the meeting-house, on Monday morning next, (October 10th, 1667,) by sun an hour high, and bring in their votes for a minister to Mr. Henry Wolcott: that those who were for Mr. Chauncey to be the settled minister of Windsor, bring in a written paper, and those who were not for him, to give in a paper without any writing upon it: that the inhabitants, during the meeting, forbear all discourse and agitation of any matter, which may serve to provoke and disturb each other's spirits, and when the meeting is over return to their several occasions."

Mr. Wolcott reported to the assembly the state of the town, that there were 86 votes for Mr. Chauncey, and 55 against him; and the assembly, upon the petition of the minor party, and a full view of the state of the town, gave them liberty to settle an orthodox minister among themselves, and to the church and majority of the town to settle Mr. Chauncey, if they judged it expedient; and it was enacted, that the minority should pay Mr. Chauncey until they should obtain another minister to preach, and reside in the town. Mr. Chauncey was not finally ordained, but the affair was carried so far, that a separation was soon after made in the church, and a distinct church was formed by the minority; and the town continued in this divided state for about sixteen years.

(1668.) The legislature, having given over all further attempts to compose the divisions in the colony, by public disputations and the decisions of general councils, determined to pursue a different course. They conceived the design of uniting the churches in some general plan of church communion and discipline, by which they might walk, notwithstanding their different sentiments, in points of less importance; and, with this view, an act passed, authorizing the Rev. Messrs. James Fitch, Gershom Bulkeley, Joseph Elliot, and Samuel Wakeman, to meet at Saybrook, and devise by what means this desirable purpose might be effected. This appears to have been the first step towards forming a religious constitution; and from this time it became more and more a general object of desire and pursuit, though many years elapsed before it was accomplished.

Notwithstanding the divisions in the church at Hartford, some years since, had been so far composed and healed, that it had been kept together until this time, yet there were various sentiments among the brethren and between the ministers, relative to the qualifications of church members, the subjects of baptism, and the mode of discipline. Mr. Whiting, and part of the church, were zealous for the strictly congregational way, as it has been called, practised by the ministers and churches, at their first coming into New England; and Mr. Haynes and a majority of the congregation were not less engaged against it. The difference became so great, that it was judged expedient, both by an ecclesiastical council and the assembly, that the church and town should be divided; and an ecclesiastical council having first advised to a division, the general assembly, in October 1669, passed the following act:—

"Upon the petition presented by Joseph Whiting, &c. to this court, for a distinct walking in congregational church order, as hath been settled according to the council of the elders, the court doth commend it to the church at Hartford to take some effectual course, that Mr. Whiting, &c. may prac-

tise the congregational way, without disturbance, either from preaching or practice, diversely to their just offence; or else to grant their loving consent to their brethren to walk distinct, according to such their congregational principles; which this court allows liberty in Hartford to be done. But if both these be refused and neglected by the church, then these brethren may, in any regular way, relieve themselves without offence to this court."

And the following February (1670), Mr. Whiting and his adherents resolved and covenanted in the manner following, and formed the second church in Hartford.

"Having had the consent and countenance of the general court, and the advice of an ecclesiastical council to encourage us in embodying as a church by ourselves, accordingly upon the day of completing our distinct state (viz. February 12th, 1669-70), this paper was read before the messengers of the churches, and consented to by ourselves: viz.

"The holy providence of the Most High so disposing, that public opposition and disturbance hath, of late years, been given, both by preaching and practice, to the congregational way of church order, by all manner of orderly establishments settled, and for a long time unanimously approved, and peaceably practised in this place, all endeavours also (both among ourselves and from abroad) with due patience therein, proving fruitless and unsuccessful to the removing of that disturbance; We, whose names are after mentioned, being advised by a council of the neighbouring churches, and allowed also by the honourable general court, to dispose ourselves into a capacity of distinct walking, in order to a peaceable and edifying enjoyment of all God's holy ordinances, Do declare, that according to the light we have hitherto received, the fore-mentioned congregational way (for the substance of it) as formerly settled, professed and practised, under the guidance of the first leaders of this church of Hartford, is the way of Christ; and that as such we are bound in duty carefully to observe and attend it, until such further light (about any particular points of it) shall appear to us from the Scripture, as may lead us, with joint or general satisfaction, to be otherwise persuaded. Some main heads or principles of which congregational way of church order are those that follow: viz.

1. "That visible saints are the only fit matter, and confederation the only form of a visible church.

2. "That a competent number of visible saints, (with their seed) embodied by a particular covenant, are a true, distinct, and entire church of Christ.

3. "That such a particular church, being organized, or having furnished itself with those officers which Christ hath appointed, hath all power and privileges of a church belonging to it.

"In special,

1. To admit or receive members.

2. To deal with, and if need be, reject offenders.

3. To administer and enjoy all other ecclesiastical ordinances within itself.

4. "That the power of guidance, or leading, belongs only to the eldership, and the power of judgment, consent, or privilege, belongs to the fraternity, or brethren in full communion.

5. "That communion is carefully to be maintained between the churches of Christ according to his order.

6. "That counsel, in cases of difficulty, is to be sought and submitted to according to God."

Having made this declaration, the brethren proceeded to covenant in the following manner:—

"Since it hath pleased God, in his infinite mercy, to manifest himself willing to take unworthy sinners near unto himself, even into covenant relation to and interest in him, to become a God to them, and avouch them to be his people, and accordingly to command and encourage them to give up themselves and their children also to him;

"We do, therefore, this day, in the presence of God, his holy angels, and this assembly, avouch the Lord Jehovah, the true and living God, even God the Father, the Son, and the Holy Ghost, to be our God, and give up ourselves and ours also unto him, to be his subjects and servants; promising through grace and strength in Christ, (without whom we can do nothing,) to walk in professed subjection to him as our Lord and Lawgiver, yielding universal obedience to his blessed will, according to what discoveries he hath made, or shall hereafter make, of the same to us; in special, that we will seek him in all his holy ordinances, according to the rules of the Gospel, submitting to his government in this particular church, and walking together therein, with all brotherly love and mutual watchfulness, to the building up of one another in faith and love unto his praise. All which we promise to perform, the Lord helping us, through his grace in Jesus Christ."

Nearly at the same time, when the contentions commenced in the church at Hartford, the people at Stratford fell into the same unhappy state of controversy and division. During the administrations of Mr. Blackman, their first pastor, the church and town enjoyed great peace, and conducted their ecclesiastical affairs with great unanimity. However, he was far advanced in years, and about the year 1663 became very infirm, and unable to perform his ministerial labours; and the church therefore applied to Mr. Israel Chauncey, son of the president, Charles Chauncey, of Cambridge, to make them a visit and preach among them; and a majority of the church and town chose him for their pastor, and in 1665 he was ordained; but a large and respectable part of the church and town were opposed to his ordination. To reconcile them, it was agreed, that if, after hearing Mr. Chauncey a certain time, they should continue dissatisfied with his ministry, they should have liberty to call and settle another minister, and have the same privileges in the meeting-house as the other party. Accordingly, after hearing Mr. Chauncey the time agreed upon, and not being satisfied with his ministerial conduct, they invited Mr. Zechariah Walker to preach to them, and finally chose him for their pastor. He was ordained to the pastoral office in a regular manner, by the Rev. Mr. Haynes and Mr. Whiting, the ministers of Hartford, some time about the year 1667, or 1668; and both ministers performed public worship in the same house. Mr. Chauncey performed his services at the usual hours, and Mr. Walker was allowed two hours in the middle of the day; but after some time, it so happened that Mr. Walker continued his service longer than usual; and Mr. Chauncey and his people coming to the house, and finding that Mr. Walker's exercises were not finished, retired to a private house, and there performed their afternoon devotions. They were, however, so much displeased, that the next day they went over to Fairfield, and exhibited a complaint to Major Gould, one of the magistrates, against Mr. Walker. The major, upon hearing the whole case, advised pacific measures, and that Mr.

Walker should be allowed three hours for the time of his public exercises.

In May 1669, the general assembly advised the town to grant Mr. Walker full three hours for his exercises, until the next assembly in October; and in the mean time, the parties were directed to call an able council to give them advice and assistance, and if possible to reconcile them. All attempts for a reconciliation, however, were unsuccessful; and both parties became more fixed in their opposition to each other, and their feelings and conduct more and more unbrotherly; till at length Mr. Chauncey and the majority excluded Mr. Walker and his hearers the meeting-house, and they convened and worshipped in a private dwelling.

Governor Winthrop, disturbed by the controversy and animosities subsisting in the town, advised that Mr. Walker and his church and people should remove, and that a tract of land, for the settlement of a new township, should be granted for their encouragement and accommodation; and Mr. John Sherman, Mr. William Curtiss, and their associates, were authorized to begin a plantation at Pomperaug. Consequently, Mr. Walker and his people removed and settled the town of Woodbury, about the years 1673 and 1674.

The tradition is, that Mr. Walker and his church were not so independent, in their principles, as the church of Stratford; and that Mr. Walker was a more experimental preacher than Mr. Chauncey. Mr. Chauncey was learned and judicious; and they both ultimately became sensible that their conduct towards each other, during the controversy at Stratford, had not in all instances been brotherly, and after some time, made concessions to each other, and became perfectly reconciled.

During these transactions, those venerable fathers, who had been singularly instrumental in planting the churches of Connecticut and New England, the Rev. John Davenport, and the Rev. John Warham, finished their course. Mr. Davenport died at Boston, of an apoplexy, March 15th, 1670, in the 73d year of his age. He was born in England, in the city of Coventry, in Warwickshire, 1597. His father was mayor of the city; and at fourteen years of age, he was said to be very religiously affected, and was admitted into Brazen Nose-college, Oxford. When he was nineteen, he became a constant preacher in the City of London; and appears from his early life to have been a man of public spirit, planning and attempting to serve the general welfare of the church. About the year 1626, he united with Dr. Gouge, Dr. Sibbs, and Mr. Offspring, the lord mayor of London, the king's sergeant-at-law, and with several other attorneys and citizens, in a design of purchasing impropriations, and with the profits of them, to maintain a constant, able, and laborious ministry, in those parts of the kingdom where the poor people were destitute of "the word and ordinances;" and such incredible progress was made in this charitable design, that all the church-lands, in the hands of laymen, would have been soon honestly recovered to the immediate service of the reformed religion; had not Land, viewing the undertaking with a jealous eye, lest it might serve the cause of non-conformity, caused a bill to be exhibited in the exchequer chamber, by the king's attorney-general, against the feoffees, who had the management of the affair; and by this means, an act of court was procured, condemning the proceedings, as dangerous to the church and state. The feoffments and contrivances made to the charitable design, were

declared to be illegal, the company was dissolved, and the money was confiscated to the use of his majesty. But as the affair met with general approbation, and multitudes of devout people extremely resented the conduct of the court, the crime was never prosecuted. Laud, however, watched Mr. Davenport with a jealous eye, and as he soon after discovered inclinations to non-conformity, he marked him out as an object of his vengeance. Mr. Davenport, therefore, to avoid the storm, by the consent of his people, resigned his pastoral charge in Coleman-street; hoping by this means to enjoy a quiet life; but he found his expectations sadly disappointed; for he was so constantly harassed by one busy and furious pursuivant after another, that he was obliged to leave the kingdom and retire into Holland; and in 1633, he arrived at Amsterdam, and at the desire of the people, who met him on his way, became colleague pastor with the aged Mr. Paget. After about two years, thinking that he could not conscientiously administer baptism in the loose way, to all sorts of children, practised in the Dutch churches, he desisted from his ministry at Amsterdam. While he was in this city, he received letters from Mr. Cotton, at Boston, acquainting him, that the order of the churches and commonwealth was then so settled in New England, by common consent, "that it brought into his mind the new heaven and the new earth, wherein dwelleth righteousness." He therefore returned to London, and having shipped himself with a number of pious people, came into New England; where he was a preacher of the Gospel about 54 years, nearly 30 of which were spent at New Haven. He is characterized as a hard student and universal scholar; as a laborious, prudent, exemplary, minister; as an excellent preacher, speaking with a gravity, energy, and agreeableness, of which few of his brethren were capable.

The Rev. John Warham survived Mr. Davenport but a short time. He expired on the 1st of April, 1670; having been for about 40 years a minister in New England; six at Dorchester, and 34 at Windsor. He was distinguished for piety and the strictest morals; yet at times was subject to great gloominess and religious melancholy; and such were his apprehensions at some times, that when he administered the Lord's supper to his brethren, he did not participate with them, fearing, as he said, "that the seals of the covenant did not belong to him." It is said he was the first minister in New England who used notes in preaching; yet he was applauded by his hearers, as one of the most animated and energetic preachers of his day; and was considered as one of the principal fathers and pillars of the churches of Connecticut.

(1676.) After the close of the war with Philip and the Narraganset Indians, the general assembly recommended it to the ministers through the colony, "to take special pains to instruct the people in the duties of religion, and to stir up and awaken them to repentance, and a general reformation of manners." They also appointed a day of solemn fasting and prayer, to supplicate the Divine aid, that they might be enabled to repent, and sincerely amend their ways; and the same measures were recommended at the May session the next year, and the people were called "to humiliation and prayer, under a deep sense of the abounding of sin and the dark aspects of Providence."

The general court, about three years after, for the more effectual preservation and propagation

of religion to posterity, recommended it to the ministry of this colony upon the Lord's-day, to catechise all the youth in their respective congregations, under twenty years of age, in the assembly of divines, or some other orthodox catechism; and to continue and increase unity in religious sentiments among the people, and that they might have the advantage of participating in the variety of ministerial gifts, it was also recommended to the ministers, to attend a weekly lecture in each county, on Wednesday, in such manner as they should judge most subservient to these purposes.

The religious state of the colony at this time, is stated in an answer to the queries of the lords of trade and plantations, to the following effect:—

"Our people in this colony are some of them strict congregational men, others more large congregational men, and some moderate presbyterians. The congregational men of both sorts, are the greatest part of the people in the colony. There are four or five seventh-day men, and about so many more quakers.

"Great care is taken for the instruction of the people in the Christian religion, by ministers catechising of them, and preaching to them twice every Sabbath-day, and sometimes on lecture days; and by masters of families instructing and catechising their children and servants, which they are required to do by law. In our corporation are 26 towns, and 21 churches. There is in every town in the colony a settled minister, except in two towns newly begun." In some towns there were two ministers; so that there were, on the whole, then about the same number of ministers as of towns; and there was about one minister upon an average, to every 460 persons, or to about 90 families.

While settlements and churches were forming in various parts of the colony, and the English inhabitants were providing for their own instruction, some pains were taken to instruct and christianize the Connecticut Indians; and a law was made, obliging those under the protection of the government to keep the Christian Sabbath. The Rev. Mr. Fitch was particularly desired to teach Uncas and his family Christianity; and a large Bible, printed in the Indian language, was provided and given to the Mohegan sachems, that they might read the Scriptures. When the council of ministers met at Hartford in 1657, the famous Mr. Elliot, hearing of the Podunk Indians, desired that the tribe might be assembled, that he might "have an opportunity of offering Christ to them for their Saviour."

By the influence of some principal gentlemen, they were persuaded to come together at Hartford, and Mr. Elliot preached to them in their own language, and laboured to instruct them concerning their Creator and Redeemer. When he had finished his sermon, and explained the matter to them, he desired an answer from them, whether they would accept of Jesus Christ for their Saviour, as he had been offered to them? But their chief men, with great scorn and resentment, utterly refused; and said the English had taken away their lands, and were attempting now to make them servants.

Mr. Stone and Mr. Newton, before this time, had both been employed at the desire of the colony, to teach the Indians in Hartford, Windsor, Farmington, and that vicinity; and one John Minor was employed as an interpreter, and was taken into Mr. Stone's family, that he might be further instructed and prepared for that service. Catechisms were prepared by Mr. Elliot and others, in the Indian

language, and spread among the Indians; and the Rev. Mr. Pierson, it seems, learned the Indian language, and preached to the Connecticut Indians. A considerable sum was allowed him by the commissioners of the united colonies; and a sum was also granted by them, for the instruction of the Indians in the county of New Haven. The ministers of the several towns where Indians lived, instructed them as they had opportunity; but all attempts for christianizing the Indians in Connecticut were attended with little success; they were engaged a great part of their time in such implacable wars among themselves, were so totally ignorant of letters and the English language, and the English ministers in general were so entirely ignorant of their dialect, that it was extremely difficult to teach them. Not one Indian church was ever gathered by the English ministers in Connecticut; but several Indians, however, in one town and another, became Christians, and were baptized and admitted to full communion in the English churches. Some few were admitted into the church at Farmington, and some into the church at Derby; and one of the sachems of the Indians at Naugatuck Falls, was a member of the church at Derby, and it has been said that he was a sober, well-conducted man. Some few of the Moheagans have professed Christianity, and been many years since admitted to full communion in the north church in New London.

There was an Indian school formerly kept at Farmington, at the expense of the society for propagating Christian knowledge among the Indians; and the number of Indian scholars was sometimes fifteen or sixteen.

The Gospel, however, had by far the most happy effect upon the Quinibaug, or Plainfield Indians, of any in Connecticut. They ever lived peaceably with the English, and about the year 1745, in the time of the great awakening and reformation in New England, they became greatly affected with the truths of the Gospel, professed Christianity, and gave the strongest evidence of a real conversion. They were entirely reformed as to their manner of living; and became temperate, which it had before been found utterly impossible to effect by any other means; they held religious meetings, and numbers of them formed into church state, and had the sacraments administered to them.

Upon the assembly's granting liberty to the minor party in Windsor to call and settle an orthodox minister, they immediately called one Mr. Woodbridge to preach among them; who with Mr. Chauncey continued to preach, one to one party, and the other to the other, from 1667 to 1680. Several councils had been called to advise and unite the parties, but it seems none had judged it expedient to ordain either of the gentlemen; but after a separation of about ten years, a council advised, that both ministers should leave the town, and that the churches and parties should unite, and call and settle one minister over the whole. As the parties did not submit to this advice, it seems that another council was called three years afterwards, May 1680, which gave the same advice, but the parties did not comply; and the general assembly (Oct. 14, 1680,) therefore interposed and passed the following act:—

"This court having considered the petition of some of the Windsor people, and the sorrowful condition of the good people there, and finding, that notwithstanding all means of healing afforded them, they do remain in a bleeding state and condition, do find it necessary for this court to exert their

authority towards issuing or putting a stop to the present troubles there; and this court do hereby declare, that they find all the good people of Windsor obliged to stand to, and rest satisfied with the advice and issue of the council they chose to hear and issue their matters; which advice being given, and now presented to the court, dated January 1677, this court doth confirm the same, and order that there be a seasonable uniting of the second society in Windsor with the first, according to order of council, by an orderly preparation for their admission; and if there be objection against the life or knowledge of any, then it be according to the council's advice heard and issued by Mr. Hooker and the other moderator's successor; and that both the former ministers be released: and that the committee appointed to seek out for a minister, with the advice of the church and town collectively, by their major vote, do vigorously pursue the procuring of an able, orthodox minister, qualified according to the advice of the governor and council, and ministers, May last; and all the good people of Windsor are hereby required to be aiding and assisting therein, and not in the least to oppose and hinder the same, as they will answer the contrary at their peril."

In consequence of this act, Mr. Samuel Mather was invited to preach to the people, and about two years after was ordained to the pastoral office over the whole town; and the two parties were generally united in him, and to complete the union of the town and churches, the assembly enacted, "That the people at Windsor should quietly settle Mr. Mather, and communicate to his support: that such as, on examination, should satisfy Mr. Mather of their experimental knowledge, should, upon proper testimony of their good conversation, be admitted on their return from the second church."

Notwithstanding the result of the synod in 1662, and the various attempts which had been made to introduce the practice of what has been generally termed "owning the covenant," it does not appear to have obtained in the churches of this colony until the year 1696; when it appears first to have been introduced by Mr. Woodbridge, at Hartford. The covenant proposed, bearing date, February 1696, is as follows:—

"We do solemnly, in the presence of God and this congregation, avouch God, in Jesus Christ, to be our God, one God, in three persons, the Father, the Son, and the Holy Ghost; and that we are by nature children of wrath, and that our hope of mercy with God is only through the righteousness of Jesus Christ, apprehended by faith; and we do freely give up ourselves to the Lord, to walk in communion with him, in the ordinances appointed in his holy word, and to yield obedience to all his commandments, and submit to his government. And whereas, to the great dishonour of God, scandal of religion, and hazard of the damnation of many souls, drunkenness and uncleanness are prevailing amongst us, we do solemnly engage before God, this day, through his grace, faithfully and conscientiously to strive against these evils, and the temptations leading thereunto."

Sixty-nine persons, male and female, subscribed this in February; on the 8th of March, in a fortnight after, 83 more subscribed; and in about a month, the number of subscribers amounted to 192; which appears to have been nearly the whole body of young people in that congregation.

The same practice was, about the same time, or not many years after, introduced into the other

church, and the practice of owning the covenant by people, and offering their children to baptism, was gradually introduced into other churches.

The practice of the ministers and churches at Hartford, in some respects, was different from that in the others. The ministers, Mr. Woodbridge and Mr. Buckingham, with their deacons, went round among the young people and warned them, once every year, to come and publicly subscribe, or own the covenant; and when such persons as had owned or subscribed it came into family state, they presented their children to baptism, though they made no other profession of religion, and neglected the sacrament of the Lord's supper, and other duties peculiar to members in full communion. In other churches the covenant was owned by persons sometimes before marriage, but more generally not until they became parents, and wished to have baptism administered to their children.

The practice of making a relation of Christian experiences, and of admitting none to full communion, but such as appeared to be Christians indeed, yet prevailed; and the number of church members, in full communion, was generally small; and in those churches where the owning of the covenant was not practised, great numbers of children were unbaptized.

While the inhabitants and churches in Connecticut were constantly increasing, and the calls for a learned ministry to supply the churches became more and more urgent, a number of the ministers conceived the purpose of founding a college in Connecticut; that by this means they might educate young men, from among themselves, for the sacred ministry, and for various departments in civil life, and diffuse literature and piety more generally among the people. The clergy, and people in general, by long experience, found the great inconvenience of educating their sons at so great a distance as Cambridge, and in carrying so much money out of the colony; and began to be aware that a well founded college might not only serve the interests of the churches in this government, but in the neighbouring colonies, where there were no colleges erected; and not only prevent a large sum of money annually from being carried abroad, but bring something considerable into it, from the extensive country around them.

The design was first concerted in 1698, by the Rev. Messrs. Pierpont of New Haven, Andrew of Milford, and Russell of Branford; who were the principal persons in carrying the affair into immediate execution. The following ten of the principal ministers in the colony were nominated as trustees, to found, erect, and govern a college: the Reverend Messrs. James Noyes of Stonington, Israel Chauncey of Stratford, Thomas Buckingham of Saybrook, Abraham Pierson of Killingworth, Samuel Mather of Windsor, Samuel Andrew of Milford, Timothy Woodbridge of Hartford, James Pierpont of New Haven, Noadiah Russell of Middletown, and Joseph Webb of Fairfield.

In 1700 these gentlemen assembled at New Haven, and formed themselves into a body or society, to consist of eleven ministers, including a rector, and determined to found a college in the colony of Connecticut; and they had another meeting the same year, at Branford, and then founded the university of Yale-college. Each gentleman gave a number of books, and laying them upon a table, pronounced words to this effect: "I give these books for the founding of a college in this colony;" and the trustees took possession of them, and ap-

pointed Mr. Russell of Branford to be keeper of their library. About 40 volumes in folio were thus given.

Various other donations, both of books and money, were soon after made, by which a good foundation was laid for a public seminary; but doubts arising whether the trustees were vested with a legal capacity for the holding of lands, and whether private donations and contributions would be sufficient to effect the great design which they had in view, it was, upon mature deliberation, determined to make application to the legislature for a charter of incorporation. The draught of which was made by the honourable Judge Sewall, and Mr. Secretary Ad-dington of Boston; and it was presented to the general assembly with a petition signed by a large number of ministers and other principal characters in the colony, representing, "That from a sincere regard to, and zeal for, upholding the Protestant religion, by a succession of learned and orthodox men, they had proposed that a collegiate school should be erected in this colony, wherein youth should be instructed in all parts of learning, to qualify them for public employments in church and civil state; and that they had nominated ten ministers to be trustees, partners or undertakers, for the founding, endowing, and ordering the said school." The gentlemen were particularly named, and it was desired that full liberty and privilege might be granted to them for that end.

To facilitate the design, the honourable James Fitch, Esq. of Norwich, one of the council, before the petition was heard, made a formal donation under his hand, stating, "the great pains and charge the ministers had been at in setting up a collegiate school; and therefore to encourage a work so pleasing to God, and beneficial to posterity, he gave a tract of land, in Killingly, of about 600 acres; and all the glass and nails which should be necessary to build a college-house and hall."

The general assembly, at their session in October 1701, incorporated the trustees nominated, granting them a charter, and vesting them with all powers and privileges necessary for the government of a college, the holding of lands, and the employment of all money and estates which might be given for the benefit of the college; and the charter ordained that the corporation should consist of ministers only, and that none should be chosen trustees under the age of 40 years; and their number was not, at any time, to exceed eleven, nor be less than seven. The assembly made them an annual grant of 120*l.* equal to about 60*l.* sterling.

The trustees, animated with their charter privileges, and the countenance of the legislature, met the next November, at Saybrook, and chose the Rev. Abraham Pierson of Killingworth, rector of the college, and the Rev. Samuel Russell was chosen a trustee, to complete the number of the corporation. They also made rules for the general government and instruction of the collegiate school; amongst which it was ordered, "That the rector take special care, as of the moral behaviour of the students at all times, so, with industry, to instruct and ground them well in theoretical divinity; and to that end, shall neither by himself, nor by any other person whomsoever, allow them to be instructed in any other system or synopsis of divinity, than such as the trustees do order and appoint: but shall take effectual care, that said students be weekly (at such seasons as he shall see cause to appoint) caused memoriter to recite the assembly's catechism

in Latin, and Dr. Ames's Theological Theses, of which, as also Ames's Cases of Conscience, he shall make, or cause to be made, from time to time, such explanations as may, through the blessing of God, be most conducive to their establishment in the principles of the Christian Protestant religion.

"The rector shall also cause the Scriptures daily, except on the Sabbath, morning, and evening, to be read by the students at the times of prayer in the school, according to the laudable order and usage of Harvard-college, making expositions upon the same; and upon the Sabbath shall expound practical theology, or cause the non-graduated students to repeat sermons: and in all other ways, according to the best of his discretion, shall, at all times, studiously endeavour, in the education of the students, to promote the power and purity of religion, and the best edification of these New England churches."

At this meeting it was debated where to fix the college; and although the trustees were not fully satisfied or agreed on the most convenient place, yet they fixed upon Saybrook, until, upon further consideration, they should have sufficient reason to alter their opinion. They desired the rector to remove himself and family to Saybrook; and until that could be effected, they ordered that the scholars should be instructed, at or near the rector's house, in Killingworth. The corporation made various attempts to remove the rector to Saybrook, but his people were entirely opposed to it, and such other impediments were in the way, that it was not effected; and the students continued at Killingworth during his life; and the library, consequently, was removed from Branford, to the rector's house.

The ministers had been several years in effecting their plan, and a number of young men had been preparing for college, under the instructions of several of the trustees; and as soon as the college became furnished with a rector and tutor, eight of them were admitted, and put into different classes, according to the proficiency which they had respectively made; some of whom, in a year or two, became qualified for a degree.

The first commencement was at Saybrook, September 13th, 1702. The following gentlemen appear, at this time, to have received the degree of master of arts, Stephen Buckingham, Salmon Treat, Joseph Coit, Joseph Moss, Nathaniel Chauncey, and Joseph Morgan; four of whom had previously graduated at Cambridge. They all became ministers of the Gospel, and three of them, Mr. Buckingham, Mr. Moss, and Mr. Chauncey, were afterwards fellows of the college.

To avoid charge and other inconveniences, for some years at first, the commencements were private; and Mr. Nathaniel Lynde, of Saybrook, generously gave a house and land for the use of the college, so long as it should be continued in that town. For the further encouragement and accommodation, in 1703, there was a general contribution through the colony, to build a college-house at Saybrook, or any other place wherever it should finally be judged most convenient to fix the college.

During the term of about 70 years from the settlement of Connecticut, the congregational had been the only mode of worship in the colony; but the society for propagating the Gospel in foreign parts, in 1704, fixed the Rev. Mr. Muirson as a missionary at Rye. Some of the people at Stratford had been educated in the church of England mode of worship, and administering of the ordinances,

and others were not pleased with the rigid doctrines and discipline of the New England churches, and they made an earnest application to Mr. Muirson to make a visit at Stratford, and preach and baptize among them; and accordingly in the year 1706, he came to Stratford, accompanied with Colonel Heathcote, a gentleman zealously engaged in promoting the episcopal church. It appears that the ministers and people, in that and the adjacent towns, were alarmed at his coming, and took pains to prevent their neighbours and families from hearing him; but the novelty and other circumstances brought together a considerable assembly; and Mr. Muirson baptized 25 persons, principally adults. This was the first step towards introducing the church worship into this colony. In April 1707, he made another visit to Stratford; when Colonel Heathcote accompanied him as before; and he preached at this time at Fairfield, as well as at Stratford; and in both towns baptized a number of children and adult persons. Both the magistrates and ministers opposed the introduction of episcopacy, and advised the people not to attend the preaching of the church missionaries; but the opposition only increased the zeal of the church people; and Mr. Muirson, after this, made several journeys to Connecticut, and itinerated among the people. But there was no missionary from the society fixed in Connecticut, until the year 1722, when Mr. Pigot was appointed missionary at Stratford. The churchmen at first, in that town, consisted of about fifteen families, among whom were a few husbandmen, but much the greatest number were tradesmen who had been born in England, and came and settled there; some of whose neighbours joined them, so that Mr. Pigot had twenty communicants, and about 150 hearers. In 1723, Christ-church in Stratford was founded, and the Rev. Mr. Johnson was appointed to succeed Mr. Pigot.

The first plan of the college was very formal and minute, drawn in imitation of the ancient protestant colleges and universities in France. It was proposed that it should be erected by a general synod of the consociated churches of Connecticut; that it should be under the government of a president and ten trustees, seven of whom were to be a quorum; and that the synod should have the nomination of the first president and trustees, and have a kind of general influence in all future elections, that the governors might be preserved in orthodox sentiments. It was designed also, that the synod should agree upon a confession of faith, to which the president, trustees, and tutors should, upon their appointment to office, be required to give their consent; and that the college should be called the school of the church; and that the churches should contribute to its support.

Though this plan was not formally pursued, yet at a meeting of the trustees at Guilford, March 17th, 1703, they wrote a circular letter to the ministers, proposing "to have a general synod of all the churches in the colony of Connecticut, to give their joint consent to the confession of faith, after the example of the synod in Boston, in 1680;" and as this proposal was universally acceptable, the churches and ministers of the several counties met in a consociated council, and gave their assent to the Westminster and Savoy confessions of faith. It seems, that they also drew up certain rules of ecclesiastical union in discipline, as preparatory to a general synod which they had still in contemplation.

The Cambridge platform, which for about 60 years had been the general plan of discipline and

church fellowship in New England, made no provision for the general meeting of ministers, or for their union in associations or in consociations, yet at an early period they had a general meeting, both in Connecticut and Massachusetts, and began to form into associations. Their annual meetings were at the times of the general election at Boston and Hartford; at which period they had handsome entertainment at the public expense. In these general meetings, they went into consultations respecting the general welfare of the churches, the supplying them with ministers, providing for their stated enjoyment of Divine ordinances, and the preservation of their peace and order. The general interests of literature were also consulted, and sometimes measures were adopted to assist the poor and afflicted in particular instances of distress; and also the civilizing and christianizing the Indians.

The ministers of particular neighbourhoods, in various parts of the country, held frequent meetings for their mutual assistance, and to instruct and advise the churches and people as circumstances required; and this was particularly the practice in Connecticut.

The venerable Mr. Hooker was a great friend to the meeting and consociation of ministers and churches, as a grand mean of promoting purity, union, and brotherly affection, among the ministers and churches; and during his life the ministers in the vicinity of Hartford had frequent meetings at his house. About a week before his death, he observed with great earnestness, "We must agree upon constant meetings of ministers, and settle the consociation of churches, or else we are undone." And soon after his decease, ministers in various parts of New England, and especially in Connecticut, began to establish constant meetings, or associations, in particular vicinities, and agreed on the business to be done, and the manner in which they would proceed.

They did not, however, all adopt the same mode. Some of the meetings or associations fasted and prayed, and discussed questions of importance for mutual instruction and edification. A moderator was chosen to conduct the business of the meetings with order and decency, to receive all communications which might be made from the churches, or other similar meetings, and to call the associated brethren together on particular emergencies.

Some of the associations were very formal and particular in covenanting together, and in fixing the business which should be transacted by them. They covenanted to submit to the counsels, reproofs, and censures of the associated brotherhood; and that they would not forsake the association, nor neglect the appointed meetings without sufficient reasons. They also engaged, that in the meetings they would debate questions immediately respecting themselves and their conduct: that they would hear and consider all cases proposed to them from neighbouring churches or individuals; answer letters directed to them from particular churches or persons; and discuss any question which had been proposed at a preceding meeting. In some of these associations, it was agreed to meet statedly once in six weeks or two months; and as the design was for their own mutual improvement and the advancement of Christianity in general, the associations attended a lecture in the parishes in which they convened for the instruction and edification of the people. In Connecticut, after the resolution of the assembly in 1680, the ministers had county meetings every week.

But these associations and meetings were merely voluntary, countenanced by no ecclesiastical constitution, attended only by such ministers, in one place and another, as were willing to associate, and could bind none but themselves. The churches might advise with them if they chose it, or neglect it at pleasure. There was no regular way of introducing candidates to the improvement of the churches, by the general consent either of themselves or the elders; and when they had finished their collegiate studies, if they imagined themselves qualified, and could find some friendly gentleman in the ministry to introduce them, they began to preach, without any examination or recommendation from any body of ministers or churches. If they studied with any particular minister after they had received the honours of college, that minister introduced them into the pulpit at pleasure, without the general consent and approbation of their brethren; but many considered this to be too loose a practice, in a matter of such immense importance to the Divine honour, the reputation of the ministry, and the peace and edification of the churches; and degrees at college were esteemed no sufficient evidence of men's piety, knowledge of theology, or ministerial gifts and qualifications.

Besides, it was generally conceded, that the state of the churches was lamentable with respect to their general order, government, and discipline; and that for the want of a more general and energetic government, many churches ran into confusion; that councils were not sufficient to relieve the aggrieved and restore peace; and as there was no general rule for the calling of councils, council was called against council, and opposite results were given upon the same cases, to the injury of the authority of councils, and of religion.

For the removal of these inconveniences, there were many in the New England churches, not only among the clergy, but other gentlemen of principal character, who earnestly wished for a nearer union among the churches; and a great majority of the legislature and clergy in Connecticut were for the association of ministers, and the consociation of churches. The synod, in 1662, had given their opinion fully in favour of the consociation of churches; and the heads of agreement drawn up and assented to by the united ministers in England, called presbyterian and congregational, in 1692, had made their appearance in Connecticut; and, in general, were highly approved. The VIIth article of agreement, under the head of the ministry, makes express provision for the regular introduction of candidates for the ministry; and the united brethren say, "It is expedient, that they who enter on the work of preaching the Gospel, be not only qualified for the communion of saints; but also that, except in cases extraordinary, they give proof of their gifts and fitness for the said work, unto the pastors of the churches of known abilities, to discern and judge of their qualifications; that they may be sent forth with solemn approbation and prayer; which we judge needful, that no doubt may remain concerning their being called unto the work; and for preventing, as much as in us lieth, ignorant and rash intruders." And in these articles it is also agreed, "that in so great and weighty a matter, as the calling and choosing a pastor, we judge it ordinarily requisite, that every such church consult and advise with the pastors of the neighbouring congregations."

In this state of the churches, the legislature passed

an act, at their session in May 1708, requiring the ministers and churches to meet and form an ecclesiastical constitution; and the intentions and wishes of the assembly will, in the best manner, be discovered by their own act, which is in the words following:—

"This assembly, from their own observation, and the complaint of many others, being made sensible of the defects of the discipline of the churches of this government, arising from the want of a more explicit asserting of the rules given for that end in the Holy Scriptures; from which would arise a permanent establishment among ourselves, a good and regular issue in cases subject to ecclesiastical discipline, glory to Christ, our head, and edification to his members; hath seen fit to ordain and require, and it is by the authority of the same ordained and required, that the ministers of the several counties, in this government shall meet together, at their respective county towns, with such messengers as the churches to which they belong shall see cause to send with them, on the last Monday in June next; there to consider and agree upon those methods and rules for the management of ecclesiastical discipline, which by them shall be judged agreeable and conformable to the word of God, and shall, at the same meeting, appoint two or more of their number to be their delegates, who shall all meet together at Saybrook, at the next commencement to be held there; where they shall compare the results of the ministers of the several counties, and out of and from them, to draw a form of ecclesiastical discipline, which, by two or more persons delegated by them, shall be offered to this court, at their session at New Haven, in October next, to be considered of and confirmed by them: and the expense of the above-mentioned meetings shall be defrayed out of the public treasury of this colony. A true copy of the record.

"Test. ELEAZER KIMBERLY, Secretary."

According to the act of the assembly, the ministers and churches of the several counties convened, at the time appointed, and made their respective drafts for discipline, and chose their delegates for the general meeting at Saybrook, in September; and the ministers and messengers chosen for this council, and its result, will appear from the following minutes:—

"At a meeting of delegates from the councils of the several counties of Connecticut colony, in New England, in America, at Saybrook, Sept. 9th, 1708,

PRESENT,

From the council of Hartford county:—The Rev. Timothy Woodbridge, Noadiah Russell and Stephen Mix. Messenger, John Haynes, Esq.

From the council in Fairfield county:—The Rev. Charles Chauncey and John Davenport. Messengers, deacon, Samuel Hoyt.

From the council in New London county:—The Rev. James Noyes, Thomas Buckingham, Moses Noyes, and John Woodward. Messengers, Robert Chapman, deacon, William Parker.

From the council of New Haven county:—The Rev. Samuel Andrew, James Pierpont, and Samuel Russell.

"The Rev. James Noyes and Thomas Buckingham being chosen moderators. The Rev. Stephen Mix and John Woodward being chosen scribes.

"In compliance with an order of the general assembly, May 13th, 1708, after humble addresses to the throne of grace for the Divine presence, assistance, and blessing upon us, having our eyes upon

the word of God and the constitution of our churches, We agree that the confession of faith owned and assented unto by the elders and messengers assembled at Boston, in New England, May 12th, 1680, being the second session of that synod, be recommended to the honourable general assembly of this colony, at the next session, for their public testimony thereunto, as the faith of the churches of this colony.

"We agree also, that the heads of agreement assented to by the united ministers, formerly called presbyterian and congregational, be observed by the churches throughout this colony.

"And for the better regulation of the administration of church discipline, in relation to all cases ecclesiastical, both in particular churches and councils, to the full determining and executing the rules in all such cases, it is agreed,

"I. That the elder, or elders of a particular church, with the consent of the brethren of the same, have power, and ought to exercise church discipline, according to the rule of God's word, in relation to all scandals that fall out within the same. And it may be meet, in all cases of difficulty, for the respective pastors of particular churches, to take advice of the elders of the churches in the neighbourhood, before they proceed to censure in such cases.

"II. That the churches which are neighbouring to each other, shall consociate for mutual affording to each other such assistance as may be requisite, upon all occasions ecclesiastical. And that the particular pastors and churches, within the respective counties in this government, shall be one consociation, (or more, if they shall judge meet), for the end aforesaid.

"III. That all cases of scandal, that fall out within the circuit of any of the aforesaid consociations, shall be brought to a council of the elders, and also messengers of the churches within the said circuit, *i. e.* the churches of one consociation, if they see cause to send messengers, when there shall be need of a council for the determination of them.

"IV. That, according to the common practice of our churches, nothing shall be deemed an act or judgment of any council, which hath not the act of the major part of the elders present concurring, and such a number of the messengers present, as makes the majority of the council: provided that if any such church shall not see cause to send any messengers to the council, or the persons chosen by them shall not attend, neither of these shall be any obstruction to the proceedings of the council, or invalidate any of their acts.

"V. That when any case is orderly brought before any council of the churches, it shall there be heard and determined which (unless orderly removed from thence) shall be a final issue; and all parties therein concerned shall sit down and be determined thereby. And the council so hearing, and giving the result or final issue, in the said case, as aforesaid, shall see their determination or judgment duly executed and attended, in such way or manner as shall, in their judgment, be most suitable and agreeable to the word of God.

"VI. That if any pastor and church doth obstinately refuse a due attendance and conformity to the determination of the council, that hath the cognisance of the case, and determineth it as above, after due patience used, they shall be reputed guilty of scandalous contempt, and dealt with as the rule of God's word in such case doth provide, and the sen-

tence of non-communication shall be declared against such pastor and church. And the churches are to approve of the said sentence, by withdrawing from the communion of the pastor and church, which so refused to be healed.

"VII. That, in case any difficulties shall arise in any of the churches in this colony, which cannot be issued without considerable disquiet, that church in which they arise, (or that minister or member aggrieved with them,) shall apply themselves to the council of the consociated churches of the circuit to which the said church belongs; who, if they see cause, shall thereupon convene, hear, and determine such cases of difficulty, unless the matter brought before them shall be judged so great in the nature of it, or so doubtful in the issue, or of such general concern, that the said council shall judge best that it be referred to a fuller council, consisting of the churches of the other consociation within the same county, (or of the next adjoining consociation of another county, if there be not two consociations in the county where the difficulty ariseth,) who, together with themselves, shall hear, judge, determine, and finally issue such case, according to the word of God.

"VIII. That a particular church, in which any difficulty doth arise, may, if they see cause, call a council of the consociated churches of the circuit to which the church belongs, before they proceed to sentence therein; but there is not the same liberty to an offending brother to call the council, before the church to which he belongs proceed to excommunication in the said case, unless with the consent of the church.

"IX. That all the churches of the respective consociations shall choose, if they see cause, one or two members of each church, to represent them in the councils of the said churches, as occasion may call for them, who shall stand in that capacity till new be chosen for the same service, unless any church shall incline to choose their messengers anew, upon the convening of such councils.

"X. That the minister or ministers of the county towns, or where there are no ministers in such towns, the two next ministers to the said town shall, as soon as conveniently may be, appoint time and place for the meeting of the elders and messengers of the churches in said county, in order to their forming themselves into one or more consociations, and notify the time and place to the elders and churches of that county who shall attend at the same, the elders in their persons, and the churches by their messengers, if they see cause to send them. Which elders and messengers, so assembled in council, as also any other council hereby allowed of, shall have power to adjourn themselves, as need shall be, for the space of one year, after the beginning or first session of the said council, and no longer. And that minister who was chosen at the last session of any council to be moderator, shall, with the advice and consent of two more elders, (or in case of the moderator's death, any two elders of the same consociation,) call another council within the circuit, when they shall judge there is need thereof. And all councils may prescribe rules, as occasion may require, and whatever they judge needful within their circuit, for the well performing and orderly managing the several acts, to be attended by them, or matters that come under their cognisance.

"XI. That if any person or persons, orderly complained of to a council, or that are witnesses to

such complaints, (having regular notification to appear,) shall refuse, or neglect so to do, in the place, and at the time specified in the warning given, except they or he give some satisfying reason thereof to the said council, they shall be judged guilty of scandalous contempt.

"XII. That the teaching-elders of each county shall be one association, (or more if they see cause,) which association or associations shall assemble twice a year, at least, at such time and place as they shall appoint, to consult the duties of their office, and the common interest of the churches, who shall consider and resolve questions and cases of importance which shall be offered by any among themselves or others; who also shall have power of examining and recommending the candidates of the ministry to the work thereof.

"XIII. That the said associated pastors shall take notice of any among themselves, that may be accused of scandal or heresy, unto or cognisable by them, examine the matter carefully, and if they find just occasion shall direct to the calling of the council, where such offenders shall be duly proceeded against.

"XIV. That the associated pastors shall also be consulted by bereaved churches, belonging to their association, and recommend to such churches such persons as may be fit to be called and settled in the work of the Gospel ministry among them. And if such bereaved churches shall not seasonably call and settle a minister among them, the said associated pastors shall lay the state of such bereaved church before the general assembly of this colony, that they may take order concerning them, as shall be found necessary for their peace and edification.

"XV. That it be recommended as expedient, that all the associations in this colony do meet in a general association by their respective delegates, one or more out of each association, once a year, the first meeting to be at Hartford, at the general election next ensuing the date hereof, and so annually in all the counties successively, at such time and place, as they the said delegates shall in their annual meetings appoint."

The confession of faith, heads of agreement, and these articles of discipline having unanimously passed, and been signed by the scribes, were presented to the legislature the succeeding October, for their approbation and establishment; upon which they passed the following adopting act.

At a general court holden at NewHaven, Oct. 1708.

"The reverend ministers, delegates from the elders and messengers of this government, met at Saybrook, September 9th, 1708, having presented to this assembly a confession of faith, and heads of agreement, and regulations in the administration of church discipline, as unanimously agreed and consented to by the elders and churches in this government; this assembly doth declare their great approbation of such an happy agreement, and do ordain, that all the churches within this government, that are, or shall be, thus united in doctrine, worship, and discipline, be, and for the future shall be owned and acknowledged established by law; provided always, that nothing herein shall be intended or construed to hinder or prevent any society or church, that is or shall be allowed by the laws of this government, who soberly differ or dissent from the united churches hereby established, from exercising worship and discipline in their own way, according to their consciences. A true copy.

"Test. ELEAZER KIMBERLY, Secretary."

Though the council were unanimous in passing the platform of discipline, yet they were not all of one opinion; some being for high consociational government, and in their sentiments nearly presbyterians; others were much more moderate and rather verged on independency; but as they were exceedingly desirous of "keeping the unity of the spirit in the bond of peace," they exerted great forbearance towards each other.

As it was stipulated that the heads of agreement should be observed through the colony, they were an important mean of reconciling numbers to the constitution, as they did not carry points so far as the articles of discipline; and did not make the judgments of councils decisive, in all cases, but only maintained, that particular churches ought to have a reverential regard to their judgment, and not to dissent from it without apparent grounds from the word of God. Neither did they give the elders a negative in councils over the churches; but even in some instances gave more latitude than the articles of discipline; and consequently served to reconcile such elders and churches, as were not for a rigid consociational government.

Notwithstanding the Savoy confession was adopted, as the faith of the Connecticut churches, yet by adopting the heads of agreement, it was agreed, that with respect to soundness of judgment in matters of faith, it was sufficient, "That a church acknowledge the Scriptures to be the word of God, the perfect and only rule of faith and practice, and own either the doctrinal part of those commonly called the articles of the church of England, or the confession or catechisms, shorter or longer, compiled by the assembly at Westminster, or the confession agreed on at the Savoy, to be agreeable to the said rule."

The Saybrook platform, thus unanimously recommended by the elders and messengers of the churches, and adopted by the legislature, as the religious constitution of the colony, met with a general reception, though some of the churches were extremely opposed to it.

Though Messrs. Andrew, Pierpont, and Russell, were influential characters there, yet it is observable that the churches in the county of Norwich sent no messengers to the synod; and the tradition is that the church and people were so offended with their minister, Mr. John Woodward, for consenting to it, that they never would forgive him and be reconciled: but made such opposition to his ministry, that by the advice of council, he resigned it and left the town.

The elders and messengers of the county of Hartford met in council at Hartford, the next February, and formed into two distinct consociations and associations for the purposes expressed in the constitution; and the ministers and churches of the other three counties afterwards formed themselves into consociations and associations. There were therefore, soon after, five consociations and the same number of associations in the colony. The associations met annually by a delegation of two elders from each, in a general association, which had a general advisory superintendency over all the ministers and churches in the colony; and its advice has generally been acceptable to the ministers and churches, and cheerfully carried into execution. The meeting of the general association was anciently in September; but the time of meeting, after some years, was altered to the third Tuesday in June.

The corporation of the college having now obtained a confession of faith, adopted by the churches

and legislature of the colony; the trustees and officers of the college, upon their introduction to office, were required to give their assent to it, and to the Westminster confession and catechisms.

But before this could be effected, Mr. Pierson, the president, was dead; having died on the 5th of March 1707, to the unspeakable loss and affliction both of the college and the people of his charge. He was educated at Harvard-college, where he graduated, 1668. He appears first to have settled in the ministry at Newark in New Jersey; and thence came to Killingworth, and was installed in 1694. He had the character of being a hard student, a good scholar, and a great divine. He was greatly respected as a pastor, and he instructed and governed the college with general approbation. Upon his death, the Rev. Mr. Andrew was chosen rector pro tempore; and the senior class were removed to Milford, to be under his immediate instruction until the commencement; and the other students were removed to Saybrook, and put under the care and instruction of two tutors.

The ministers of Connecticut were exceedingly attentive to the morals and qualifications of those, whom they recommended to the improvement of the churches, or ordained to the pastoral office; and the general association in 1712, agreed upon the following rules, and recommended them to the consideration of the several associations for their approbation and concurrence.

"Rules agreed upon for the examination of candidates for the ministry.

"Agreed upon, that the person to be examined concerning his qualifications for the evangelical ministry, shall be dealt with in his examinations, with all candour and gentleness.

"1. That he be able to give satisfaction to the association examining him, of his skill in the Hebrew, Greek, and Latin tongues.

"2. That he be able to give satisfaction to the association examining him, of his skill in Logic and Philosophy.

"3. He shall be examined what authors in divinity he hath read; and also concerning the main grounds or principles of the Christian religion; and shall therein offer just matter of satisfaction to the association examining him; and shall give his assent to the confession of faith publicly owned and declared to be the confession of the faith of the united churches of this colony.

"4. That if the life and conversation of the person to be examined be not well known to the association examining him, then said person shall offer sufficient evidence to said association of his sober and religious conversation.

"5. That the person to be examined shall publicly pray, and also preach in the presence of the association examining him, from some text of Scripture which shall be given him by said association,

and at such time and place as they shall appoint, in order to prove his gifts for the ministerial work.

"Rules relating to the ordination of a person to the work of the ministry.

"Agreed, 1. In case of ordination, those who are to ordain ought to be satisfied that the person to be ordained is apt to teach, and of his inclination to the work of the ministry

"2. That they shall be satisfied with his prudence and fitness for the management of so great a trust, as that of the work of the ministry.

"3. The persons to ordain shall be satisfied, that his preaching and conversation be acceptable to the people over whom he is to be ordained.

"4. That he shall be able to explain such texts of Scripture as shall be proposed to him.

"5. That he shall be able to resolve such practical cases of conscience as shall be proposed to him.

"6. That he shall show, to the satisfaction of the pastors to ordain him, his competent ability to refute dangerous errors, and defend the truth against gainsayers.

"7. That he shall give his consent to the church discipline of this colony as established by law; yet the pastors to ordain are not to be too severe and strict with him to be ordained, upon his sober dissent from some particulars in said discipline.

About this time a very valuable addition of books was made to the college library at Saybrook. In 1713, Sir John Davie, of Groton, gave a good collection; and the next year a much greater donation was made by the generosity and procurement of Jeremiah Dummer, Esq. of Boston; who was then in London, in the capacity of an agent for several of the New England colonies. He sent over above 800 volumes; of which 120 were procured at his own charge; and the rest were from gentlemen in England, through his solicitation and influence; Sir Isaac Newton, Sir Richard Blackmore, Sir Richard Steele, Doctors Burnet, Halley, Bentley, Kennet, Calamy, and Edwards, and the Rev. Mr. Henry and Mr. Whiston; severally gave a collection of their own works, and Governor Yale added about 40 volumes. The library now consisted of about 900 volumes.

The number of ordained ministers in the colony, in 1714, exclusive of those in the towns under the government of Massachusetts, was 43; and upon the lowest computation there was as much as one ordained minister to every 400 persons, or to every 80 families.

We have now brought the history of this colony, both as to its ecclesiastical and civil affairs, to a period in which it was firmly settled; and we shall therefore discontinue giving a separate account of it; as the public acts, of any consequence, in which it was afterwards engaged, have been sufficiently noticed in the histories of the more important neighbouring colonies.

RHODE ISLAND AND PROVIDENCE.

As Robertson has given all the important particulars which are known of this small state, in his introductory view of New England, and as the political events in which it was engaged have been already sufficiently enlarged upon in the histories of the surrounding colonies, we have little more to add than a brief account of its internal constitution and domestic policy.

We have already seen that Roger Williams, who was banished from Massachusetts, for avowing the doctrine, that the civil magistrate is bound to grant equal protection to every denomination of Christians, a doctrine too liberal for the age in which he lived, repaired to Seeconk, where he procured a grant of land from the Indians. Being informed, by the governor of Plymouth, that the land was within the limits of that colony, he proceeded to Mooshausic, where in 1636, with those friends who followed him, he began a plantation.

He purchased the land of the Indians, and in grateful acknowledgment of the kindness of Heaven, he called the place Providence. Acting in conformity with the wise and liberal principle, for avowing and maintaining which he had suffered banishment, he allowed entire freedom of conscience to all who came within his borders. And to him must be given the glory of having first set a practical example of the equal toleration of all religious sects in the same political community.

His benevolence was not confined to his civilized brethren. He laboured to enlighten, improve and conciliate the savages. He learned their language, travelled among them, and gained the entire confidence of their chiefs. He had often the happiness, by his influence over them, of saving from injury the colony that had proclaimed him an outlaw and driven him into the wilderness.

In 1638, William Coddington, and seventeen others, being persecuted for their religious tenets in Massachusetts, followed Williams to Providence. By his advice, they purchased of the Indians the island of Aquetnec, now called Rhode Island, and removed thither. Coddington was chosen their judge, or chief magistrate. The fertility of the soil, and the toleration of all Christian sects, attracted numerous emigrants from the adjacent settlements.

When the New England colonies, in 1643, formed their memorable confederacy, Rhode Island applied to be admitted a member. Plymouth objected; asserting that the settlements were within her boundaries. The commissioners decided that Rhode Island might enjoy all the advantages of the confederacy, if she would submit to the jurisdiction of Plymouth. She declined, proudly preferring independence to all the benefits of dependent union.

In 1644, Williams, having been sent to England as agent for both settlements, obtained of the Plymouth company a patent for the territory, and permission for the inhabitants to institute a government for themselves. In 1647, delegates chosen by the freemen held a general assembly at Portsmouth,

organized a government, and established a code of laws. The executive power was confided to a president and four assistants; and upon the applications of the inhabitants, Charles II., in 1663, granted the following charter to Rhode Island and Providence Plantations.

CHARLES II., by the grace of God, &c. To all, to whom these presents shall come greeting. Whereas we have been informed by the petition of our trusty and well-beloved subjects, John Clarke, on the behalf of Benedict Arnold, William Brenton, William Coddington, Nicholas Easton, William Boulston, John Porter, John Smith, Samuel Gorton, John Weekes, Roger Williams, Thomas Olney, Gregory Dexter, John Cogeshall, Joseph Clarke, Randall Houlden, John Greene, John Roome, Samuel Wildbore, William Field, James Barker, Richard Tew, Thomas Harris, and William Dyre, and the rest of the purchasers and free inhabitants of our island, called Rhode Island, and the rest of the colony of Providence Plantations, in the Narraganset bay, in New England, in America, that they, pursuing with peace and loyal minds their sober, serious, and religious intentions, of godly edifying themselves and one another in the holy Christian faith and worship, as they were persuaded, together with the gaining over and conversion of the poor ignorant Indian natives in those parts of America, to the sincere profession and obedience of the same faith and worship, did not only by the consent and good encouragement of our royal progenitors, transport themselves out of this kingdom of England into America; but also since their arrival there, after their first settlement among other our subjects in those parts, for the avoiding of discord and those many evils which were likely to ensue upon those our subjects not being able to bear in those remote parts their different apprehensions in religious concerns; and in pursuance of the aforesaid ends did once again leave their desirable stations and habitations, and with excessive labour and travail, hazard and charge, did transplant themselves into the midst of the Indian natives, who, as we are informed, are the most potent princes and people of all that country; where, by the good providence of God (from whom the plantations have taken their name), upon their labour and industry, they have not only been preserved to admiration, but have increased and prospered, and are seised and possessed by purchase and consent of the said natives, to their full content, of such lands, islands, rivers, harbours, and roads, as are very convenient both for plantations, and also for building of ships, supply of pipe-staves, and other merchandise, and which lie very commodious in many respects for commerce, and to accommodate our southern plantations, and may much advance the trade of this our realm, and greatly enlarge the territories thereof; they having, by near neighbourhood to, and friendly society with the great body of the Narraganset Indians, given them encouragement of their own accord, to subject

themselves, their people and lands, unto us; whereby, as is hoped, there may in time, by the blessing of God upon their endeavours, be laid a sure foundation of happiness to all America. And whereas, in their humble address, they have freely declared, that it is much on their hearts (if they be permitted) to hold forth a lively experiment, that a most flourishing civil state may stand, and best be maintained, and that among our English subjects, with a full liberty in religious concerns; and that true piety, rightly grounded upon Gospel principles, will give the best and greatest security to sovereignty, and will lay in the hearts of men the strongest obligations to true loyalty; now, know ye, that we being willing to encourage the hopeful undertaking of our said loyal and loving subjects, and to secure them in the free exercise and enjoyment of all their civil and religious rights appertaining to them, as our loving subjects; and to preserve unto them that liberty in the true Christian faith and worship of God which they have sought with so much travail, and with peaceable minds and loyal subjection to our royal progenitors and ourselves to enjoy; and because some of the people and inhabitants of the same colony cannot, in their private opinion, conform to the public exercise of religion according to the liturgy, form, and ceremonies of the Church of England, or take or subscribe the oaths and articles made and established in that behalf; and for that the same, by reason of the remote distances of those places, will, as we hope, be no breach of the unity and uniformity established in this nation, have therefore thought fit, and do hereby publish, grant, ordain, and declare, that our royal will and pleasure is, that no person within the said colony, at any time hereafter, shall be any wise molested, punished, disquieted, or called in question, for any differences in opinion in matters of religion, who do not actually disturb the civil peace of our said colony; but that all and every person and persons may, from time to time, and at all times hereafter, freely and fully have and enjoy his and their own judgments and consciences, in matters of religious concernment, throughout the tract of land hereafter mentioned, they behaving themselves peaceably and quietly, and not using this liberty to licentiousness and profaneness, nor to the civil injury or outward disturbance of others, any law, statute, or clause therein contained, or to be contained, usage or custom of this realm, to the contrary hereof, in any wise notwithstanding. And that they may be in the better capacity to defend themselves in their just rights and liberties, against all the enemies of the Christian faith, and others, in all respects, we have further thought fit, and at the humble petition of the persons aforesaid, are graciously pleased to declare, that they shall have and enjoy the benefit of our late act of indemnity, and free pardon, as the rest of our subjects in other our dominions and territories have; and to create and make them a body politic or corporate, with the powers or privileges hereinafter mentioned. And accordingly, our will and pleasure is, and of our especial grace, certain knowledge, and mere motion, we have ordained, constituted, and declared, and by these presents, for us, our heirs and successors, do ordain, constitute, and declare, that they the said William Brenton, William Coddington, Nicholas Easton, Benedict Arnold, William Boulston, John Porter, Samuel Gorton, John Smith, John Weekes, Roger Williams, Thomas Olney, Gregory Dexter, John Cogeshall, Joseph Clarke, Randall Houlden, John

Greene, John Roome, William Dyre, Samuel Wildbore, Richard Tew, William Field, Thomas Harris, James Barker, — Rainsborrow, — Williams, and John Nixon and all such others as are now, or hereafter shall be admitted, free of the company and society of our colony of Providence Plantations, in the Narraganset bay, in New England, shall be, from time to time, and for ever hereafter, a body corporate and politic, in fact and name, by the name of the governor and company of the English colony of Rhode Island and Providence Plantations, in New England, in America; and that by the same name, they and their successors shall and may have perpetual succession, and shall and may be persons able and capable in the law to sue and be sued, to plead and be impleaded, to answer and to be answered unto, to defend and to be defended, in all and singular suits, causes, quarrels, matters, actions, and things, of what kind or nature soever; and also to have, take, possess, acquire, and purchase lands, tenements, or hereditaments, or any goods or chattles, and the same to lease, grant, demise, alien, bargain, sell, and dispose of, at their own will and pleasure, as other our liege people of this our realm of England, or any corporation or body politic within the same, may lawfully do: and further, that they the said governor and company, and their successors, shall and may, for ever hereafter, have a common seal, to serve and use for all matters, causes, things, and affairs whatsoever, of them and their successors, and the same seal to alter, change, break, and make new from time to time, at their will and pleasure, as they shall think fit. And further, we will and ordain, and by these presents, for us, our heirs and successors, do declare and appoint, that for the better ordering and managing of the affairs and business of the said company and their successors, there shall be one governor, one deputy-governor, and ten assistants, to be from time to time constituted, elected, and chosen out of the freemen of the said company for the time being, in such manner and form as is hereafter in these presents expressed; which said officers shall apply themselves to take care for the best disposing and ordering of the general business and affairs of and concerning the lands and hereditaments herein after mentioned to be granted, and the plantation thereof, and the government of the people there. And for the better execution of our royal pleasure herein, we do, for us, our heirs and successors, assign, name, constitute and appoint, the aforesaid Benedict Arnold to be the first and present governor of the said company, and the said William Brenton to be the deputy-governor, and the said William Boulston, John Porter, Roger Williams, Thomas Olney, John Smith, John Greene, John Cogeshall, James Barker, William Field, and Joseph Clarke, to be the ten present assistants of the said company, to continue in the said several offices respectively, until the first Wednesday which shall be in the month of May now next coming. And further, we will, and by these presents, for us, our heirs and successors, do ordain and grant, that the governor of the said company for the time being, or in his absence, by occasion of sickness or otherwise, by his leave or permission the deputy-governor for the time being, shall and may, from time to time, upon all occasions, give order for the assembling of the said company, and calling them together, to consult and advise of the business and affairs of the said company; and that for ever hereafter, twice in every year, that is

to say, on every first Wednesday in the month of May, and on every last Wednesday in October, or oftener, in case it shall be requisite, the assistants, and such of the freemen of the said company, not exceeding six persons from Newport, four persons for each of the respective towns of Providence, Portsmouth, and Warwick, and two persons for each other place, town, or city, who shall be from time to time thereunto elected or deputed by the major part of the freemen of the respective towns or places for which they shall be so elected or deputed, shall have a general meeting or assembly, then and there to consult, advise and determine, in and about the affairs and business of the said company and plantations. And further, we do of our especial grace, certain knowledge, and mere motion, give and grant unto the said governor and company of the English colony of Rhode Island and Providence Plantations, in New England, in America, and their successors, that the governor, or, in his absence, or by his permission, the deputy-governor of the said company for the time being, the assistants, and such of the freemen of the said company as shall be so aforesaid elected or deputed, or so many of them as shall be present at such meeting or assembly as aforesaid, shall be called the general assembly; and that they, or the greatest part of them then present, whereof the governor or deputy-governor, and six of the assistants at least, to be seven, shall have, and have hereby given and granted unto them full power and authority, from time to time, and at all times hereafter, to appoint, alter, and change such days, times, and places of meeting, and general assembly, as they shall think fit; and to choose, nominate, and appoint such and so many persons as they shall think fit, and shall be willing to accept the same, to be free of the said company and body politic, and them into the same to admit; and to elect and constitute such offices and officers, and to grant such needful commissions as they shall think fit and requisite, for ordering, managing, and dispatching of the affairs of the said governor and company, and their successors; and from time to time to make, ordain, constitute, or repeal such laws, statutes, orders, and ordinances, forms and ceremonies of government and magistracy, as to them shall seem meet, for the good and welfare of the said company, and for the government and ordering of the lands and hereditaments hereinafter mentioned to be granted, and of the people that do, or at any time hereafter shall inhabit, or be within the same; so as such laws, ordinances, and constitutions so made, be not contrary and repugnant unto, but as near as may be, agreeable to the laws of this our realm of England, considering the nature and constitution of the place and people there; and also to appoint, order, and direct, erect and settle such places and courts of jurisdiction, for hearing and determining of all actions, cases, matters, and things, happening within the said colony and plantation, and which shall be in dispute, and depending there, as they shall think fit; and also to distinguish and set forth the several names and titles, duties, powers, and limits, of each court, office and officer, superior and inferior; and also to contrive and appoint such forms of oaths and attestations, not repugnant, but as near as may be agreeable, as aforesaid, to the laws and statutes of this our realm, as are convenient and requisite, with respect to the due administration of justice, and due execution and discharge of all offices and places of trust, by the persons that shall be therein concerned; and also to

regulate and order the way and manner of all elections to offices and places of trust, and to prescribe, limit, and distinguish the number and bounds of all places, towns, and cities, within the limits and bounds hereinafter mentioned, and not herein particularly named, who have, or shall have the power of electing and sending of freemen to the said general assembly; and also to order, direct, and authorize the imposing of lawful and reasonable fines, mulcts, imprisonments, and executing other punishments, pecuniary and corporal, upon offenders and delinquents, according to the course of other corporations within this our kingdom of England: and again, to alter, revoke, annul, or pardon, under their common seal, or otherwise, such fines, mulcts, imprisonments, sentences, judgments, and condemnations, as shall be thought fit; and to direct, rule, order, and dispose all other matters and things, and particularly that which relates to the making of purchases of the native Indians, as to them shall seem meet; whereby our said people and inhabitants in the said plantations may be so religiously, peaceably, and civilly governed, as that by their good life and orderly conversation they may win and invite the native Indians of the country to the knowledge and obedience of the only true God and Saviour of mankind; willing, commanding, and requiring, and by these presents, for us, our heirs and successors, ordaining and appointing, that all such laws, statutes, orders, and ordinances, instructions, impositions, and directions, as shall be so made by the governor, deputy, assistants, and freemen, or such number of them as aforesaid, and published in writing under their common seal, shall be carefully and duly observed, kept, performed, and put in execution, according to the true intent and meaning of the same. And these our letters patent, or the duplicate or exemplification thereof, shall be to all and every such officers, superior or inferior, from time to time, for the putting of the same orders, laws, statutes, ordinances, instructions, and directions, in due execution against us, our heirs and successors, a sufficient warrant and discharge. And further, our will and pleasure is, and we do hereby for us, our heirs and successors, establish and ordain, that yearly, once in the year for ever hereafter, namely, the aforesaid Wednesday in May, and at the town of Newport or elsewhere, if urgent occasion do require, the governor, deputy-governor, and assistants of the said company, and other officers of the said company, or such of them as the general assembly shall think fit, shall be in the said general court or assembly, to be held from that day or time, newly chosen for the year ensuing, by the greater part of the said company for the time being, as shall be then and there present. And if it shall happen that the present governor, deputy-governor, and assistants, by these presents appointed, or any such as shall hereafter be newly chosen into their rooms, or any of them, or any other the officers of the said company, shall die, or be removed from his or their several offices or places before the said general day of election (whom we do hereby declare for any misdemeanor or default to be removeable by the governor, assistants, and company, or such greater part of them, in any of the said public courts to be assembled as aforesaid), that then, and in every such case, it shall and may be lawful to and for the said governor, deputy-governor, assistants, and company aforesaid, or such greater part of them so to be assembled, as is aforesaid, in any of their assemblies, to proceed to a new election of one

or more of their company, in the room or place, rooms or places, of such officer or officers so dying or removed, according to their directions. And immediately upon and after such election or elections made of such governor, deputy-governor, assistant or assistants, or any other officer of the said company, in manner and form aforesaid, the authority, office, and power before given to the former governor, deputy-governor, and other officer and officers so removed, in whose stead and place new shall be chosen, shall, as to him and them, and every of them respectively, cease and determine. Provided always, and our will and pleasure is, That as well such as are by these presents appointed to be the present governor, deputy-governor and assistants of the said company, as those which shall succeed them, and all other officers to be appointed and chosen as aforesaid, shall, before the undertaking the execution of the said offices and places respectively, give their solemn engagement, by oath or otherwise, for the due and faithful performance of their duties in their several offices and places, before such person or persons as are by these presents hereafter appointed to take and receive the same; that is to say, the said Benedict Arnold, who is hereinbefore nominated and appointed the present governor of the said company, shall give the aforesaid engagement before William Brenton, or any two of the said assistants of the said company, unto whom we do, by these presents, give full power and authority to require and receive the same; and the said William Brenton, who is hereby before nominated and appointed the present deputy-governor of the said company, shall give the aforesaid engagement before the said Benedict Arnold, or any two of the assistants of the said company, unto whom we do, by these presents, give full power and authority to require and receive the same; and the said William Boulston, John Porter, Roger Williams, Thomas Olney, John Smith, John Greene, John Cogeshall, James Barker, William Field, and Joseph Clarke, who are hereinbefore nominated and appointed the present assistants of the company, shall give the said engagement to their offices and places respectively belonging, before the said Benedict Arnold and William Brenton, or one of them, to whom respectively we do hereby give full power and authority to require, administer, or receive the same. And further, our will and pleasure is, that all and every other future governor, or deputy-governor, to be elected and chosen by virtue of these presents, shall give the said engagement before two or more of the said assistants of the said company for the time being, unto whom we do, by these presents, give full power and authority to require, administer, or receive the same; and the said assistants, and every of them, and all and every other officer or officers, to be hereafter elected and chosen by virtue of these presents, from time to time, shall give the like engagements to their offices and places respectively belonging, before the governor or deputy-governor for the time being; unto which said governor or deputy-governor we do, by these presents, give full power and authority to require, administer, or receive the same accordingly. And we do likewise for us, our heirs and successors, give and grant unto the said governor and company, and their successors, by these presents, that for the more peaceable and orderly government of the said plantations, it shall and may be lawful for the governor, deputy-governor, assistants, and all other officers and ministers of the said company, in the administration

of justice and exercise of government in the said plantations, to use, exercise, and put in execution, such methods, rules, orders, and directions, not being contrary and repugnant to the laws and statutes of this our realm, as have been heretofore given, used, and accustomed in such cases respectively, to be put in practice, until at the next or some other general assembly, especial provision shall be made in the cases aforesaid. And we do further, for us, our heirs and successors, give and grant unto the said governor and company, and their successors, by these presents, that it shall and may be lawful to and for the said governor, or, in his absence, the deputy-governor and major part of the said assistants for the time being, at any time when the said general assembly is not sitting, to nominate, appoint and constitute such and so many commanders, governors, and military officers, as to them shall seem requisite, for the leading, conducting, and training up the inhabitants of the said plantations in martial affairs, and for the defence and safeguard of the said plantations; and that it shall and may be lawful to and for all and every such commander, governor, and military officer, that shall be so as aforesaid, or by the governor, or in his absence the deputy-governor and six of the assistants, and major part of the freemen of the said company present at any general assemblies, nominated, appointed, and constituted, according to the tenour of his and their respective commissions and directions, to assemble, exercise in arms, marshal, array, and put in warlike posture, the inhabitants of the said colony, for their especial defence and safety; and to lead and conduct the said inhabitants, and to encounter, repulse, and resist by force of arms, as well by sea as by land, to kill, slay, and destroy, by all fitting ways, enterprises, and means whatsoever, all and every such person or persons as shall at any time hereafter attempt, or enterprise the destruction, invasion, detriment, or annoyance of the said inhabitants or plantations; and to use and exercise the law martial in such cases only as occasion shall necessarily require; and to take and surprise, by all ways and means whatsoever, all and every such person and persons, with their ship or ships, armour, ammunition, or other goods of such persons as shall in hostile manner invade or attempt the defeating of the said plantation, or the hurt of the said company and inhabitants; and upon just causes to invade and destroy the natives, Indians, or other enemies of the said colony. Nevertheless, our will and pleasure is, and we do hereby declare to the rest of our colonies in New England, that it shall not be lawful for this our said colony of Rhode Island and Providence Plantations, in New England, in America, to invade the natives inhabiting within the bounds and limits of their said colonies, without the knowledge and consent of the said other colonies. And it is hereby declared, that it shall not be lawful to or for the rest of the colonies to invade or molest the native Indians, or any other inhabitants, inhabiting within the bounds or limits hereafter mentioned (they having subjected themselves unto us, and being by us taken into our special protection), without the knowledge and consent of the governor and company of our colony of Rhode Island and Providence Plantation. Also our will and pleasure is, and we do hereby declare unto all Christian kings, princes, and states, that if any person, which shall hereafter be of the said company or plantation, or any other by appointment of the said governor

and company for the time being, shall at any time or times hereafter roo or spoil, by sea or land, or do any hurt, or unlawful hostility, to any of the subjects of us, our heirs and successors, or to any of the subjects of any prince or state being then in league with us, our heirs and successors; upon complaint of such injury done to any such prince or state, or their subjects, we, our heirs and successors, will make open proclamation, within any parts of our realms of England fit for that purpose, that the person or persons committing any such robbery or spoil shall, within the time limited by such proclamation, make full restitution or satisfaction of all such injuries done or committed, so as the said prince, or others so complaining, may be fully satisfied and contented; and if the said person or persons who shall commit any such robbery or spoil, shall not make satisfaction accordingly, within such time so to be limited, that then we, our heirs and successors, will put such person or persons out of our allegiance and protection; and that then it shall and may be lawful and free for all princes, or others, to prosecute with hostility such offenders, and every of them, their and every of their procurers, aiders, abettors, and counsellors, in that behalf. Provided also, and our express will and pleasure is, and we do by these presents, for us, our heirs and successors, ordain and appoint, that these presents shall not in any manner hinder any of our loving subjects whatsoever from using and exercising the trade of fishing upon the coast of New England, in America, but that they, and every or any of them, shall have full and free power and liberty to continue and use the trade of fishing upon the said coast, in any of the seas thereunto adjoining, or any arms of the sea, or salt water, rivers and creeks, where they have been accustomed to fish, and to build and set upon the waste land belonging to the said colony and plantations such wharfs, stages, and workhouses, as shall be necessary for the salting, drying and keeping of their fish to be taken or gotten upon that coast. And further, for the encouragement of the inhabitants of our said colony of Providence Plantation to set upon the business of taking whales, it shall be lawful for them, or any of them having struck a whale, dubertus, or other great fish, it or them to pursue unto that coast, and into any bay, river, cove, creek or shore, belonging thereto, and it or them, upon the said coast, or in the said bay, river, cove, creek, or shore belonging thereto, to kill and order for the best advantage, without molestation, they making no wilful waste or spoil; any thing in these presents contained, or any other matter or thing to the contrary notwithstanding. And further also, we are graciously pleased, and do hereby declare, that if any of the inhabitants of our said colony do set upon the planting of vineyards, (the soil and climate both seeming naturally to concur to the production of wines) or be industrious in the discovery of fishing-banks in or about the said colony, we will, from time to time, give and allow all due and fitting encouragement therein, as to others in cases of like nature. And further, of our more ample grace, certain knowledge, and mere motion, we have given and granted, and by these presents, for us, our heirs and successors, do give and grant unto the said governor and company of the English, colony of Rhode Island and Providence Plantation, in the Narraganset bay, in New England, in America, and to every inhabitant there, and to every person and persons trading thither, and to every

such person or persons as are or shall be free of the said colony, full power and authority, from time to time, and at all times hereafter, to take, ship, transport, and carry away, out of any of our realms and dominions, for and towards the plantation and defence of the said colony, such and so many of our loving subjects and strangers, as shall or will willingly accompany them in and to their said colony and plantation, except such person or persons as are or shall be therein restrained by us, our heirs and successors, or any law or statute of this realm; and also to ship and transport all and all manner of goods, chattels, merchandise, and other things whatsoever, that are or shall be useful or necessary for the said plantations, and defence thereof, and usually transported, and not prohibited by any law or statute of this our realm; yielding and paying unto us our heirs and successors, such the duties, customs and subsidies, as are or ought to be paid or payable for the same. And further, our will and pleasure is, and we do for us, our heirs and successors, ordain, declare and grant unto the said governor and company, and their successors, that all and every the subjects of us, our heirs and successors, which are already planted and settled within our said colony of Providence Plantation, or which shall hereafter go to inhabit within the said colony, and all and every of their children which have been born there, or which shall happen hereafter to be born there, or on the sea going thither or returning from thence, shall have and enjoy all liberties and immunities of free and natural subjects, within any the dominions of us, our heirs and successors, to all intents, constructions, and purposes whatsoever, as if they and every of them were born within the realm of England. And further know ye, that we, of our more abundant grace, certain knowledge, and mere motion, have given, granted and confirmed, and by these presents, for us, our heirs and successors, do give, grant and confirm unto the said governor and company, and their successors, all that part of our dominions in New England in America, containing the Nehantick and Nanhygansett, alias Narraganset bay, and countries and parts adjacent, bounded on the west, or westerly, to the middle or channel of a river there, commonly called and known by the name of Pawcatuck, alias Pawcawtuck river, and so along the said river, as the greater or middle stream thereof reacheth or lies up into the north country, northward unto the head thereof, and from thence by a straight line drawn due north, until it meet with the south line of the Massachusetts colony, and on the north or northerly, by the aforesaid south or southerly line of the Massachusetts colony or plantation, and extending towards the east or eastwardly three English miles, to the east and north-east of the most eastern and north-eastern parts of the aforesaid Narraganset bay, as the said bay lieth or extendeth itself from the ocean on the south or southwardly, unto the mouth of the river which runneth towards the town of Providence, and from thence along the eastwardly side or bank of the said river (higher called by the name of Seacunc river), up to the falls called Patucket Falls, being the most westwardly line of Plymouth colony; and so from the said falls, in a straight line due north, until it meet with the aforesaid line of the Massachusetts colony, and bounded on the south by the ocean, and in particular the lands belonging to the towns of Providence, Patuxit, Warwicke, Misquamacock, alias Pawcatuck, and the rest upon the main land, in the tract

aforesaid, together with Rhode Island, Blocke Island, and all the rest of the islands and banks in the Narraganset bay, and bordering upon the coast of the tract aforesaid (Fisher's island only excepted), together with all firm lands, soils, grounds, havens, ports, rivers, waters, fishings, mines royal, and all other mines, minerals, precious stones, quarries, woods, wood-grounds, rocks, slates, and all and singular other commodities, jurisdictions, royalties, privileges, franchises, pre-eminencies, and hereditaments whatsoever, within the said tract, bounds, lands, and islands aforesaid, to them or any of them belonging, or in any wise appertaining. To have and to hold the same unto the said governor and company, and their successors for ever, upon trust, for the use and benefit of themselves and their associates, freemen of the said colony, their heirs and assigns. To be holden of us, our heirs and successors, as of the manner of East Greenwich, in our county of Kent, in free and common soccage, and not *in capite*, nor by knight's service. Yielding and paying therefore to us, our heirs and successors, only the fifth part of all the ore of gold and silver, which from time to time, and at all times hereafter, shall be there gotten, had or obtained, in lieu and satisfaction of all services, duties, fines, forfeitures, made or to be made, claims or demands whatsoever, to be to us, our heirs or successors, therefore or thereabout rendered, made or paid; any grant or clause, in a late grant to the governor and company of Connecticut colony in America, to the contrary thereof in any wise notwithstanding; the aforesaid Pawsatuck river having been yielded after much debate, for the fixed and certain bounds between these our said colonies, by the agents thereof; who have also agreed, that the said Pawcatuck river shall also be called alias Narragansett or Narraganset river, and to prevent future disputes that otherwise might arise thereby, for ever hereafter shall be construed, deemed, and taken to be the Narragansett river, in our late grant to Connecticut colony, mentioned as the easterly bounds of that colony. And further, our will and pleasure is, that in all matters of public controversies, which may fall out between our colony of Connecticut and Providence Plantation, to make their appeal therein to us, our heirs and successors, for redress in such cases, within this our realm of England; and that it shall be lawful to and for the inhabitants of the said colony of Providence Plantation, without lett or molestation, to pass and repass with freedom into and through the rest of the English colonies upon their lawful and civil occasions, and to converse, and hold commerce, and trade with such of the inhabitants of our other English colonies as shall be willing to admit them thereunto, they behaving themselves peaceably among them; any act, clause, or sentence, in any of the said colonies provided, or that shall be provided, to the contrary in any wise notwithstanding. And lastly, we do for us, our heirs and successors, ordain and grant unto the said governor and company, and their successors, by these presents, that these our letters patents shall be firm, good, effectual, and available, in all things in the law, to all intents, constructions, and purposes whatsoever, according to our true intent and meaning hereinbefore declared; and shall be construed, reputed, and adjudged in all cases, most favourably on the behalf, and for the best benefit and behoof of the said governor and company, and their successors, although express mention, &c. In witness, &c. *Per ipsum Regem.*

In 1665 they authorized, by law, the seizure of the estates of Quakers, who refused to assist in defending the colony; but this law being generally condemned by the people, was never executed.

When Andross was made governor of New England, he behaved in the arbitrary manner which has already been so fully related in the previous pages; he dissolved the charter government of Rhode Island, and ruled the colony, with the assistance of a council appointed by himself. After he was imprisoned at Boston, the freemen met at Newport, and voted to resume their charter. All the officers, who three years before had been displaced, were restored.

The benevolence, justice, and pacific policy of Williams secured to the colony an almost total exemption from Indian or other hostility, and it therefore affords little of a political nature to record.

From a long period after the year 1710 a continual contest existed respecting an almost continual system of creating a capital by the negotiating of a paper currency. The sums thus created were far more than sufficient for the purposes of commerce, and indeed, in many instances, were created in opposition to the wishes of the mercantile interest, for the purpose of supplying the state with money, and filling the pockets of a set of venal wretches, without subjecting them to the necessity of earning of it by their diligence, so that the history of the government of this state for 70 years is a history of base speculation by means of a paper money currency, which was so contrived, that amongst themselves it came out at about two and a half per cent. interest, and they lent it to the neighbouring colonies at ten per cent. as barefaced a cheat as ever was practised.

The interest of these public iniquitous frauds went, one quarter to the several townships to defray their charges, the other three quarters were lodged in the treasury, to defray the charges of government. These measures deprived the state of great numbers of its worthy and most respectable inhabitants; had a very pernicious influence upon the morals of the people; deprived many of their just dues, and occasioned a ruinous stagnation of trade; but an efficient government has effectually abolished this iniquitous system, and the confidence lost by it has been recovered by a steady and rigid attachment to an integrity of conduct in all their concerns.

It now remains but to give a brief account of the internal state of this settlement.

Rhode Island is the only state of the union that is without a written constitution, the government being founded on the provisions of the foregoing charter. The legislature of this state consists of two branches—a senate or upper house, composed of ten members, besides the governor and deputy-governor, who were called in the charter assistants—and a house of representatives, composed of deputies from the several towns. The members of the legislature are chosen twice a year; and there are two sessions of this body annually, viz. on the first Wednesday in May, and the last Wednesday in October.

The supreme executive power is vested in a governor, or, in his absence, in the deputy-governor, who, with the assistants, secretary, and general treasurer, are chosen annually in May by the suffrages of the people. The governor presides in the upper house, but has only a single voice in enacting laws. Suffrage is universal.

There is one supreme judicial court, composed of five judges, whose jurisdiction extends over the whole state, and who holds two courts annually in each county.

In each county there is an inferior court of common pleas and general sessions of the peace, held twice a year for the trial of causes, not capital, arising within the county, from which an appeal lies to the supreme court.

This smallest state of the union is only about 42 miles in average length, and its mean breadth only about 29 miles. It is bounded on the north and east by the state of Massachusetts; on the south by the Atlantic ocean; and on the west by the state of Connecticut.

It is as healthful a country as any part of North America. The winters in the maritime parts are milder than in the inland country; the air being softened by a sea vapour, which also enriches the soil. The summers are delightful, especially on Rhode Island, where the extreme heats, which prevail in other parts of America, are allayed by cool and refreshing breezes from the sea.

Rhode Island, from which the state takes its name, is thirteen miles in length; its average breadth is about four miles. It is divided into three townships, Newport, Portsmouth, and Middletown. This island, in point of soil, climate and situation, may be ranked among the finest and most charming in the world. In its most flourishing state it has been called by travellers the Eden of America. Providence in many parts is equally pleasant, the whole country being beautifully variegated and plentifully watered.

There is but one mountain in this state, which is in the town of Bristol, called Mount Hope or (Haup); there is nothing in its appearance to claim particular attention.

Among the rivers the following deserve particular notice. Providence and Taunton rivers, both of which fall into Narraganset bay, the former on the west, the latter on the east side of Rhode Island. Providence river rises partly in the Massachusetts, and is navigable as far as Providence for ships of 900 tons, 30 miles from the sea. Taunton river is navigable for small vessels to Taunton. The common tides rise about four feet.

Fall river is small, rising in Freetown, and passing through Tiverton. The line between the states of Massachusetts and Rhode Island, passes Fall river bridge. Patuxet river rises in Mashapog pond, and five miles below Providence empties into Narraganset bay. Pautucket river, called more northerly Blackstone's river, empties into Seekhonck river, four miles N.N.E. from Providence, where are the falls hereafter described, over which is a bridge, on the post-road to Boston, and 40 miles from thence. The confluent stream empties into Providence river, about a mile below Weybossett, or the great bridge. Naspatucket river falls into the bay about one mile and a half N.W. of Weybossett bridge. Moshassuck river falls into the same bay, three-fourths of a mile north of the bridge. These rivers united form Providence river, which, a few miles below the town, receives the name of Narraganset bay, and affords fine fish, oysters, and lobsters in great plenty; the bay makes up from south to north between the main land on the east and west. It embosoms many fertile islands, the appearance of which and of the circumjacent country in the spring and summer seasons, either from the land or water, is extremely beautiful and charming; the principal of these, besides Rhode Island, are Canonicut, Prudence, Patience, Hope, Dyer's and Hog Island. The first of these, viz. Canonicut Island, lies west of Rhode Island, and is six miles

in length, and about one mile in breadth; it was purchased by the Indians in 1657, and incorporated by an act of assembly by the name of the Island of Jamestown in 1678.

Prudence island is nearly or quite as large as Canonicut, and lies north of it, and is a part of the township of Portsmouth.

Block island, called by the Indians Manisses, is 21 miles S.S.W. from Newport, and is the southernmost land belonging to the state; it was erected into a township, by the name of New Shoreham, in 1672. The inhabitants of this island were formerly noted for making good cheese; and they catch considerable quantities of cod fish round the ledges near the island.

The harbours in this state are, Newport, Providence, Wickford, Patuxet, Warren, and Bristol, all of which are advantageous, and several of them commodious. For the safety and convenience of sailing into Narraganset bay and the harbour of Newport, a light-house was erected in 1749 on Beavertail, at the south end of Canonicut Island; the diameter of the base is 24 feet, and of the top thirteen feet; the height from the ground to the top of the cornice is 50 feet, round which is a gallery, and within that stands the lantern, which is about eleven feet high and eight feet in diameter. The ground the light-house stands on is about twelve feet above the surface of the sea at high-water.

This state, generally speaking, is a country for pasture, and not for grain; in Rhode Island alone many thousand sheep are fed, besides neat cattle and horses, and a like proportion in many other parts of the state. It however produces corn, rye, barley, oats, and in some parts wheat sufficient for home consumption; and the various kinds of grasses, fruits, culinary roots and plants in great abundance, and in good perfection, and cider is made for exportation. The north-western parts of the state are but thinly inhabited, and are more rocky and barren than the other parts. The tract of country lying between South Kingston and the Connecticut line, called the Narraganset country, is excellent grazing land, and is inhabited by a number of wealthy farmers, who raise some of the finest neat cattle in New England, weighing from 16 to 1800 cwt. They keep large dairies, and make both butter and cheese of the best quality and in very large quantities for exportation. Narraganset has been famed for an excellent breed of pacing horses, remarkable for their speed and hardiness, and for enduring the fatigues of a journey; this breed of horses has, however, much depreciated of late, the best mares having been purchased by the people from the westward.

The interior of the earth offers a large recompense to the industrious adventurer. Iron ore is found in great plenty in several parts of the state. The iron works on Patuxet river, twelve miles from Providence, are supplied with ore from a bed four miles and a half distant, which lies in a valley, through which runs a brook; the brook is turned into a new channel, and the ore pits are cleared of water by a steam-engine.

At Diamond Hill, in the county of Providence, which is so called from its sparkling and shining appearance, there are a variety of peculiar stones, more curious than at present they appear to be useful; but not far from this hill, in the township of Cumberland, is a copper mine, mixed with iron strongly impregnated with loadstone, of which some large pieces have been found in the neighbourhood:

however no method has yet been discovered to work it to advantage, or rather, no one has yet been found with sufficient spirit to engage in an undertaking, which, though it might be attended with difficulty at first, could hardly fail, ultimately, of yielding an ample recompense.

An abundance of limestone is found, particularly in the county of Providence, of which large quantities of lime are made and exported. This limestone is of different colours, and is the true marble, of the white, plain, and variegated kinds; it takes a fine polish, and works equal to any in America.

There are several mineral springs, to one of which, near Providence, many people resort to bathe and drink the water.

The rivers and waters are equally productive; in the rivers and bays are plenty of sheeps-head, black-fish, herring, shad, lobsters, oysters and clams; and around the shores of Rhode Island, besides those already mentioned, are cod, halibut, mackerel, bass, haddock, &c. to the amount of more than 70 different kinds, so that in the seasons of fish the markets present a continual scene of bustle and hurry. Rhode Island is indeed considered by travellers as the best fish market, not only in the United States, but in the world.

This state is divided into five counties, viz. Newport, Providence, Washington, Bristol and Kent; which are subdivided into the following 30 townships.

Newport County.

Newport, Portsmouth, New Shoreham, James Town, Middletown, Tiverton, Little Compton.

Providence County.

Providence, Smithfield, Scituate, Glocester, Cumberland, Cranston, Johnston, North Providence, Foster.

Washington County.

Westerly, North Kingston, South Kingston, Charlestown, Exeter, Richmond, Hopkinton.

Bristol County.

Bristol, Warren, Barrington.

Kent County.

Warwick, East Greenwich, West Greenwich, Coventry.

Newport lies in lat. $41^{\circ} 35'$; and was first settled by Mr. William Coddington, afterwards governor, and the father of Rhode Island, with seventeen others, in 1639. Its harbour, which is one of the finest in the world, spreads westward before the town; the entrance is easy and safe, and a large fleet may anchor in it, and ride in perfect security. The town lies north and south upon a gradual ascent as you proceed from the water, and exhibits a beautiful view from the harbour, and from the neighbouring hills which lie westward upon the main. West of the town is Goat Island, on which is a fort. Between this island and Rhode Island is the harbour. Front or Water-street is a mile in length.

Providence is situated in lat. $41^{\circ} 51'$ on both sides of Providence river, is 35 miles from the sea, and 30 miles N. by W. from Newport; it is the oldest town in the state; Roger Williams and his company were its first settlers in 1636.

This town is divided into two parts by the river, and connected by a bridge, formerly called Weybosset, from a high hill of that name which stood near the west end of the bridge, but which is now removed, and its base built upon; its situation affording a prospect of all vessels leaving and entering the harbour, renders it a pleasant place of resort in the summer. Ships of almost any size sail up and down the channel, which is marked out by

stakes erected at points, shoals, and beds lying in the river, so that strangers may come up to the town without a pilot. In 1764 there were belonging to the county of Providence 54 sail of vessels, containing 4320 tons; they have much increased since.

This town suffered by the Indian war of 1675, when a number of its inhabitants removed to Rhode Island for shelter. In the revolutionary war the case was reversed; many of the inhabitants of that island removed to Providence.

Bristol is a pleasant thriving town, about sixteen miles north of Newport, on the main; part of the town was destroyed by the British, but it has since been rebuilt; it has an episcopal and a congregational church. This town is noted for raising large quantities of onion and other roots. A number of vessels are owned by the inhabitants, and they carry on a considerable trade to Africa, the West Indies, and to different parts of the United States.

Warren is also a flourishing town, has a very lucrative trade with the West Indies and other places, and a considerable portion of business in ship-building.

Little Compton, called by the Indians Seconnet, is said to be the best cultivated township in the state, and affords a greater supply of provisions for market, such as meats of the several kinds, butter, cheese, vegetables, &c. than any other town of its size. The inhabitants, who are an industrious and sober people, and in these respects an example worthy the notice and imitation of their brethren in some other parts of the state, manufacture linen and tow cloth, flannels, &c. of an excellent quality, and in considerable quantities for sale.

About four miles north-east of Providence lies a small village called Pautucket, a place of some trade, and famous for lamprey eels. Through this village runs Pautucket river, which empties into Seekhonck river at this place: in this river is a beautiful fall of water; directly over the falls a bridge has lately been built, which is a work of considerable magnitude and much ingenuity, which divides the commonwealth of Massachusetts from the state of Rhode Island. The fall in its whole length is upwards of 50 feet; the water passes through several chasms in a rock which runs diametrically across the bed of the stream, and serves as a dam to the water. Several mills have also been erected upon these falls, and the spouts and channels which have been constructed to conduct the streams to their respective wheels, and the bridge, have taken very much from the beauty and grandeur of the scene, which would otherwise have been extremely romantic.

In the town of Middletown, on Rhode Island, about two miles from Newport, is a place called Purgatory; it joins to the sea on the east side of the island; it is a large cavity or opening, in a high bed of rocks, about twelve feet in diameter at top, and about 40 feet deep before you reach the water, of which, as it joins the sea, it has always a large depth. The rocks on each side appear to have been once united, and were probably separated by some convulsion in nature.

Before the revolutionary war, the merchants imported from Great Britain dry goods; from Africa slaves; from the West Indies, sugars, coffees, and molasses, and from the neighbouring colonies lumber and provisions. With the bills which they obtained in Surinam and the Dutch West India islands, they paid their merchants in En.

gland; their sugars they carried to Holland; the slaves from Africa they carried to the West Indies, together with the lumber and provisions procured from their neighbours; the rum distilled from the molasses was carried to Africa to purchase negroes; with their dry goods from England they trafficked with the neighbouring colonies. By this kind of circuitous commerce they subsisted and grew rich; but the war, and some other events have had a great, and in many respects, an injurious effect upon the trade of this state. The slave trade, which was a source of wealth to many of the people in Newport, and in other parts of the state, has happily been abolished; the legislature have passed a law prohibiting ships from going to Africa for slaves, and selling them in the West India islands; and the oath of one seaman belonging to the ship is sufficient evidence of the fact.

The town of Bristol carries on a considerable trade to Africa, the West Indies, and to different parts of the United States; but by far the greatest part of the commerce of this state is at present carried on by the inhabitants of the flourishing town of Providence.

The exports from the state are flax-seed, lumber, horses, cattle, beef, pork, fish, poultry, onions, butter, cheese, barley, grain, spirits, and cotton and linen goods. The imports consist of European and West India goods, and logwood from the bay of Honduras.

The constitution of this state admits of no religious establishments any further than depends upon the voluntary choice of individuals; all men professing to believe in one Supreme Being, are equally protected by the laws, and no particular sect can claim pre-eminence. This unlimited liberty in religion is one principal cause why there is such a variety of religious sects in Rhode Island. The Baptists are the most numerous of any denomination in the state; these, as well as the other Baptists in New England, are chiefly upon the Calvinistic plan as to doctrines, and Independents in regard to church government. There are, however, some who profess the Arminian tenets, others observe the Jewish, or Saturday Sabbath, from a persuasion that it was one of the ten commandments, which they plead are all in their nature moral, and were never abrogated in the New Testament, and must, at least, be deemed of equal validity for public worship, as any day particularly set apart by Jesus Christ and his apostles. These are called Sabbatarian or Seventh-day Baptists.

The other religious denominations in Rhode Island are, Congregationalists, Friends or Quakers, Episcopalians, Moravians, and Jews. Besides these, there are a considerable number of the people, who can be reduced to no particular denomination, making no external profession of any religion, nor attending any place of public worship.

In many towns public worship is much neglected by the greater part of the inhabitants; they pay no taxes for the support of ecclesiastics of any denomination; and a peculiarity which distinguishes this state from every other Protestant country in the known world, is, that no contract formed by the minister with his people, for his salary, is valid in law; so that ministers are dependent wholly on the integrity of the people for their support, since their salaries are not recoverable. It ought, however, to be observed, that ministers in general are liberally maintained, and none who merit it have much reason to complain for want of support.

Throughout the whole of the late war with Great

Britain, the inhabitants of this state manifested a patriotic spirit; their troops behaved gallantly, and they are honoured in having produced the second general in the field.

The literature of this state is confined principally to the towns of Newport and Providence. At the latter is Brown University; formerly called Rhode Island-college. The charter for founding this seminary of learning was granted by the general assembly of the state, by the name of the "Trustees and Fellows of the College or University, in the English colony of Rhode Island and Providence Plantations," in 1764, in consequence of the petition of a large number of the most respectable characters in the state. By the charter, the corporation of the college consists of two separate branches, with distinct, and respective powers. The number of trustees is 36, of whom 22 are Baptists, five of the denomination of Friends, five Episcopalians, and four Congregationalists. The same proportion of the different denominations to continue *in perpetuum*. The number of fellows (inclusive of the president, who is a fellow *ex officio*) is twelve, of whom eight are Baptists, the others chosen indiscriminately from any denomination. The concurrence of both branches, by a majority of each, is necessary for the validity of an act, except adjudging and conferring degrees, which exclusively belongs to the fellowship as a learned faculty. The president must be a Baptist: professors and other officers of instruction are not limited to any particular denomination. There is annually a general meeting of the corporation on the first Wednesday in September, at which time the public commencement is held.

It was first founded at Warren, in the county of Bristol, but in the year 1770 the college was removed to Providence, where a large, elegant building was erected for its accommodation, by the generous donations of individuals, mostly from the town of Providence. And in 1804 it received its present name of Brown University; a wealthy individual of that name having, by a donation of 5000 dollars, gained the right of having his name given to it, in accordance to a clause in its charter, which decreed that it should receive the name of any liberal benefactor. It is situated on a hill to the east of the town; and while its elevated situation renders it delightful, by commanding an extensive, variegated prospect, it furnishes it with a pure, salubrious air. The edifice is of brick, four stories high, 150 feet long, and 46 wide, with a projection of ten feet each side. It has an entry lengthwise, with rooms on each side. There are 48 rooms for the accommodation of students, and eight larger ones for public uses. The roof is covered with slate.

This institution is under the instruction of a president, a professor of divinity, a professor of natural and experimental philosophy, a professor of mathematics and astronomy, a professor of natural history, and three tutors. Nearly all the funds of the college are at interest in the treasury of the state, and amount to almost 2000*l*.

At Newport there is a flourishing academy, under the direction of a rector and tutors.

In 1752 a marine society was established at Newport, for the purpose of relieving distressed widows and orphans of maritime brethren, and such of their society as may need assistance.

This state contained, in 1730, 15,302 whites, and 2,633 blacks; in 1748, 29,755 whites, and 4,373 blacks; and in 1761, 35,939 whites, and 4,697 blacks.





